

PRIVACY NOTICE – HUMAN RESOURCES – PERFORMANCE OF CONTRACT OF EMPLOYMENT

YOUR PERSONAL INFORMATION AND HOW IT WILL BE USED

Under data protection law, the lawful bases we rely on for processing this information are:

- (a) We have a contractual obligation.
- (b) We have a legal obligation.

Most of the personal information we process is provided to us directly. We also receive personal information indirectly

WE COLLECT	FROM	FOR
Your Name	You directly	To identify you
Your home address and personal phone number including mobile	You directly	To identify you and send you correspondence relevant to your employment with the council
Your email address (work and personal)	You directly	To send you correspondence relevant to your employment with the council. Where required, the personal email address you provided will be used when a work email address is not available. We will use this to contact you with regards to anything relevant to your employment where appropriate to do so, such as, workforce planning, workforce management, staff communications, employee benefits, and training. This may be required for security purposes for identifying you and providing access to HR and Payroll systems.

WE COLLECT	FROM	FOR
Your marital status	You directly	To provide to our pension provider
Your next of kin/emergency contact details	You directly	To ensure we have a contact for you in case of emergency
Your equal opportunities monitoring information (including age, disability, race, ethnicity, religion or belief, sex, sexual orientation, gender reassignment, marriage/civil partnership and pregnancy/maternity).	You directly	To monitor the composition of the council's workforce and inform policy decisions. Any information that is reported is reported in an anonymised format.
Your trade union membership	You directly	This is only held if you elect to join a trade union and pay your subscription directly from your salary
Your date of birth	You directly	To identify you and for payment of tax and national insurance. This may be required for security purposes for identifying you and providing access to HR and Payroll systems.
Your gender	You directly	For HMRC purposes and for mandatory data tracking
Your National Insurance number	You directly	To identify you and for payment of tax and national insurance. This may be required for security purposes for identifying you and providing access to HR and Payroll systems.
Your employee number	Generated by the councils HR/Payroll system	To identify you on our internal employee record systems. This may be required for security purposes for identifying you and providing access to HR and Payroll systems.
Your bank details	You directly	To make salary payments to you
Your salary information (including tax, national insurance and pension contributions where applicable)	Generated by the councils HR/Payroll system	To ensure the council has an accurate record of your employment and salary history

WE COLLECT	FROM	FOR
Details of any periods of maternity, paternity, adoption, shared parental leave or other forms of special leave	You directly	To ensure the council has an accurate record of any periods of leave and associated payments to ensure the correct application of policies and procedures
Details of requests for flexible working arrangements	You directly	To monitor and record requests and outcomes of flexible working requests
Your employment history with the council including positions held, hours worked and associated contractual documentation	HR Services, line manager	To ensure the council has an accurate record of your employment and salary history
Details of dates of sickness absence and reason(s)	You directly	To ensure you are paid correctly, internal policies and procedures are followed and to meet statutory obligations
Details of any information provided by the council's occupational health provider	The council's occupational health provider	To ensure the correct applications of council policies and procedures and the provision of appropriate support to employees
Details of training/qualifications	You directly	To ensure you have the training/qualifications required to undertake your role with the council
Details of health surveillance assessments	The council's Occupational health provider	To ensure appropriate health surveillance is carried out and any recommendations followed up
Details of involvement in disciplinary, grievance, bullying & harassment, organisational change or sickness absence procedures	You directly, the council's occupational health provider, your line manager (or other appropriate manager), HR Services	To ensure all internal policies and procedures are followed and applied correctly
IT Username (the name used to access council systems)	IT Services	To provide secure access to council systems and ensure auditability over their use

WE COLLECT	FROM	FOR
Date, time, duration and address of visited websites	IT Services	To provide secure access to council systems and ensure auditability over their use
Date, time, subject, sender and recipients of emails	IT Services	To provide secure access to council systems and ensure auditability over their use
System login time, system IP address, log files, location, applications used	IT Services	To provide secure access to council systems and ensure auditability over their use
Dialled/received telephone numbers with date, time and duration of call	IT Services and our telephony provider for mobile calls	To provide secure access to council systems and ensure auditability over their use

HOW LONG DO WE KEEP YOUR INFORMATION AND WHO WILL WE SHARE IT WITH?

Explain in simple and easy to understand terms what the retention period is. Don't provide a link to the retention schedule as that is not informative.

