

WEST DEAN PARISH COUNCIL

DATA PROTECTION POLICY AND DATA PROTECTION PRIVACY NOTICE (EMPLOYMENT AND WORKFORCE)

West Dean Parish Council is committed to protecting the privacy and security of all personal information it holds in accordance with the UK General Data Protection Regulation (“UK GDPR”).

This privacy policy and employee privacy notice (“Notice”) is for everyone who currently works or has worked at West Dean Parish Council, whether permanently or as a contractor. It is also for everyone who applies to work at West Dean Parish Council and to everyone who is currently or used to volunteer at West Dean Parish Council (eg work experience and vacation students).

This Notice does not form part of any contract of employment or other contract to provide services.

From time to time, we may update the Notice. If we make significant changes to it, we will take steps to bring them to your attention.

Contents

This Notice explains:

1. The data protection terms and the principles underlying the way West Dean Parish Council handles your personal data.
2. The kinds of personal data we may hold about you.
3. When and how we collect your personal data
4. How we use your personal data
5. Our legal bases for processing your personal data
6. How we keep your personal data safe
7. When we might share your personal data
8. How long we keep your personal data
9. Your rights in connection with your personal data, and;
10. Who to contact about your personal data, including if you have a complaint.

1. Data protection terms and principles

1.1 Under the UK GDPR West Dean Parish Council is a “data controller” and the individuals whose personal data we handle are “data subjects”. The personal information we hold about you is described as “personal data”.

1.2 As a data controller, West Dean Parish Council will comply with the data protection principles in the UK GDPR when collecting and using your personal data. These require that personal data must be:

- (a) Used lawfully, fairly and in a transparent way
- (b) Collected only for valid purposes that we have explained clearly to you, and not used in a way that is incompatible with those purposes.
- (c) Relevant to the purposes we have told you about and limited only to those purposes.

- (d) Accurate and kept up-to-date.
- (e) Kept only as long as necessary for the purposes we have told you about.
- (f) Kept securely and confidentially.

2. The kinds of personal data we may hold about you

2.1 We may collect, store and use a variety of categories of personal data about you including special categories of personal data such as information revealing racial and ethnic origin, data concerning health, sexual orientation and religious beliefs. We may also collect information relating to criminal convictions and offences.

2.2 It is important that the personal data which we hold about you is accurate and up-to-date. Please help us to do this by telling us if your personal data changes while you are working at West Dean Parish Council.

3. When and how we collect your personal data

3.1 We collect personal data about you from a variety of sources but in most instances directly from you, for example during our recruitment process. We may hold information about your family and next of kin where you provide this to us, and we ask that you inform them before providing their information to us.

3.2 We may also collect personal data about you from third parties including ; previous employers (eg employment references); doctors and occupational health professionals (eg reports on your fitness to work); the Home Office (eg, right to work verification); the tax authorities (eg, your tax code); pension administrators (eg, details of your pension arrangements); our insurance administrators; the Disclosure and Baring Service (eg, criminal records information).

3.3 To the extent permitted by law, we may indirectly hold personal data about you from West Dean Parish Council's internet access logs and remote access system.

4. How we use your personal data

4.1 We only use your personal data as the law allows us to. They include but are not limited to:

(a) Recruitment, selection and appointment

- Personal data which you provide to us about yourself during our recruitment, selection and appointment processes may be used to:
- Evaluate applications for employment and make decisions regarding the selection of those who work or volunteer at West Dean Parish Council.
- Undertake pre-employment screening, including where relevant and appropriate, identity checks, right to work verification, reference checks and criminal record checks.
- Make job offers, providing employment contracts, offers of engagement and preparing you to commence working or volunteering at West Dean Parish Council where you accept an offer or invitation from us.
- Contact you where suitable vacancies arise.

- Provide feedback in relation to recruitment decisions.
- Undertake monitoring to ensure equality of opportunity and diversity.

(b) Ongoing management of your relationship with West Dean Parish Council.

Personal data which we hold about you may be used to:

- Manage and maintain HR records, files and systems.
- Provide and administer remuneration, benefits, pensions and incentive schemes operated by West Dean Parish Council.
- Ensure correct pay and benefits, including making necessary tax and national insurance deductions from your remuneration.
- Identify and communicate with you and others working at West Dean Parish Council.
- Where appropriate to publish communications or publicity material internally and externally, including on social media.
- Manage and operate performance reviews
- Manage grievance processes, including making related management decisions.
- Inform training, development, career planning decisions.
- Provide references.
- Administer termination/post-termination matters (eg, liaison with legal representatives and enforcing any restrictive covenants).
- Assist in contingency planning and handling active incidents.

(c) Absence management and health and safety

Personal data provided by you, doctors or occupational health professionals may be used to:

- Create and maintain absence records
- Determine fitness to work
- Facilitate a return to work as appropriate
- Make necessary adjustments or accommodations to duties or the workplace
- Made decisions about employment/ongoing work for/presence at West Dean Parish Council.
- Conduct related management processes

(d) Compliance monitoring, security and systems use

Personal data available to West Dean Parish Council from its IT system may be used to:

- Monitor and manage staff access to West Dean Parish Council's systems
- Protect West Dean Parish Council's networks (including the personal data of those working for West Dean Parish Council in whatever capacity) from unauthorised access or loss.
- Prevent unauthorised access and modifications to West Dean Parish Council's systems.
- Ensure adherence to West Dean Parish Council's policies.
- Maintain the security of commercially sensitive information.
- Check adherence to restrictions on activities whilst you/others are working at West Dean Parish Council and after you/others have left (eg, where any restrictive covenants may apply).
- Investigate complaints and allegations of misconduct.
- Undertake statistical analysis.
- Assist regulatory investigations, or in connection with legal proceedings or requests.

