Recruitment and Employment Privacy Notice

Document Control	
Document title	Recruitment and Employment Privacy Notice
Purpose	
Author	
Date of publication	
Owner/responsibility	Lisa Selby/Alison Hibbert
Distribution	LanConsent/Other
Version	**Date Comments**
1.0	March 2018
2.0	December 2019
3.0	August 2021
4.0	March 2022
5.0	January 2023
6.0	June 2023 – Updates to format

This Privacy Notice was last updated in June 2023. It is regularly reviewed and may be updated or revised at any time. Please refer to this page for the most up-to-date information Privacy notices for all council services (wigan.gov.uk).

It is important that the personal data we hold about you is accurate and current. Please update your personal in My Job

1. INTRODUCTION

Our core data protection obligations and commitments are set out in Wigan Borough Council Primary Privacy Notice

This notice provides additional privacy information for **Recruitment and Employment Services.**

2. WHAT PERSONAL INFORMATION DO WE COLLECT

In order to carry out activities and obligations as an employer we process personal information in relation to:

- Name
- Title
- Address
- Telephone number
- Personal email addresses
- Date of birth
- Gender
- Marital status
- Civil partnerships
- Recruitment records including CV, application form, references, pre employment and verification checks.
- Employment records including your workplace, start date, job title, national insurance number, training records, reviews, professional memberships, proof of eligibility to work in the UK and security checks.
- Bank account details
- Payroll records
- Tax and national insurance status information
- Salary
- Annual leave
- Pension
- Benefits

- Statutory deduction information such as student loans and court orders
- Performance information including My Time records
- Disciplinary and grievance information
- Photographs, CCTV footage and other information obtained through electronic means such as swipe card records
- Information about your use of our information and communications systems
- Health and Safety information such as accident and incident reporting
- Details of whether you are serving or have served in the armed forces, including the area, or whether your partner or sibling(s) are serving members of the armed forces (but only where you have opted to provide this information)
- Location information where you have signed up to the lone worker app (but only where you have opted to use a location-based session and that session is active).

Please note that this is not an exhaustive list.

We may also collect, store and use special categories of more sensitive information which may include but is not limited to:

- Trade union membership (including complying with employment law and paying subscriptions)
- Information about your race or ethnicity, gender, religious beliefs, sexual orientation, any disability you have, if you are a carer, serving or ex member of the armed forces or are care experienced or a care leaver, and political opinions (including ensuring meaningful equal opportunities monitoring and reporting but only where you have opted to provide this data as part of your application for employment)Medical information including physical health or mental condition, sickness and occupational health records (including to comply with employment and other laws, ensure health and safety, assess fitness to work and monitor and manage absence)
- Offences (including alleged offences), criminal proceedings, outcomes and sentences.

We will only collect information about criminal convictions if it is appropriate for the employment role and where we are legally permitted to do so.

3. HOW WE USE PERSONAL INFORMATION

The main purposes for processing your personal information are:

- Undertaking pre-employment and verification checks during the recruitment process
- In the recruitment decision-making process including internal recruitment
- Determining / reviewing the terms on which you work for us
- Checking you are legally entitled to work in the UK
- Paying you and, if you are an employee, deducting tax and national insurance contributions
- Processing and liaising with your pension provider
- Administering the contract that we have entered into with you

- Business management and planning including accounting and auditing
- Conducting performance reviews, managing performance and determining performance requirements
- Making decisions about salary reviews and compensation
- Assessing qualifications for a particular job or task
- Gathering evidence for possible grievance, capability, sickness absence management or disciplinary hearings
- Making decisions about your continued employment or engagement
- Making arrangements for the termination of our working relationship
- Education, training and development requirements
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work
- Ascertaining your fitness to work
- Managing absence
- Complying with health and safety obligations and public access legislation
- To prevent fraud, including sharing and matching of personal information for the national fraud initiative
- To conduct data analytics studies to review and better understand employee retention and turnover rates
- For equal opportunities and equality and diversity monitoring purposes across the employee experience
- To support and drive inclusion across the workforce
- Comply with legal obligations in relation to equality and diversity
- To offer you work-related benefits and support and networking opportunities.

4. LEGAL BASIS FOR PROCESSING

The legal bases we rely on for processing your personal information are:

- Entering into or performing obligations under your contract of employment
- Performing or exercising obligations or rights under employment law, social security law or social protection law
- General legal obligations that we must meet
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards
- Where it is needed in relation to exercising or defending legal rights (e.g. in relation to legal proceedings and claims)
- Legitimate interests provided that your interests and fundamental rights do not override those interests
- Fraud prevention and protection of public funds
- Compliance with any Court Order
- Consent

If we intend to use your information beyond our legal obligations or beyond the exercise of our specific rights in employment law, social security and social protection we will seek your consent to process your information and full guidance will be provided.

5. WHO DO WE SHARE PERSONAL INFORMATION WITH

In addition to the general reasons for information sharing described in the Council's primary privacy notice:

- We may share information about you with third parties where required by law, where necessary to fulfil your contract of employment or where we or a third party has a legitimate interest or concern about your health and safety
- For the purposes of the National Fraud Initiative conducted by central government under Section 33 and Schedule 9 of the Local Audit and Accountability Act 2014
- In connection with school workforce census as provided for in Section 114 of the Education Act 2005 and the associated Education (Supply of Information about the School Workforce) (No.2) (England) Regulations 2007/2260, which affects some directly employed council staff working in education
- To offer you work-related benefits and to protect you at work
- To enable you to pay union subscriptions directly from your salary
- With the Joint Intelligence Unit (JIU) to evaluate and improve our policies and procedures.
- We may share information with our learning platform provider and other training providers.

As well as information directly collected from candidates in the recruitment process and from employees during the course of employment, we also collect or receive information from external parties such as:

- former employees
- referees
- employment agencies and former employers
- Disclosure and Barring Service
- Complainants (e.g. service users/employees)
- Next of kin
- Health professionals
- Public sources, if relevant to employment and job role
- Govt Depts and Agencies
- Estate agents, landlords and legal professionals.

However, information is only obtained from these third parties where is it necessary for the fulfilment of your contract, including your ability or otherwise to perform your contractual obligations and to support you to do so under the terms of your employment.

6. HOW LONG DO WE KEEP PERSONAL INFORMATION

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any future legal, accounting, or reporting requirements.

Once your employment ends we must continue to retain necessary information in accordance with our corporate records management policy to fulfil legal, statutory, regulatory and pension requirements.

7. AUTOMATED DECISIONS

All the decisions we make about you will involve human intervention.

8. COOKIES

To find out how we use cookies please see our cookie notice.

9. YOUR RIGHTS

More information on how to seek advice in order to exercise your rights, raise a concern or complain about the handling of your personal information by the council can be found in Wigan Borough Council Primary Privacy Notice