

Applicant Privacy Notice

This document describes how Cambridge City Council collects and processes personal data relating to job applicants. Cambridge City Council is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

Data controller: Cambridge City Council, PO Box 700, Cambridge, CB1 0JH

Data protection officer: Kirsty Squires, Information Governance Manager & Data Protection Officer

Email: infogov@3csharedservices.org

What information does Cambridge City Council collect?

Cambridge City Council (the Council) collects and processes a range of information about you.

This includes:

- your name, address and contact details, including email address and telephone number, date of birth and sex;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the Council and continuous service dates;
- information about your current level of remuneration, including benefit entitlements;
- details of your national insurance number;
- information about your nationality and entitlement to work in the UK;
- information about your criminal record including declarations of criminal convictions and concerns, allegations or investigations relating to the safeguarding of children or adults at risk;
- details of periods of leave taken by you, including holiday, sickness absence, dependency leave, career breaks, maternity, paternity and shared parental leave and the reasons for the leave;
- Interview notes and assessments;
- information about medical or health conditions, including whether or not you have a disability for which the Council needs to make reasonable adjustments;
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.
- Information linking you to a vacancy(ies) within the Council

- personal data about you from third parties, such as references supplied by former employers (only once a job offer has been made to you and we will inform you that this is taking place)

The Council collects this information in a variety of ways. For example, data is collected through application forms, or CVs; obtained from your passport or other identity documents such as your driving licence; from forms completed by you during the application process (such as criminal record declaration forms); from correspondence with you; or through interviews or other forms of assessments (such as online tests).

In some cases, the Council collects information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law.

Data is stored in a range of different places, including in your personnel file, in the Council's HR management systems and in other IT systems (including the Council's email system).

Why does Cambridge City Council process personal data?

The Council needs to process data to take steps to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer benefits, pension and insurance entitlements.

In some cases, the Council needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled. For certain positions, it is necessary to carry out criminal records checks to ensure that individuals are permitted to undertake the role in question.

In other cases, the Council has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows the Council to:

- run recruitment and promotion processes;
- maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
- obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
- operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the Council complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- ensure employees are complying with relevant policies and procedures
- ensure effective general HR and business administration;
- undertake organisational change and transfer of undertakings (TUPE)
- maintain training and apprenticeship records
- maintain records of employment
- provide references on request for current or former employees;
- respond to and defend against legal claims; and
- maintain and promote equality in the workplace.

Where the Council relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not. The reasons for processing are recorded on the Council's Asset Register.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities and for health and safety purposes). Information about trade union membership is processed to allow the Council to operate check-off for union subscriptions.

Where the Council processes other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring. You can ask us to stop processing this data at any time

Who has access to data?

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the HR, Business Support and Recruitment teams; including those participating in the recruitment process (some of whom may be external to the Council), Payroll, managers in the business area with a vacancy and IT/Information Governance staff, if access to the data is necessary for performance of their roles.

The Council shares your data with third parties to obtain pre-employment references or checks from other employers or organisations, obtain necessary criminal records checks from the Disclosure and Barring Service and obtain a pre-employment medical health check through the current occupational health provider. The Council may also share your data to prevent or detect crime, to protect public funds or in other ways as permitted by law. In those circumstances the data will be subject to confidentiality arrangements.

The Council will not normally transfer your data to countries outside the European Economic Area. However, your data may be transferred to countries outside the European Economic Area (EEA) for pre-employment checks where this is relevant in processing an application or offer of employment.

How does Cambridge City Council protect data?

The Council takes the security of your data seriously. The Council has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.

Where the Council engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

For how long does the Cambridge City Council keep data?

Depending on whether your application is successful or not, the Council will hold your personal data in accordance with the period(s) of retention as set out in the Corporate Policy – Record Retention and Management.

<http://intranet.3csharedservices.org/media/1338/ccc-retention-policy.pdf>

Your rights

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require the Council to change incorrect or incomplete data;
- require the Council to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where the Council is relying on its legitimate interests or public task as the legal basis for processing;
- ask the Council to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the Council's legitimate grounds for processing data.
- If you would like to exercise any of these rights, please contact HR by email at hrbusinesspartners@cambridge.gov.uk or telephone 01223 458119 or contact Information Governance Manager & Data Protection Officer, by email at infogov@3csharedservices.org or telephone 01480 388850/01954 713318
- You can make a subject access request by writing to the data protection officer or by completing the Council's form for making a subject access request.
- If you believe that the Council has not complied with your data protection rights, you can complain to Council's Data Protection Officer or the Information Commissioner.

What if you do not provide personal data?

You have some obligations under your employment contract to provide the Council with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide the Council with data in order to

exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the Council to enter a contract of employment with you. If you do not provide other information, this will hinder the Council's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

Automated decision-making

Employment decisions are not based solely on automated decision-making.

Further Information

For further information about this Employment Privacy Notice please contact Deborah Simpson, Head of Human Resources on 01223 458101 or by email to deborah.simpson@cambridge.gov.uk.