

Privacy Notice – for Employees

This privacy notice tells you what to expect when Kirklees Council collects personal information from those seeking to be employed, are employed or otherwise engaged to work within Kirklees Council.

During the course of its employment activities, Kirklees Council collects, stores and processes personal information about job applicants, current and former employees.

For the purposes of GDPR, we, Kirklees Council, are the Data Controller for this information.

This Privacy Notice relates to information you provide as an applicant or as an employee (including information about former employees), workers (including agency, casual and contracted staff), volunteers, trainees and those carrying out work experience.

This Privacy Notice outlines the legal basis that we process information.

We recognise the need to treat prospective, current and former employee's personal and sensitive data in a fair and lawful manner. No personal information held by us will be processed unless the requirements for fair and lawful processing can be met.

Our staff are trained to handle your information correctly and protect your confidentiality and privacy. We aim to maintain high standards and adopt best practice for our record keeping and regularly check how we are doing.

This privacy notice is intended to provide clarity around what types of information we process, collect and share and for what purpose. It's not an exhaustive list of all aspects of employment information, so if you would like additional explanation, please speak to your manager in the first instance or **HR**.

<p>Article 6 of GDPR Sets out the Lawful basis for processing data.</p>	<p>The lawful basis on which we use process information includes the following categories of Article 6</p> <p>Contract: the processing is necessary for a contract with individuals, (either permanent or temporary) or because of the need to take specific steps before entering into a contract.</p> <p>Legal obligation: the processing is necessary for us to comply with the law.</p> <p>Legitimate interests: the processing is necessary for a public authority processing data to perform our official tasks or for our legitimate interests or the legitimate interests of a third party.</p> <p>Consent: Where an individual has given clear consent for the Council to process their personal data for a specific purpose.</p>
<p>What is the purpose of processing the data</p>	<p>The purposes include:</p> <ul style="list-style-type: none">• Recruitment administration, (including shortlisting and assessment stages and undertaking checks required to be able to make offers of employment)• Staff employment administration and staff management (including payroll administration and for performance management purposes)• Pensions administration

	<ul style="list-style-type: none"> • Health administration, occupational health management and support services • Statutory payments • Enabling ethnicity, diversity, gender pay and equality monitoring • Business management and planning • Accounting and Auditing • Accounts and records • Process employment, work related or insurance related claims (grievances, personal injury and compensation) • Prevent and Detect crime prevention and prosecution of offenders • Education and Training purposes • To comply with Court orders • Information related to Health and Safety • Information and databank administration • Sharing and matching of personal information for national fraud initiative • Sharing of personal information statutorily required by Professional bodies, and for or Disclosure and Barring Services. • Financial modelling • Workforce planning • Supporting statutory consultation process • Informing the development of policies • Managing archived records, constitutional and statutory retention requirements. • Management of information technology systems and reports. • For conducting investigations to make sure our policies and procedures are being followed and compliance with legislative obligations • Complaints, Accidents or incident details • Any duty or responsibility of the local authority arising from common law or statute
<p>Categories of personal data that we handle</p>	<p>We process information relevant to the above purposes which includes:</p> <ul style="list-style-type: none"> • Personal details (such as name, address, national insurance number) • Contact details (such as family details, partner, contact telephone numbers, email) • Personal demographics, special category data, including <ul style="list-style-type: none"> • Gender • Race or ethnic origin • Trade union membership • Sexual orientation • Religious beliefs • Offences (including alleged offences) • Genetic and biometric data (NB passport photograph) • Medical information including physical or mental health conditions

	<ul style="list-style-type: none"> • Employment and education details (professional membership, qualification, references and proof of eligibility to work in the UK and security checks) • Financial details (bank details, salary and payments and deductions) • Case file information
<p>Categories of data subjects</p>	<p>We process personal information about:</p> <ul style="list-style-type: none"> • Staff (including apprentices and work placements) • Persons contracted to provide a service • Complainants, enquirers or their representatives • Professional advisers and consultants • Witnesses • Trade union representatives
<p>Categories of recipients to whom personal data has been or will be disclosed</p>	<p>Where allowed by law or required by law we may share information with:</p> <ul style="list-style-type: none"> • Family, associates or representatives of the person whose personal data we are processing • Current, past and prospective employers • Financial organisations • Local and central government • Pension Fund Administrators • Regulatory authorities/bodies • Professional advisors and consultants • Courts and tribunals • Trade unions • Professional bodies • Police forces • Partner agencies/approved organisations • Disclosure and barring service • Healthcare professionals <p>There are other types of information we may share with others about you, where you provide consent for us to do so, which can include the following:</p> <ul style="list-style-type: none"> • Financial organisations • Solicitors • Specific identified Trade Union stewards (related to employment cases) • Nominated representatives • External consultants (such as recruitment, coaching and mediation services) • Care First or other medical professionals
<p>Transfers of personal data to a third party and safeguards</p>	<p>We have contracts in place with some third parties to support us to fulfil some elements of our employment activities. Transfer will take place when:</p> <ul style="list-style-type: none"> • Technical and organisational security measures have been put in place via a contract; or

	<ul style="list-style-type: none"> • With the consent of the data subject; or • Where required by law.
<p>Technical and organisational security measures</p>	<p>The Council takes organisational security measures to only share information with those agencies and bodies who have a "need to know" or where there are safeguards in place to fulfil contractual and data protection requirements or you have consented to the disclosure of your personal data to such persons. Examples of measures, such as, but not limited to include:</p> <ul style="list-style-type: none"> • User access controls • Physical security • Risk assessments • Staff training • Contractual requirements • Resilience planning including backups • Secure data transfer accounts and IT systems • Robust security updates • Anonymization • Encryption • Recruitment practice and codes of conduct within our Terms and conditions which require staff to declare conflicts of interest • Monitoring compliance and undertaking investigations <p>There are also organisational management controls outlined within our Information Governance Policy</p>

What else may be useful to know

We will not routinely disclose any information about you without your express permission. However, there are circumstances where we must or can share information about you owing to a legal/statutory obligation.

Your employment information is never collected or sold for direct marketing purposes.

How long do we keep information

HR Retention and Destruction Schedule sets out our arrangements for staff records. Details can be found under [HR Retention Schedule](#)

We do not collect more information than what is needed to fulfil our stated purposes and have arrangements in place to regularly check and to take steps so that we do not retain information for longer than is necessary. If there is a reason why we may not be able to fulfil our retention arrangements we will make it clear within our Retention Schedule, and take action to work on solutions so that fair and lawful processing can be met.

Your individual rights

GDPR gives individuals rights in respect of the personal information that we hold about you. More details can be found at the Information Commissioner's Officer [webpage](#)

If you have any questions about the personal information that we hold about you we suggest that you speak to your line manager or HR in the first instance. If you agree, we may be able to deal with your request informally, providing you with information requested or over the telephone.

Individuals can find out about the information we hold by making a 'subject access request' through our Information governance team. More details can be found on the Councils [Data Protection](#) web page.

If we do hold information about you, you can ask us to correct mistakes by contacting HRFreedomofInformation@kirklees.gov.uk. We will always do our best to rectify any mistakes.

Should you wish to lodge a complaint about the use of your information, please contact our [Information Governance Team](#).