- (e) Responding to legal and regulatory requests

Personal data we hold about you may be used to comply with lawful requests and demands by public authorities/law enforcement authorities.

5. Our legal basis for processing your personal data

5.1 West Dean Parish Council will only process your personal data (including collecting, storing, using or sharing it) where we are satisfied that one or more of the following basis for doing so applies:

- (a) It is necessary to process the personal data to perform a contract we have entered into with you.
- (b) The processing is necessary for legitimate interests pursued by West Dean Parish Council or a third party, provided that your interests and fundamental rights do not override those legitimate interests.
- (c) It is necessary to process the personal data to comply with a legal obligation to which West Dean Parish Council is subject.
- (d) The processing is necessary to perform a task in the public interest.
- (e) In exceptional circumstances, where the processing is necessary to protect you or a third party's vital interests (ie, where someone is at physical risk).

5.2 Where we process "special category personal data" (see paragraph 2.1 above), we do so in the following circumstances:

- (a) Where need to carry out our legal obligations or exercise rights in connection with employment.
- (b) For reasons of substantial public interest (eg, preventing or detecting unlawful acts, protecting the public from dishonesty and support for individuals with a particular disability or medical condition).
- (c) Where it is necessary to protect vital interests to protect you or someone else from harm.

6. How we keep your personal data safe

6.1 We limit access to your personal data to those who have a genuine business need to know it. Those using your personal data will do so only in an authorised manner and subject to a duty of confidentiality.

6.2 West Dean Parish Council has put in place appropriate security measures to prevent your personal data being accidentally lost, altered, disclosed, used or accessed in an unauthorised way. These include technical IT security measures and organisational measures.

6.3 West Dean Parish Council have procedures in place for the reporting and investigation of suspected breaches of data security. We will notify you and applicable regulators of breaches of data security at West Dean Parish Council where legally required to do so.

7. When we might share your personal data

7.1 There may be occasions where we share your personal data with third parties. For example, West Dean Parish Council may retain third party providers such as IT services or disclose personal data to pension

providers and healthcare providers. Where we share your personal data in this way, the third parties receiving it must respect the security of the personal data they receive and provide the same level of security as West Dean Parish Council provides. Third parties are required to use your personal data for the purposes specified by West Dean Parish Council and may not use your personal data for their own purposes.

7.2 In the event that we transfer your personal data outside the UK, we will first ensure that the organisation to which we are transferring it provides an essentially equivalent level of personal protection to the one which West Dean Parish Council provides.

7.3 In addition, there may be occasions when we are required by law to disclose your personal data to government, regulatory or law enforcement agencies (eg, HMRC).

8 How long we keep your personal data

8.1 We will only store your personal data for as long as reasonably necessary to fulfil the purposes for which it was collected. In some circumstances we may hold your personal data for longer periods of time, for instance if we are required to do so in accordance with legal, regulatory, tax or accounting obligations.

8.2 In specific circumstances we may store your personal data for longer periods of time so that we have accurate records. For example, we may retain it for a longer period in the event of complaints, where there is ongoing litigation relating to your personal data, or where we reasonably believe there is the prospect of such litigation.

9. Your rights in connection with your personal data

9.1 Under the UK GDPR, you have a number of rights in relation to the personal data that we hold about you which you may exercise free of charge. These rights are to:-

- (a) **Request access** – you may request a copy of the personal data that we hold about you.
- (b) **Request correction** – you may correct personal data that we hold about you.
- (c) **Request erasure** – in certain circumstances you can ask for the personal data we hold about you to be deleted from our records if there is no good reason for us continuing to retain it. You may also ask us to delete your personal data if you have exercised your right to object to us processing it (see above).
- (d) **Object to processing** – where we are processing your personal data based on legitimate interests (see “Our legal bases for processing your personal data” above), unless we have an overriding justification for us continuing to process your personal data.
- (e) **Restrict processing** – where you want us to establish the accuracy of your personal data or our reasons for processing it. Please note the right to restrict processing of your personal data is subject to certain exceptions.
- (f) **Transfer your personal data** – you have the right to have the data we hold about you transferred to another organisation.

10. Who to contact about your personal data and complaints

10.1 If you have any questions about this Notice or the way West Dean Parish Council handles your personal data, or wish to exercise any of your data rights, please contact the Chairman.

10.2 Although we would hope that we could resolve any questions or concerns that you have about the way we handle your personal data, under the UK GDPR you may lodge a complaint with the UK supervisory authority for data protection issues. The supervisory authority is the Information Commissioner (“ICO”). The ICO’s website is www.ico.org.uk The ICO’s telephone number is 0303 1231113.

West Dean Parish Council

This Notice was last reviewed March 2024