



Privacy Notice - for Staff, Councillors and Volunteers

This privacy notice tells you what to expect us to do with your personal information when you work for us.

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Contact details:

Ilminster Town Council
Old Magistrates Court,
East Street,
Ilminster
TA19 0AJ

Telephone: 01460 52149 Email: town.clerk@ilminster.gov.uk

What information we collect and use, and why

We collect or use the following personal information as part of staff recruitment, administration and management:

- Contact details (eg name, address, telephone number or personal email address)
- Date of birth
- National Insurance number
- Gender
- Photographs (eg staff ID card)
- Copies of passports or other photo ID
- Copies of proof of address documents (eg bank statements or bills)
- Marital status
- Next of kin or emergency contact details
- Employment history (eg job application, employment references or secondary employment)
- Education history (eg qualifications)
- Right to work information
- Details of any criminal convictions (eg DBS checks)
- Political, conflict of interest or gift declarations

- Security clearance details (eg basic checks and higher security clearance)
- Performance records (eg reviews, disciplinary records, complaints or disciplinary action)
- Training history and development needs
- Monitoring employees' IT use

We also collect or use the following special category information for staff recruitment, administration and management. This information is subject to additional protection due to its sensitive nature:

- Racial or ethnic origin
- Religious or philosophical beliefs
- Trade union membership
- Health information

We collect or use the following personal information as part of managing salaries and pensions:

- Job role and employment contract (eg start and leave dates, salary, changes to employment contract or working patterns)
- Time spent working (eg timesheets or clocking in and out)
- Expense, overtime or other payments claimed
- Leave (eg sick leave, holidays or special leave)
- Maternity, paternity, shared parental and adoption leave and pay
- Pension details
- Bank account details
- Payroll records
- Tax status
- Trade Union membership

We collect or use the following personal information for managing staff health and wellbeing:

- General health and wellbeing information
- Occupational health referrals and reports
- Sick leave forms or fit notes (eg Statement of Fitness for Work from a GP or hospital)
- Accident at work records
- Access needs or reasonable adjustments
- Protected Characteristics (as defined by the Equality Act and s.75 of the Northern Ireland Act for the purpose of equal opportunities monitoring)

We also collect or use the following special category information for managing staff health and wellbeing. This information is subject to additional protection due to its sensitive nature:

- Racial or ethnic origin
- Religious or philosophical beliefs
- Health information

Lawful bases and data protection rights

Under UK data protection law, we must have a “lawful basis” for collecting and using your personal information. There is a list of possible [lawful bases](#) in the UK GDPR. You can find out more about lawful bases on the ICO’s website. Which lawful basis we rely on may affect your data protection rights which are set out in brief below. You can find out more about your data protection rights and the exemptions which may apply on the ICO’s website:

- **Your right of access** - You have the right to ask us for copies of your personal information. You can request other information such as details about where we get personal information from and who we share personal information with. There are some exemptions which means you may not receive all the information you ask for. [Read more about the right of access.](#)
- **Your right to rectification** - You have the right to ask us to correct or delete personal information you think is inaccurate or incomplete. [Read more about the right to rectification.](#)
- **Your right to erasure** - You have the right to ask us to delete your personal information. [Read more about the right to erasure.](#)
- **Your right to restriction of processing** - You have the right to ask us to limit how we can use your personal information. [Read more about the right to restriction of processing.](#)
- **Your right to object to processing** - You have the right to object to the processing of your personal data. [Read more about the right to object to processing.](#)
- **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. [Read more about the right to data portability.](#)
- **Your right to withdraw consent** – When we use consent as our lawful basis you have the right to withdraw your consent at any time. [Read more about the right to withdraw consent.](#)

If you make a request, we must respond to you without undue delay and in any event within one month.

To make a data protection rights request, please contact us using the contact details at the top of this privacy notice.

Our lawful bases for collecting or using personal information **as part of staff recruitment, administration and management** are:

- Consent - we have permission from you after we gave you all the relevant information. All of your data protection rights may apply, except the right to object. To be clear, you do have the right to withdraw your consent at any time.
- Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.
- Legal obligation – we have to collect or use your information so we can comply with the law. All of your data protection rights may apply, except the right to erasure, the right to object and the right to data portability.
- Legitimate interests – we’re collecting or using your information because it benefits you, our organisation or someone else, without causing an undue risk

of harm to anyone. All of your data protection rights may apply, except the right to portability. Our legitimate interests are:

- Making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UK.
- Providing any contractual benefits to you
- Administering the contract we have entered into with you.
- 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, including decisions about promotions.
- Conducting grievance or disciplinary proceedings.
- 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, including accidents at work. • Ascertaining your fitness to work.
- Managing sickness absence.
- Complying with health and safety obligations.
- To prevent fraud.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- To conduct data analytics studies to review and better understand employee retention and attrition rates.
- Equal opportunities monitoring.
- To undertake activity consistent with our statutory functions and powers including any delegated functions.
- To maintain our own accounts and records;
- To seek your views or comments;
- To process a job application;
- To administer councillors' interests
- To provide a reference

We may need to share personal data we hold with other organisations so that they can carry out their responsibilities to the council and our community. The organisations referred to will sometimes be “joint data controllers”. This means we are all responsible to you for how we process your data where for example two or more data controllers are working together for a joint purpose. If there is no joint purpose or collaboration then the data controllers will be independent and will be individually responsible to you. The council works together with:

- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA

- Former and prospective employers
- DBS services suppliers
- Recruitment Agencies
- Credit reference agencies

For more information on our use of legitimate interests as a lawful basis you can contact us using the contact details set out above.

