

## **Privacy Notice**

### **HR Policy and Operations, Employee Services and Organisational Development**

As the 'data controller' for the personal information – or data – we hold about you, **South Ayrshire Council** decides how your personal information is used/processed, and what it is used for.

This statement provides more details about this and provides information on how to get in touch with us if you need to know more.

#### **Your personal data – what is it?**

Personal data is information relating to a living person who can be identified from that data. Identification can be based on the information alone, or in conjunction with any other information. The processing of personal data is governed by the General Data Protection Regulation 2016 (GDPR) and supplemented by the Data Protection Act 2018.

#### **What Personal Data will we collect from you?**

We will only collect the personal information we need to provide you with relevant information, services and support. The personal data we will collect includes:

- Name
- Date of birth
- Address
- Landline Telephone Number
- Mobile Telephone Number
- Email
- Health conditions
- National Insurance number
- Bank Details
- Ethnicity\*
- Disability\*
- Sexual orientation\*
- Religion or belief\*
- National identity\*
- Caring responsibilities\*
- Trans identification\*
- Gender\*\*
- Marital status\*\*
- Driving licence and Insurance details
- Right to work in the UK eligibility
- Criminal conviction confirmation
- Qualifications
- Protection of Vulnerable Group membership
- Emergency Contact Information

- Salary Information
- Income Tax Information
- Maternity/Paternity Information
- Statutory Sick Pay Information
- Pension Scheme Information
- Training Information
- Psychometric testing – in the event recruitment of your post requires this
- Your image (for your photographic ID badge)
- Flexible working data (including all leave and absence data)
- Employee Number
- Trade Union Membership
- Passport Information (for identification purposes)
- Your Job Title

\*Where you provide other special categories of personal data, such as information about ethnic origin, religious belief, disability, sexual orientation or transgender status, this is done to allow us to better perform the equality duty. Equal opportunities statistical data is anonymised. You are entirely free to decide whether or not to provide such data and there are no consequences of not doing so.

\*\*Required for pension and related benefits

We also keep copies of your communications with us and our responses.

Employee monitoring may be carried out for operational requirements such as providing IT facilities, lone working, using mobile devices and vehicle trackers.

### **How will we use your information?**

We will use your information to provide the Council's statutory HR Policy and Operations, Employee Services and Organisational Development service requirements. This will include using your personal data for payroll processes, mileage claims, pensions, training, absence, flexible working, and personal development review (PDR).

Your personal data will be used to allow the Council to:

- assess your eligibility and ability to undertake your job
- to process employee related contracts, payments and deductions
- to gather data to assist in statutory reporting and workforce planning
- to ensure we can make contact in the event of an emergency
- to ensure we are supporting you and your performance

### **What is the legal basis for using/sharing your information?**

From time to time the Council may need to share your personal data to comply with, and adhere to, employment law, Income Tax Regulations, National Minimum Wages Regulations, Taxes Management Act, Prescription and Limitation (Scotland) Act, Statutory Sick Pay (General) Regulations, The Statutory Maternity Pay (General) Regulations, Local Government Pension Scheme (Scotland) Regulations, protection of vulnerable Groups, health and safety, home office regulations and equality legislation.

Processing is necessary under the terms of the GDPR for the:

- Performance of a task carried out in the public interest or in the exercise of official authority vested in the Council
- For purposes of carrying out obligations and exercising rights of the Council in the field of employment and/or social security
- Necessary for purposes of preventive or occupational medicine, for the assessment of the working capacity of an employee, provision of health or social care or treatment or management of same

#### **Who will we share your information with?**

- Her Majesty's Revenue and Customs (HMRC)
- Department for Works and Pensions
- Strathclyde Pension Fund
- Scottish Public Pensions Agency
- South Ayrshire Council Revenues and Benefits
- Disclosure Scotland
- Police Scotland
- General Teaching Council (GTC)
- Scottish Social Services Council (SSSC)
- Optima Health
- NHS Ayrshire & Arran
- Audit Commission

#### **How long do we keep hold of your information?**

We keep your personal data for no longer than reasonably necessary.

On leaving employment with the Council we will retain your personal data as follows:

- If you are in regulated work (i.e. subject of PVG/Disclosure) we will retain your personal data for a period of the current year plus 25 years; and
- If you are in non-regulated work (i.e. not subject to PVG/Disclosure) we will retain your personal data for a period of six years.
- We will retain (1) any claims for expenses for a period of current year plus 6 years from the time of your claim, and (2) your PDR paperwork for the current year plus 3 years (once superseded)

#### **What are your rights?**

The lawful basis for processing/using your personal data directly impacts which rights are available to you. For example, some rights will not apply, in this case we are not required to:

- erase your personal information.
- enable the right to data portability

However, you do have the following rights and can ask us to:

- correct your personal information if it is inaccurate;
- complete your personal information if it is incomplete;
- restrict the processing of your personal information in certain circumstances

You also have the right to object to the processing of your personal information.

**What are the consequences of failing to provide personal information?**

Where the provision of your information to the Council is a statutory or contractual requirement, or a requirement necessary to enter into a contract, you are obliged to provide the information.

**Do you require this statement in a different format?**

Please contact us if you require this information in an alternative format.

**How can you get in touch with us?**

If you wish to obtain any records held by the Council relating to you, or if you have any general data protection queries, please contact the Council's Data Protection Service at:

Data Protection Officer  
South Ayrshire Council  
County Buildings  
Wellington Square  
Ayr  
KA7 1DR

**Email:** [DataProtection@south-ayrshire.gov.uk](mailto:DataProtection@south-ayrshire.gov.uk)

**Telephone:** 01292 612 223

**Are you dissatisfied with the way your Personal Information has been handled?**

If you are unhappy with the way we have dealt with your personal information, you can complain to the Council's Data Protection Officer using the contact details noted above.

If you remain dissatisfied after contacting us, you have the right to complain to the Information Commissioner (<https://ico.org.uk/for-the-public/>):

Information Commissioner's Office – Scotland  
45 Melville Street  
Edinburgh  
EH3 7HL

**Email:** [Scotland@ico.org.uk](mailto:Scotland@ico.org.uk)

**Telephone:** 0303 123 1115