WE COLLECT	WILL BE KEPT FOR	WHO WE WILL SHARE IT WITH AND WHY
Your Name	6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment	HMRC in relation to payment of tax and national insurance Lothian Pension Fund/Scottish Public Pensions Agency The council's employee benefits provider for the purposes of providing access to the employee benefits portal NHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the

WE COLLECT	WILL BE KEPT FOR	WHO WE WILL SHARE IT WITH AND WHY
		purposes of workforce planning and management of your employment contract The council's occupational health provider if additional information is required in relation to your health and impact on employment IT Suppliers/Application suppliers for fault diagnosis and resolution Police Scotland and other crime agencies where required to do so
Your home address and phone number including mobile	6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment	Lothian Pension Fund/Scottish Public Pensions Agency NHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contract The council's occupational health provider if additional information is required in relation to your health and impact on employment Police Scotland and other crime agencies where required to do so
Your email address (work and personal)	6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment	Lothian Pension Fund/Scottish Public Pensions Agency The council's employee benefits provider for the purposes of providing access to the employee benefits portal NHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contract

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		The council's occupational health provider if additional information is required in relation to your health and impact on employment IT Suppliers/Application suppliers for fault diagnosis and resolution Police Scotland and other crime agencies where required to do so
Your marital status	6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment	Lothian Pension Fund/Scottish Public Pensions Agency Police Scotland and other crime agencies where required to do so
Your next of kin/emergency contact details	6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment	Lothian Pension Fund/Scottish Public Pensions Agency NHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contract IT Suppliers/Application suppliers for fault diagnosis and resolution Police Scotland and other crime agencies where required to do so
Your equal opportunities monitoring information (including age, disability, race, ethnicity, religion or belief, sex, sexual orientation, gender reassignment, marriage/civil partnership and pregnancy/maternity).	6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment	This information will only be available to key individuals within the HR department. Anonymised statistics will be published but these will not include any personal information or identify any individual

WE COLLECT	WILL BE KEPT FOR	WHO WE WILL SHARE IT WITH AND WHY
Your trade union membership	6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment	Information on subscriptions deducted will be shared with the trade union you are a member of to allow them to update your records appropriately
Your date of birth	6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment	HMRC in relation to payment of tax and national insurance Lothian Pension Fund/Scottish Public Pensions Agency NHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contract The council's occupational health provider if additional information is required in relation to your health and impact on employment Police Scotland and other crime agencies where required to do so
Your National Insurance number	6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment	HMRC in relation to payment of tax and national insurance Lothian Pension Fund/Scottish Public Pensions Agency Police Scotland and other crime agencies where required to do so
Your employee number	6 Years after the termination of your employment unless you work with vulnerable groups in which	HMRC in relation to payment of tax and national insurance Lothian Pension Fund/Scottish Public Pensions Agency

WE COLLECT	WILL BE KEPT FOR	WHO WE WILL SHARE IT WITH AND WHY
	case it will be 25 years after the termination of your employment	NHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contract The council's employee benefits provider for the purposes of providing access to the employee benefits portal The council's occupational health provider if additional information is required in relation to your health and impact on employment Police Scotland and other crime agencies where required to do so
Your bank details	6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment	This information is only available to staff within the HR and Payroll team to process payments to you Police Scotland and other crime agencies where required to do so
Your salary information (including tax, national insurance and pension contributions where applicable)	6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment	HMRC in relation to payment of tax and national insurance Lothian Pension Fund/Scottish Public Pensions Agency NHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contract IT Suppliers/Application suppliers for fault diagnosis and resolution Police Scotland and other crime agencies where required to do so

WE COLLECT	WILL BE KEPT FOR	WHO WE WILL SHARE IT WITH AND WHY
Details of any periods of maternity, paternity, adoption, shared parental leave or other forms of special leave	6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment	HMRC in relation to payment of tax and national insurance Lothian Pension Fund/Scottish Public Pensions Agency NHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contract The council's occupational health provider if additional information is required in relation to your health and impact on employment Police Scotland and other crime agencies where required to do so
Your employment history with the council including positions held, hours worked and associated contractual documentation	6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment	HMRC in relation to payment of tax and national insurance Lothian Pension Fund/Scottish Public Pensions Agency NHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contract The council's occupational health provider if additional information is required in relation to your health and impact on employment Police Scotland and other crime agencies where required to do so
Details of requests for flexible working arrangements	6 Years after the termination of your employment unless you work with vulnerable groups in which	HMRC in relation to payment of tax and national insurance