- Vital interests – collecting or using the information is needed when someone’s physical or mental health or wellbeing is at urgent or serious risk. This includes an urgent need for life sustaining food, water, clothing or shelter. All of your data protection rights may apply, except the right to object and the right to portability.
- Public task – we have to collect or use your information to carry out a task laid down in law, which the law intends to be performed by an organisation such as ours. All of your data protection rights may apply, except the right to erasure and the right to portability.

Our lawful bases for collecting or using personal information **as part of managing salaries and pensions** are:

- Consent - we have permission from you after we gave you all the relevant information. All of your data protection rights may apply, except the right to object. To be clear, you do have the right to withdraw your consent at any time.
- Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.
- Legal obligation – we have to collect or use your information so we can comply with the law. All of your data protection rights may apply, except the right to erasure, the right to object and the right to data portability.
- Legitimate interests – we’re collecting or using your information because it benefits you, our organisation or someone else, without causing an undue risk of harm to anyone. All of your data protection rights may apply, except the right to portability. Our legitimate interests are:
 - Paying you and, if you are an employee, deducting tax and National Insurance contributions.
 - Providing any contractual benefits to you
 - Liaising with your pension provider.
 - Administering the contract we have entered into with you.
 - Management and planning, including accounting and auditing.
 - Making decisions about salary reviews and compensation.
 - Making arrangements for the termination of our working relationship.
 - Dealing with legal disputes involving you, including accidents at work.
 - To prevent fraud.
 - To maintain our own accounts and records;

We may need to share personal data we hold with other organisations so that they can carry out their responsibilities to the council and our community. The organisations referred to will sometimes be “joint data controllers”. This means we

are all responsible to you for how we process your data where for example two or more data controllers are working together for a joint purpose. If there is no joint purpose or collaboration then the data controllers will be independent and will be individually responsible to you.

The council works together with:

- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA
- Staff pension providers
- Payroll services providers
- Recruitment Agencies

For more information on our use of legitimate interests as a lawful basis you can contact us using the contact details set out above.

Vital interests – collecting or using the information is needed when someone's physical or mental health or wellbeing is at urgent or serious risk. This includes an urgent need for life sustaining food, water, clothing or shelter. All of your data protection rights may apply, except the right to object and the right to portability.

- Public task – we have to collect or use your information to carry out a task laid down in law, which the law intends to be performed by an organisation such as ours. All of your data protection rights may apply, except the right to erasure and the right to portability.

Our lawful bases for collecting or using personal information **as part of managing staff health and wellbeing** are:

- Consent - we have permission from you after we gave you all the relevant information. All of your data protection rights may apply, except the right to object. To be clear, you do have the right to withdraw your consent at any time.
- Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.
- Legal obligation – we have to collect or use your information so we can comply with the law. All of your data protection rights may apply, except the right to erasure, the right to object and the right to data portability.
- Legitimate interests – we're collecting or using your information because it benefits you, our organisation or someone else, without causing an undue risk of harm to anyone. All of your data protection rights may apply, except the right to portability.

Our legitimate interests are:

We may process sensitive personal data relating to staff, councillors and volunteers including, as appropriate: - information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work; - your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation; - in order to comply with legal requirements and obligations to third parties.

For more information on our use of legitimate interests as a lawful basis you can contact us using the contact details set out above.

- Vital interests – collecting or using the information is needed when someone's physical or mental health or wellbeing is at urgent or serious risk. This includes an urgent need for life sustaining food, water, clothing or shelter. All of your data protection rights may apply, except the right to object and the right to portability.
- Public task – we have to collect or use your information to carry out a task laid down in law, which the law intends to be performed by an organisation such as ours. All of your data protection rights may apply, except the right to erasure and the right to portability.

Where we get personal information from

We collect your information from the following places:

- Directly from you
- Employment agency
- Referees (external or internal)
- Security clearance providers
- Occupational Health and other health providers
- Pension administrators or government departments (eg HMRC and DWP)
- Trade Unions
- Staff benefit providers
- Public sources (eg LinkedIn or other websites)

How long we keep information

We will keep some records permanently if we are legally required to do so. We may keep some other records for an extended period of time. For example, it is currently best practice to keep financial records for a minimum period of 7 years to support HMRC audits or provide tax information. We may have legal obligations to retain some data in connection with our statutory obligations as a public authority. The council is permitted to retain data in order to defend or pursue claims. In some cases the law imposes a time limit for such claims (for example 3 years for personal injury claims or 6 years for contract claims). We will retain some personal data for this purpose as long as we believe it is necessary to be able to defend or pursue a claim. In general, we will endeavour to keep data only for as long as we need it. This means that we will delete it when it is no longer needed.

For more information on how long we store your personal information or the criteria we use to determine this please contact us using the details provided above.

Who we share information with

In some circumstances, we may share information with the following organisations:

- Training suppliers
- HMRC
- Employee benefit schemes
- Health and benefit suppliers
- External auditors
- Suppliers and service providers
- Professional consultants

Data processors

We use the following data processors for the following reasons:

CDST

This data processor does the following activities for us: to process our payroll information.

HMRC

This data processor does the following activities for us: to record National Insurance numbers, contact information, tax and National Insurance contributions.

Peninsula Pensions

This data processor does the following activities for us: Peninsula Pensions manage the Local Government Pension Scheme.

SoVision IT

This data processor does the following activities for us: to manage our IT systems and they have access to HR records.

How to complain

If you have any concerns about our use of your personal data, you can make a complaint to us using the contact details at the top of this privacy notice.

If you remain unhappy with how we've used your data after raising a complaint with us, you can also complain to the ICO.

The ICO's address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113

Website: <https://www.ico.org.uk/make-a-complaint>