

TAYSIDE CONTRACTS' EMPLOYEE PRIVACY NOTICE

Your privacy and the protection of your personal information are very important to us and we are committed to compliance with data protection legislation. This privacy notice explains what we do with your personal information, how we protect it and what your rights are.

Who we are

We are Tayside Contracts, a commercially based local authority trading organisation providing key front-line services throughout the Tayside area of Scotland. Tayside Contracts' registered office is at 1 Soutar Street, Dundee, DD3 8SS.

We are a 'data controller' under Data Protection Legislation and our ICO registration number is Z7308719.

How to contact us

If you have any questions about our use of your personal information, or wish to exercise your rights which are detailed below, please contact our Data Protection Lead, Suzanne Keay:

By post: Tayside Contracts, 1 Soutar Street, Dundee, DD3 8SS

By email: GDPR@tayside-contracts.co.uk

By phone: 01382 812721

Why do we need your personal information and what information do we hold?

We need information about you to allow us to effectively manage your employment contract with us and for us to meet our obligations as an employer.

We hold a range of information relating to you to permit us to do this. This includes, but is not limited to:

- Personal contact details including name, address, telephone numbers, email address
- Workplace location and contact details, including telephone numbers, email address
- Date of birth
- Gender
- Marital status
- Details of next of kin and emergency contacts
- National Insurance number
- Bank account details, Payroll records and tax information
- Salary, annual leave, pension and employee benefits information
- Driving licence and motoring convictions
- Expense claims and payments
- Recruitment records such as your application form, interview documents, references
- Right-to-work documents
- Employment history, including starting date, posts held, previous salary
- Training records and professional memberships

- Performance appraisal records
- Disciplinary and grievance records
- Records of any compensation payments
- Photographs and CCTV images
- Work mobile records
- Network user account information and network, communications and internet usage history
- Time and Attendance clocking activity.

Where necessary, we may hold more sensitive information about you, called “special category” personal data, including:

- Information about your race or ethnicity, religious beliefs and sexual orientation (if you provide these) for the purposes of equalities monitoring
- Details about your trade union membership (where relevant) for the purposes of processing union fee salary deductions and liaison with trade unions
- Information about your health for purposes of managing sickness absence, providing occupational health services and making reasonable adjustments and implementing policies such as the Substance Misuse Policy
- Where appropriate, information about criminal convictions and offences for authorised background checks, using information from the appropriate statutory bodies.

How do we collect this information?

Most of the personal information we process is provided directly by you, for example in job application forms or other forms of assessment throughout the course of your employment, or generated by us, for example for processing salary payments. We also receive personal information about you indirectly, for example from regulatory bodies where there is a statutory requirement to do so, or from your referees as part of pre-employment checks. We will inform you that we have obtained your personal information from third parties unless it is disproportionate or prejudicial to do so.

Why we process your personal information (the legal basis)

We process your personal information to allow us to fulfil the contract of employment we have with you, or to allow us to meet our legal obligations, or in our legitimate interests to run the business.

This includes:

- Deciding on recruitment appointments and checking legal entitlement to work in the UK
- Deciding on progression or continued engagement
- Paying you and providing other agreed benefits
- Deducting Tax and National Insurance
- Pension administration
- Managing the business, accounting and audit purposes
- Performance management and reporting
- Conducting grievance or disciplinary processes
- Handling legal disputes and claims
- Development and training
- Assessing fitness to work and managing sickness absence
- Fraud prevention, security, prevention and detection of crime and health and safety

- Providing occupational health services and making reasonable adjustments to support you in the workplace
- Carrying out substance misuse testing
- Providing and monitoring network and ICT systems
- Analysing workforce data for planning, improving employee retention and employee development
- Equal opportunities monitoring
- Processing expense claims or to book work-related travel or accommodation
- Managing the termination of our working relationship.

We do not collect more information than we need to fulfil these purposes and will not keep it longer than necessary. When we collect personal data directly from you, we will inform you if provision of that data is a statutory or contractual requirement and of the possible consequences of failure to provide the data.

