

## **Human Resources**

### **Privacy Notice**

Human Resources sits within the Chief Executive's Department and is led by Mandy Pullen, Assistant Director for HR and Development.

This privacy notice details the information collected, processed and stored by Peterborough City Council in relation to its employees. You should read this in conjunction with our corporate privacy notice which refers to accessing your rights and our responsibilities around such matters as preventing fraud.

Human Resources covers a number of different areas as detailed below and we have provided links to these specific areas, their role and the data they may collect.

- Business Advice which would include advice, guidance and support to line managers with people management issues such as employee relations and change management.
- Workforce development which has the key objectives of building a diverse, skilled, committed and flexible workforce, managing change effectively and transforming culture and creating leaders for the future and managing talent.
- Policy and Reward which develops and agrees HR policies and terms & conditions of employment.
- Occupational Health which provides advice to management and colleagues in HR regarding sickness absence and support for employees returning to work after illness. We have a separate privacy notice here for this service.
- HR Support which is delivered under the Peterborough-Serco Strategic Partnership. This provides administrative support to Human Resources and supports the council's recruitment process.

Please note that Payroll is delivered under the Peterborough-Serco Strategic Partnership and is not part of the Human Resources remit

### **Why would we collect personal data?**

We need to collect personal data to enable the council to manage applications for employment and our employees from induction to ongoing employment. We need to hold certain types of data to enable us to meet a number of legal duties around tax, employer responsibilities, pensions and employment rights.

The basis for processing personal data on employees is twofold; we have to process data in order to fulfill the contract of employment we have and also in order to comply with our legal obligations.

We are required to abide by legislation including but not limited to:

- Employment Rights Act;
- Equality Act;
- TUPE regulations;
- ACAS Codes of Practice;
- Small Business, Enterprise and Employment Act for gender pay gap reporting, zero hours contracts Children & Families Act (Shared Parental Leave and pay);
- NMW Regulations
- Modern Slavery Act
- Exclusivity Terms in zero hours contracts (redress) regulations
- Enterprise Act (cap on public sector exit payments);
- Trade Union Act;
- Immigration Act
- Health and Safety at Work Act
- Working Time Directive
- Workers Workplace Regulations.

We will also collect special categories of data and where we do so then we will, in some cases, ask for your explicit consent, but we will also need to process the information about you to fulfil the contract of employment, and also both our own and your obligations relating to employment.

We may process data regarding ethnicity in line with Schedule 1 Part 2 (7) of the Data Protection Bill , relating to the specified category of personal data . In this case, data which discloses racial or ethnic origin and will enable the council to identify or keep under review the existence or absence of equality of opportunity or treatment. This will not be used to make a decision which affects an individual person without their explicit consent. You do have the option to leave questions about ethnicity blank or choose not to say. We respect your right to do so.

We will hold details regarding criminal convictions where those are disclosed to the council by the individual or as a result of a criminal records check. These will be retained either **for 6 months or for longer where we have** the explicit consent of the person concerned

Where we rely on your consent to process personal information, we will make this clear to you and that you have the right to withdraw consent or not provide the information. Where you do so then we will cease to process your information unless we have lawful basis to continue.

## **What types of information do we hold?**

We process the following types of information

- Name
- Address
- Photograph for the production of an identity card in line with contract
- Telephone numbers
- Email address
- References
- Date of birth
- National Insurance Number
- Gender (please note you have a choice on supplying this)
- Ethnicity (please note you have a choice on supplying this)
- Bank and financial details
- Nationality/Right to Work
- Qualifications and training records
- Physical and mental health including disability
- Trade Union Membership
- Sexual orientation – (please note you have a choice on supplying this)
- Performance details
- Sickness attendance details
- Annual leave
- Pay details
- Qualifications
- Employment history

## **Who we collect information from?**

We collect information from you as the employee from the point at which you apply for the role, and subsequently during your employment. We also collect some of the above information from unsuccessful applicants for roles.

We may collect information from past employers or personal references based on the application for employment.

We may also receive information from other organisations for occupational health which is detailed in the privacy notice for that service.

Where we are legally required to carry out criminal record checks for those carrying out the role applied for, or the role is one which is listed on the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (SI 1975/1023), and is also specified in the Police Act 1997 (Criminal Records) Regulations (SI 2002/233)] so is eligible for a standard OR enhanced check from the Disclosure and Barring Service.

### **Who do we share information with?**

It will depend on what service you are receiving as to who we share information with and why. The relevant manager or HR Business Partner will explain in your individual circumstances who we may share information with and why. Those we may share information regarding your employment may include:

- HR colleagues where appropriate
- Managers within the council
- HMRC
- DWP and The Pension Service
- Pension providers including NHS and Local Government schemes
- UKBA
- Medical professionals involved with you
- Solicitors acting for you or acting on our behalf where the law permits
- Education establishments
- Disclosure & Barring Service

### **Peterborough City Council and Cambridgeshire County Council**

The two councils have arrangements to provide shared services within directorates. If you are subject to those then you will be made aware of this. You remain an employee of Peterborough City Council and therefore your information will be held by this council.

There will be occasions when we do share information about you with Cambridgeshire County Council, such as job details and grading. These will not reveal any personal information about you at this level. If we do need to disclose your pay spinal column point or additional details, then we will inform you as to what may be disclosed and why. If you object then we will consider your objection. In the event of a TUPE transfer, we will follow our established process and your written consent will be sought.

### **How long do you keep information for?**

We only keep information for as long as it is needed. This will be based on either a legal requirement (where a law says we have to keep information for a specific period of time) or accepted business practice.. More detail can be found in our retention schedule.

### **Your Rights**

You have rights under Data Protection and these are as detailed in the corporate notice and can be accessed using this [link](#).