

Privacy Policy

People Management

This privacy notice describes, in general terms, the personal data being processed by Sunderland City Council, People Management as Data Controller for the purposes of the General Data Protection Regulations and Data Protection Act 2018.

Reasons/purposes for processing information

As an employer, Sunderland City Council People Management need to collect and process information about prospective, current and former employees for employment purposes. The information we hold and process regarding you as our employee will be used for our management and administrative use only to enable us to run the organisation and manage our relationship with you effectively, lawfully and appropriately, during the recruitment process, whilst you are working for us, at the time when your employment ends and after you leave. Please refer to the overarching Sunderland City Council Privacy Notice which can be accessed via: <https://www.sunderland.gov.uk/data-protection>

Legal basis for processing

Sunderland City Council People Management will use your information where you have provided formal consent and where there is a relevant legal basis to do so to enable us to comply with legal requirements of the recruitment process, your employment contract, any legal requirements of Health and Safety and Employment legislation, pursue the legitimate interests of the organisation and protect our legal position in the event of legal proceedings.

If you do not provide the data required, we may be unable, in some circumstances, to comply with our obligations and we will tell you about the implications of that decision.

Under the Health & Safety at Work Act 1974, workers have a duty to take care of their own health and safety and that of others who may be affected by their actions at work. Workers must co-operate with employers and co-workers to help everyone meet their legal requirements.

As a Local Government Authority providing public tasks, we may sometimes need to process your data to fulfil our statutory duties, for example, administrative purposes, reporting potential crimes. Your personal data may also be shared with bodies responsible for auditing and administering public funds for the purposes of

preventing and detecting fraud e.g. under the Local Audit and Accountability Act 2014 data is shared with the Cabinet Office as part of the government's National Fraud Initiative (NFI) in an exercise undertaken periodically that seeks to match electronic data for the specific purpose of preventing and detecting fraud. For more details see the Council's NFI Privacy Notice at www.sunderland.gov.uk/article/15536/Privacy

In addition, we monitor use of ICT Facilities, as detailed in the Council's ICT Policy available on the Hub via this Link.

The Council uses information it holds about employees to provide references when the data subject nominates the Council or an officer as a referee.

If in the future we intend to process your personal data for a purpose other than that which it was collected we will provide you with information on that purpose and any other relevant information.

Type of information processed

The information we hold includes your application form and references, your contract of employment and any amendments to it; correspondence with or about you, for example:

- Information about your entitlement to work in the UK.
- Your name, address and contact details including email address and telephone number.
- Emergency contact and next of kin details.
- Age and date of birth.
- Details of your qualifications, skills, experience, job role and employment history.
- Details of your medical fitness.
- Details of your rate of pay, contractual hours, type of contract, additional hours worked, reimbursements claimed.
- Information needed for payroll, benefits and expenses purposes i.e. bank account details; financial information (including but not limited to HMRC data, pension scheme details, court orders and statutory payments).
- Records of holiday, sickness and other absence.
- Health and safety accident/incident reports.
- Details of any concerns raised by you or raised about you by other employees.
- Information about your participation in a learning event.
- Information needed for equal opportunities monitoring policy.
- Records relating to your career history, such as training records, appraisals, other performance measures and, where appropriate, attendance, disciplinary and grievance records.
- Information about your strengths and personality.

- Letters to you about changes to your pay.
- At your request, a letter to your mortgage company confirming your salary.

You may be referred to in Council documents and records that are produced by you and your colleagues in the course of carrying out your duties and the business of the organisation.

Where we process special categories of information relating to your racial or ethnic origin, religion or belief, trade union membership, biometric data or gender and sexual orientation, we will always obtain your explicit consent to those activities unless this is not required by law or the information is required to protect your health in an emergency. Information from court orders and attachment to earnings will be processed to meet our statutory obligations.

Where necessary, we may keep information relating to your health, which could include reasons for absence, injuries, ill-health conditions, whether you consider yourself to have a disability for which the organisation needs to make reasonable adjustments and GP reports and notes. We process such information to carry out our obligations and exercise specific rights in relation to employment legislation for example to comply with our health and safety and occupational health obligations to consider how your health affects your ability to do your job and whether any adjustments to your job might be appropriate and to administer statutory and occupational sick pay.

Where it is not necessary to identify the data subject, the service will use anonymised or pseudonymised data so that the data subject is not identified.

Source of the information

Much of the information we hold will have been provided by you, but some may come from other internal sources, such as your manager, or in some cases, external sources, such as referees or your doctor, if we have your consent, and other third parties relevant to your employment.

Automated Decision Making

We use profiling to utilise the talents of existing employees by assessing the strengths and preferences of individuals through a personality questionnaire and ability testing. These provide an in depth view of a potential employee's strengths that can be used as an indicator of their preferences and ability to thrive in specific job roles and are used to support the recruitment process, team development, personal development or restructures. It also enables managers to develop their understanding about what support employees require to be successful in a job role.

Who has access to the information?

Your information will be stored in a range of different places, including on your personnel file (paper and electronic), in HR management systems and on other IT systems (including email).

Employees working within People Management, Finance, Business Support, ICT, Audit Risk and Assurance, line managers, managers in service areas where any incidents occur, may have access to the information, if it is a requirement of their role. Mazars (Sunderland City Council external auditors) may have access in the course of their activities to provide assurance over the service being delivered. We only disclose information about you to third parties if we are legally obliged to do so or where we need to comply with our contractual duties to you, for instance we may need to pass on certain information to pension scheme administrator, HMRC or Trade Unions.

Keeping your information safe

The Council takes the security of your data seriously. We have internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties. All Council employees have undergone training in the use, care, protection, handling of personal data and are aware of and comply with Sunderland City Council duties under GDPR.

How long will data be retained

The Council has agreed retention periods which set out the period of time your data will be retained. We have arrangements to make sure your personal data is securely destroyed when it is no longer needed. Please refer to the People Management Retention Schedule on the HUB.

Your Individual Rights

Your information rights are set out in data protection law. Where the Council is processing your data with your consent you have the right at any time to withdraw that consent.

You also have the right to ask:

- For a copy of the personal information we hold about you.
- To have inaccuracies corrected.
- To have your personal data erased (the right to be forgotten).
- To place a restriction on our processing of your data.

- To object to processing.
- To request your data to be transferred to another data controller (data portability).
- Not to be subject to a decision based solely on automated decision making and profiling.

You can exercise the above rights by contacting People Management or the Council's Data Protection Officer.

For further information on Sunderland City Council's data protection policy and latest privacy notice please see: <https://www.sunderland.gov.uk/data-protection>

If you have concerns about how we have dealt with your personal information, please contact the Council's Data Protection Officer at Data.Protection@sunderland.gov.uk or by calling 0191 520 5555 or at postal address Data Protection Office, City Hall, Plater Way, Sunderland, SR1 3AA.

You can also contact the Information Commissioner's Office: <https://ico.org.uk/>

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF Telephone: 0303 123 1113 (local rate) or 01625 545 745 Fax: 01625 524 510

Changes to the privacy notice

We may make changes to this privacy notice from time to time. This privacy notice was last reviewed on 8 October 2020.