Profiling and automated decision making

We will use profiling of staff information for GPS and driver performance purposes. We also use cookies for those who access our website.

We do not have any automated decision-making processes which would affect you – that is, decisions made by computer without human intervention.

Sharing your information

We regularly need to share personal information with other organisations when fulfilling our statutory functions and obligations as an employer. Tayside Contracts employs a number of data processors who process personal data on our behalf. Under Data Protection legislation, data processors have direct duties and liability for non-compliance or acting outside of instructions provided by us. These duties will include:

- Processing data only as instructed by us
- Using appropriate technical and organisational measures to protect personal data
- Deleting or returning data to us during and after the contract comes to an end
- Securing permission to engage other processors
- Co-operating in the event of a data breach.

We have contractual instructions, data sharing agreements and compliance monitoring controls in place to ensure that these organisations are complying with data protection legislation when they are processing your personal data on our behalf. Tayside Contracts will never sell, assign, inappropriately disclose or rent your personal data to any other external organisation or individual. The organisations we share information with include:

- Dundee City Council who provide various services on our behalf including Payroll, Legal and Insurance & Risk Management
- Tayside Pension Fund who provide our Pension service
- People Asset Management (PAM) who provide our Occupational Health Service including Physiotherapy and Counselling services
- Disclosure Scotland who carry out the PVG checking facility

- Training and qualifications authorities such as the Scottish Qualifications Authority (SQA)
- Zurich Municipal who are our insurers
- Synlab who facilitate substance misuse testing on behalf of PAM
- Driver Hire Group Service and DVLA who carry out driving licence checks on our behalf
- Insego who provide our telematics data
- Fleetwave who provide our fleet management system
- Fuel link who provide our fuel management system
- Health & Safety Executive (HSE)
- Audit Scotland who are responsible for the National Fraud Initiative (NFI)
- Internal Audit Services provided by Angus Council and Perth & Kinross Council for internal auditing
- Audit Scotland who are our external auditors
- Tayside Contracts Joint Committee
- Northgate Arinso who carry out our equal pay audit on our behalf
- Interpretation and Translation service providers
- IT Service Providers
- Royal Bank of Scotland who process payments on our behalf
- Capita who provide our financial costing system
- Microsoft who provide our email system
- Any organisations you are a member of which require Payroll deductions to be made on your behalf such as charities, or incentive schemes
- CCTV, Security and Alarm companies, where appropriate
- VivUp who provide our employee benefits platform.

Where necessary we will also share information when required to by law or in the public interest, with, for example, the police or HM Revenue and Customs, or to exercise or defend our legal rights.

Whenever personal information is shared outside the European Economic Area (EEA) we will ensure appropriate safeguards are in place such as contractual controls. We currently transfer limited personal data outside the EEA to the following countries and organisations:

- Vyond (USA) – this is used by a minority of office based employees to produce video content
- Mailchimp (USA) – this is used by our Equalities & Communications Section to send you emails.

We are satisfied that these organisations have appropriate safeguards in place to protect your data.

Communication

Tayside Contracts' primary method of communication is by email. All correspondence relating to your employment will be by email. You must ensure that you keep your contact information up to date and monitor your emails frequently.

Internal Sharing

Your information may be shared internally with various groups of employees including with members of the HR Team, Safety & Training Team, Payroll Team, your line manager, managers in the business area in which you work and the IT Team. This is only when it is deemed necessary in order for them to carry out their duties.

Where do we store and protect your information?

We store the vast majority of your personal information on our HR systems which we use for recording, updating and deleting all of your employment related data. We also use these systems to produce employment related reports.

Access to the HR systems is restricted to only those within the organisation who require it to carry out their roles. Access levels are also restricted depending on the level of authority required within the organisation.

Resourcelink HR and Snowdrop are Tayside Contracts HR software systems and are provided by Zellis and Sage respectively.

Resourcelink HR is a cloud-based system which is hosted in a secure environment by Zellis HCM Cloud services in UK based data centres and all data processed is safeguarded on behalf of Tayside Contracts in accordance with data protection legislation. A copy of their privacy statement can be viewed at www.zellis.com.

