

## Privacy Notice (How we use employee and pensioner information)

### The categories of this information that we collect, process, hold and share include:

- personal information (such as name, National Insurance number, date of birth, contact details and emergency contact information)
- employment data (such as references and proof of eligibility to work in UK)
- equal opportunities data (such as ethnicity, age and sexual orientation)
- payroll and pension information (such as bank details and pension contributions)
- occupational health information (such as sickness absence records and occupational health referrals)
- education and training records (such as relevant qualifications, training courses and performance data)
- Disclosure and Barring or BPSS information where it is a requirement of the role
- Health and Care Professions Council (HCPC) or Department for Education (DfE) information where it is a requirement of the role
- Proof of Life witnesses - Name, address, occupation, relationship of witness to pensioner and signature
- Trade Union membership

### Why we collect and use this information

We use employee and pensioner data to:

- enable us to adhere to the requirements of the employment contract including pay and pension contributions.
- enable us to action Personnel policies and procedures such as discipline, grievance, restructures and job evaluation.
- derive monitoring statistics which inform Personnel policy decisions.
- monitor sickness absence and provide interventions where necessary.
- assess performance and provide training for employees.
- to protect vulnerable adults and children and to prevent fraud.
- undertake proof of life checks on a periodic basis.

### The lawful bases on which we use this information

Article 6(1)(b) of the UK General Data Protection Regulation gives Sefton Council a lawful basis for collecting and using this information as it is necessary for the performance of the employment contract to which you are party.

Article 6(1)(c) of the UK General Data Protection Regulation gives the Council a lawful basis for collecting and using personal data in order to comply with its legal obligations, such as disclosure of employee salary details to HMRC and its duty to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity between people who share a characteristic and those who do not.

Article 6(1)(e) of the UK General Data Protection Regulation gives the Council a lawful basis for collecting and using personal data in order to perform tasks in the public interest or for our official functions, and the task or function has a clear basis in law.

Article 6(3) of the GDPR: the basis for the processing is laid down in law. The Council relies on its powers under the Local Audit and Accountability Act 2014 in order to process your personal data.

Section 8(c) of the Data Protection Act 2018: personal data that is necessary for the performance of a task carried out in the public interest or in the exercise of the controller's official authority includes processing of personal data that is necessary for (c) the exercise of a function conferred on a person by an enactment or rule of law

Legal obligations include:

- the collation of equalities data under the [Equalities Act 2010](#) including the Authorities' Specific duties under Section 149 of the Act.
- [National Insurance Contributions Act 2014](#)
- [HMRC](#)
- Pension Legislation or automatic enrolment for Local Government Pension Scheme (LGPS) Teachers Pension and National Health Service Pension.

We also collate personal data known as 'special categories' of information under Articles 9 (2)(b) and (h) of the UK General Data Protection Act as follows:

- Equalities data
- Occupational health information
- Trade Union membership

'Special categories' of data include racial or ethnic origin, politics, religion, trade union membership, genetics, biometrics (where used for ID purposes), health, sex life or sexual orientation.

## **Collecting this information**

Whilst the majority of the information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the data protection legislation, we will inform you when the provision of such information is voluntary.

## Storing this information

We hold information relating to your employment for the duration you are employed with the Council and for a period of 6 years thereafter. Specific information, such as that held under the disciplinary policy will only be held for the period referred to within the relevant policy.

With regard to pension related information and proof of life enquiries, the Council will retain your personal data for as long as it is needed in order to fulfil the purpose(s) for which it was collected and to comply with our legal and regulatory obligations.

## Who we share this information with

We share this information with:

Merseyside Pension Fund (to process Local Government pensions)

Teachers Pensions (to process Teacher's Pensions)

NHS Pensions (to process NHS pensions)

Independent Medical Practitioner (where necessary)

Hay (for Hay graded managers pay evaluation)

Student Loans (where applicable)

HMRC (for tax/NI purposes and to process statutory payments)

Various organisations for attachment of earnings (where applicable)

Department of Education (where applicable)

National Fraud Initiative (when required)

External Auditors (to audit the Council's accounts)

Various organisations when you have a voluntary deduction from your pay e.g. Credit Union, Trade Union, Childcare Vouchers etc.

Police (where applicable)

Department of Work and Pensions (where applicable)

Trade Unions (where applicable)

## Where can I find further information?

Sefton Council is registered as a Data Controller with the Information Commissioner's Office (Registration number- Z6451588). Further details can be found via the Information Commissioner's Office website <https://ico.org.uk>.

## **Your data rights**

### Right to be informed

This Privacy notice is a way of informing you of how your personal data is used under data protection legislation.

### Data subject rights

You have the right to:

- access your personal data (via a subject access request)
- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed and
- right to data portability in certain circumstances
- The right to lodge a complaint with the supervisory authority (the Information Commissioner's Office)

## **Further information**

If you would like further information about this privacy notice, please contact the Personnel team for queries relating to Personnel and employment at the following address:

[Corporate.HR@sefton.gov.uk](mailto:Corporate.HR@sefton.gov.uk) or call us on 0151 934 3395. For queries relating to Payroll please contact [Payroll@sefton.gov.uk](mailto:Payroll@sefton.gov.uk) or call us on 0151 934 3332. For queries relating to Pensions, please contact [CentralPensions@sefton.gov.uk](mailto:CentralPensions@sefton.gov.uk) or call us on 0151 934 3550 or 4127.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance. If we have been unable to help with your enquiry or you are unhappy about the way we have handled your personal data, you can contact the Information Commissioner at <https://ico.org.uk/concerns/> who regulates data handling and can provides more information on the rights available to you.

Sefton's Data Protection Officer can be contacted at:

Telephone: 0345 140 0845

E-mail [ino.information@sefton.gov.uk](mailto:ino.information@sefton.gov.uk)

## **Your right to make a complaint**

Details about how you can make a complaint can be accessed via the website at the following link:

[Compliments, Comments, Complaints and Whistleblowing Policy \(sefton.gov.uk\)](#)