WE COLLECT	WILL BE KEPT FOR	WHO WE WILL SHARE IT WITH AND WHY
	case it will be 25 years after the termination of your employment	Lothian Pension Fund/Scottish Public Pensions Agency NHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contract The council's occupational health provider if additional information is required in relation to your health and impact on employment
Details of dates of sickness absence and reason(s)	6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment	HMRC in relation to payment of tax and national insurance Lothian Pension Fund/Scottish Public Pensions Agency NHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contract The council's occupational health provider if additional information is required in relation to your health and impact on employment
Details of any information provided by the council's occupational health provider	6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment	Lothian Pension Fund/Scottish Public Pensions Agency NHS Lothian (if you are in a post that is part of the West Lothian Health & Social Care Partnership) for the purposes of workforce planning and management of your employment contract

WE COLLECT	WILL BE KEPT FOR	WHO WE WILL SHARE IT WITH AND WHY
Details of training/qualifications	6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment	This information will not be shared out with the council unless you are in a post that is part of the West Lothian Health & Social Care Partnership. In this case the information will be shared with NHS Lothian for the purposes of workforce planning and management of your employment contract
Details of health surveillance assessments	6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment	This information will not be shared out with the council unless you are in a post that is part of the West Lothian Health & Social Care Partnership. In this case the information will be shared with NHS Lothian for the purposes of workforce planning and management of your employment contract HSE where required to do so as part of any inspections
Details of involvement in disciplinary, grievance, bullying & harassment, organisational change or sickness absence procedures	6 Years after the termination of your employment unless you work with vulnerable groups in which case it will be 25 years after the termination of your employment	This information will not be shared out with the council unless it is necessary to engage the services of external solicitors in relation to any employment related claims. In these circumstances the information will be shared with the solicitor(s) appointed to act on behalf of the council. If you are in a post that is part of the West Lothian Health & Social Care Partnership the information will be shared with NHS Lothian for the purposes of workforce planning and management of your employment contract Details may be shared with regulatory bodies with the right of access

WE COLLECT	WILL BE KEPT FOR	WHO WE WILL SHARE IT WITH AND WHY
IT Username (the name used to access council systems)	6 months from date of access ending	IT Suppliers/Application suppliers for fault diagnosis and resolution Internal line management and counter fraud where required to do so
Date, time, and address of visited websites	6 months	IT Suppliers/Application suppliers for fault diagnosis and resolution Internal line management and counter fraud where required to do so
Date, time, subject, sender and recipients of emails	60 days	IT Suppliers/Application suppliers for fault diagnosis and resolution Internal line management and counter fraud where required to do so
System login time, system IP address, log files, location, applications used	12 months	IT Suppliers/Application suppliers for fault diagnosis and resolution Internal line management and counter fraud where required to do so
Dialled/received telephone numbers with date, time and duration of call	12 months	IT Suppliers/Application suppliers for fault diagnosis and resolution Internal line management and counter fraud where required to do so

The council is required by law to protect the public funds it administers, and we therefore participate in the National Fraud Initiative (NFI) data matching exercise. This exercise is managed by Audit Scotland to prevent and detect fraud and therefore we are required to share specific data to them. This includes personal information such as date of birth, NI number, gender, home address, personal contact details, bank details as well as all payments and pension details administered through our payrolls during the period requested. This is necessary to comply with GDPR Article 6(1)(c). If you wish further information about the NFI please see the NFI privacy notice <https://www.gov.uk/government/publications/fair-processing-national-fraud-initiative>

YOUR RIGHTS

Under data protection law, you have rights including:

Your right of access	You have the right to ask us for copies of your personal information.
Your right to rectification	You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
Your right to erasure	You have the right to ask us to erase your personal information in limited circumstances.
Your right to restriction of processing	You have the right to ask us to restrict the processing of your personal information in certain circumstances.
Your right to object to processing	You have the the right to object to the processing of your personal information in certain circumstances
Your right to data portability	You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

To make a request contact us using the contact information at the end of this document.

PROVIDING ACCURATE INFORMATION

It is important that we hold accurate and up to date information about you in order to ensure we are able to pay you and manage the contractual relationship properly . If any of your details have changed, or change in the future, please ensure that you tell us as soon as possible so that we can update your records.

OUR CONTACT DETAILS

Name:	HR Services
Address:	West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston, West Lothian, EH54 6FF
Phone number:	01506 282222
Email:	Hrsupport@westlothian.gov.uk

FURTHER INFORMATION

If you have any questions or concerns about how your information is used, please contact us at the address above.

You can also contact:

The Data Protection Officer, West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston, West Lothian, EH54 6FF, email: DataProtectionOfficer@westlothian.gov.uk

More information about data protection and how it applies to you, including how to make a complaint, is available from the Information Commissioner's Office at <https://ico.org.uk/>

The Information Commissioners address:

Information Commissioner's Office
Wycliffe House, Water Lane
Wilmslow, Cheshire
SK9 5AF
Helpline number: 0303 123 1113