Snowdrop is hosted on our own servers.

We also hold some of your personal information on OHIO. OHIO is our Occupational Health Provider, PAM's system which is hosted in a secure environment located at their UK data centre and all data processed is safeguarded on behalf of Tayside Contracts in accordance with data protection legislation. A copy of their privacy statement can be viewed at www.pamgroup.co.uk.

Where applicable, we also hold some of your personal information in our Time & Attendance System. This system is called Civica and is used to administer our Time & Attendance Policy. The database which supports this system is hosted on our own servers and no one from Civica can access your data without our permission to do so. Civica are compliant with data protection legislation and a copy of their privacy statement can be viewed at www.civica.com.

Within the Construction Division, we also hold some of your personal information on Integra. Integra is our financial costing system and is used to support the billing process for our clients. The Integra system is a cloud-based system which is hosted in a secure environment located at Capita's UK based data centres and all data processed is safeguarded on behalf of Tayside Contracts in accordance with data protection legislation. A copy of Capita's Privacy Notice can be found at www.capita.com.

We also hold a physical copy of your personal data in your HR file which is stored in a secure filing room. Access is limited to only those who require it as part of their role. We also store personal information on various drives within the organisation. Access to department specific drives is restricted only to those who require it to carry out the administration of their roles.

We have a number of organisational and technical measures in place to protect your data. There are protocols and procedures to be followed by employees who deal with personal data including a data protection policy, IT security policy and breach management procedure. We also have a training programme in place and ensure that data protection is covered during the induction process.

In addition to this we have security measures in place including restricted access to systems and areas containing personal data, encrypted devices and password protection.

How long do we keep your data for?

Tayside Contracts' [Retention of HR Records Policy](#) details how long we retain the information we hold about you. In the main, your personal data is retained for 6 years after you cease employment with us. There are certain aspects of your data that we are legally obliged to retain for longer periods such as Occupational Health records which are retained for a period of 40 years.

We will only retain your personal data for as long as is necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. We retain anonymised statistical information to help inform our work, but you cannot be identified from that data.

The destruction of confidential waste takes place regularly. We employ a professional company, Let's Talk Shred, to carry out this exercise on our behalf. They attend Tayside Contracts premises and remove the confidential waste in secure packaging, provide a collection note followed by a certificate of destruction that the waste has been destroyed. Let's Talk Shred is compliant with data protection legislation. A copy of their privacy notice can be found at www.letstalkshred.co.uk.

Your rights regarding the personal data we hold about you

Data protection legislation gives you certain rights in relation to your personal information.

You have a right to know what personal information we hold about you and to receive a copy of it, subject to some exemptions, by making a 'subject access request'. We try to be as open as we can be in terms of giving people access to their personal information.

To find out more, please read our [Subject Access Request Procedure](#) which provides more information about this process and includes a form for you to complete and send to us, if you would like to make a subject access request.

You have the right to request the correction of incomplete or inaccurate data we hold about you.

You have the right to object to Tayside Contracts using your information where we are relying on a legitimate interest (or those of a third party) and we would have to stop unless we have a sound overriding reason to continue.

Erasure, restriction and portability

In specific circumstances, you have the right to have your personal data deleted, to put limits on what Tayside Contracts may do with it or to receive a copy in machine-readable form to take to another organisation.

There are also specific legal rights relating to automated decision making but Tayside Contracts does not have any such processes.

You can exercise any of these rights by using the contact information at the top of this document.

For more information on your rights under data protection legislation see <https://ico.org.uk/for-the-public/>

Complaints or queries about how we process your personal information

If you have any complaints or queries about how we process your personal information you should contact our Data Protection Lead using one of the methods detailed above.

We try to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures.

If you are dissatisfied with our response to a complaint you send us, or have any concerns about our handling of your personal data, you can complain to the Information Commissioner's Office by using the details below:

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

Telephone: 0303 123 1113

Online: <https://ico.org.uk/concerns/handling/>

Changes to our Employee Privacy Notice

We keep our Employee Privacy Notice under regular review and we will place any updates on this web page. This notice was last updated on 7 June 2023.