

Perth and Kinross Council Privacy Notice

Employees

Date notice written 2021-06

1. Why is this information being processed?

Perth and Kinross Council processes your personal information to manage your employment and to meet our obligations to you as an employer.

2. Who is processing this information?

The personal information you've provided will be processed by Perth and Kinross Council, 2 High Street, Perth, PH1 5PH, enquiries@pkc.gov.uk, 01738 475000.

3. Why is it lawful for the Council to process this information?

The information provided by you in relation to your employment will be used by Perth & Kinross Council for the following purposes if required during the course of your employment-

- To identify and communicate with you as necessary
- To assess your suitability to perform specific roles, including those which require disclosure checks. If disclosure or PVG checks are required, the Council will process information regarding criminal convictions and any police intelligence reports regarding suspected criminality to assess your suitability of the post in question
- To assess your eligibility to work in the UK
- To check your employment history and qualifications
- To process payments to you
- To assess your qualification for categories of leave and for payments of allowances and statutory payments
- To allow the Council to comply with its statutory responsibilities in relation to your health and wellbeing, including occupational health, and to manage attendance
- If you have provided us with personal characteristic information as defined in the Equality Act 2010 and other equalities related information we may use this for statistical monitoring of the Council's workforce.
- To manage and record details of any attendance, disciplinary or grievance procedures in which you are involved
- To manage and record details of your use of clocking systems, Council telephone and computer systems (including internet usage) and emails sent and received on Council systems
- To manage and record images of you on CCTV systems in Council premises

- For relevant staff, information provided by you will be used to provide assurances to the Department for Work and Pensions (DWP) that, as an employee of Perth and Kinross Council with access to DWP and HMRC data, the appropriate pre-employment checks have been conducted under the requirements of the Baseline Personnel Security Standards (BPSS).

The Council is permitted to process your personal data in this way because it is necessary for us to hold this information in order for us to manage your employment and to meet our obligations to you as an employer.

Formally, the processing of personal data provided to us for this purpose satisfies Article 6(1)(b) of the UK General Data Protection Regulation - *Processing shall be lawful...to the extent that: - processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract*

In this instance, the contract is the contract of employment.

The processing will also satisfy, on occasion, Article 6(1)(c) - *Processing is necessary for compliance with a legal obligation to which the controller is subject*

In this instance, the legal obligations are those arising from Health & Safety at Work legislation.

4. Will any sensitive personal information (Special Category Data such as information about health or information about criminal convictions etc.) be processed?

When it is necessary to do so, special category data will be processed.

If so, why is it lawful for the Council to process this information?

Article 9 (b) of the UK GDPR permits the processing of special category data “*for the purposes of carrying out the obligations.....in the field of employment*” if the “*processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law*” (Section1, Part 1, Schedule 1, Data Protection Act 2018)

5. Will this information be shared?

Your personal information will not be disclosed to third parties unless it's necessary for us to do so in order to verify its accuracy, prevent or detect crime, protect public funds or where required by law, or when it necessary for the Council to do so to fulfil its obligations as an employer. The Council may check information provided by you, or information about you provided by a third party, with other information held by us.

In order for the Council to fulfil its obligations it may be necessary for us to share personal information with the following third parties-

- Registered employment bodies such as the Scottish Social Services Council and the General Teaching Council for Scotland
- The Health and Safety Executive in relation to accidents at work
- The Council's insurance provider
- Courts or tribunals
- Dundee City Council, who administer Perth and Kinross Council's pension scheme
- Third parties in respect of trade union subscriptions, salary sacrifice schemes, charitable giving schemes, payments in respect of court orders or credit union contributions
- The Council's Occupational Health provider
- The Department of Work and Pensions

Perth and Kinross Council is a public authority in terms of the Freedom of Information (Scotland) Act 2002. In response to requests for information made under this legislation it may sometimes be necessary to release a limited amount of personal information about senior staff, including names and job titles. Information is only released if doing so is compatible with our obligations under data protection legislation.

If you are the author of a report which is presented to a Council committee your details, including name and work telephone number, may be published on the Council's website.

If you are required to attend or speak at a Council committee meeting this may be recorded and made available online.

6. How long will this information be kept for?

For most staff, personal information held on Perth and Kinross Council systems in relation to employment is kept for 6 years after your leaving date. After this it will be deleted.

However, in the case of staff whose posts are subject to disclosure checks, personal information held on Perth and Kinross Council systems in relation to employment is kept for 25 years after your leaving date. After this it will be deleted.

If you work in an area where CCTV cameras or Body Worn Cameras are in use personal information recorded will be retained in accordance with the relevant Council policy.

7. Personal Information Rights

Individuals have rights in relation to the information the Council holds about them, including the right to request a copy of their information. You can find out more about your [Personal Information Rights](#) on our website or by contacting the Council's Information Governance team at the address below.

8. Data Protection Officer

The Council has a Data Protection Officer who you can contact in the first instance if you have any questions or complaints about how we are processing your personal information.

Please contact Data Protection Officer, 2 High Street, Perth, PH1 5PH, DataProtection@pkc.gov.uk, 01738 475444.

9. Information Commissioner's Office

If you want to complain about how the Council has processed your information you have the right to contact the Information Commissioner's Office (<https://ico.org.uk/> 0303 123 1113).

10. Information Governance Team

If you have any questions about how the Council processes your information, or if you would like a copy of this notice in another language or format, please contact the Information Governance team;

Information Governance

Legal and Governance Services

2 High Street

Perth

PH1 5PH

Email: DataProtection@pkc.gov.uk

Telephone:01738 477933