



GDPR

Privacy Notice for Employees

Adopted by Marden Parish Council on: 12th June 2018

Reviewed date: June 2019 / 4th May 2021 / 8th March 2022 / 14th March 2023 / 12th March 2024

Review on: March 2025

Office Opening Times:

Mondays, Tuesdays & Fridays 10am - 12 noon

www.mardenkent-pc.gov.uk

Email: clerk@mardenkent-pc.gov.uk

Parish Council GDPR – General Privacy Notice Employees

GENERAL DATA PROTECTION REGULATIONS

PRIVACY NOTICE FOR EMPLOYEES

Your personal data – what is it?

“Personal data” is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address). Identification can be directly using the data itself or by combining it with other information which helps to identify a living individual (e.g. a list of staff may contain personnel ID numbers rather than names but if you use a separate list of the ID numbers which give the corresponding names to identify the staff in the first list then the first list will also be treated as personal data). The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulation (the “GDPR”) and other legislation relating to personal data and rights such as the Human Rights Act.

Who are we?

This Privacy Notice is provided to you by Marden Parish Council which is the data controller for your data.

Other data controllers the council works with:

- (a) Local authorities
- (b) Community groups
- (c) Charities
- (d) Other not for profit entities
- (e) Contractors
- (f) Credit reference agencies
- (g) HMRC
- (h) Sage Payroll
- (i) Peninsula (HR Consultants for MPC)

We may need to share your personal data we hold with them so that they can carry out their responsibilities to the council. If we and the other data controllers listed above are processing your data jointly for the same purposes, then the council and the other data controllers may be “joint data controllers” which mean we are all collectively responsible to you for your data. Where each of the parties listed above are processing your data for their own independent purposes then each of us will be independently responsible to you and if you have any questions, wish to exercise any of your rights (see below) or wish to raise a complaint, you should do so directly to the relevant data controller.

A description of what personal data the council processes and for what purposes is set out in this Privacy Notice.

This notice applies:

- (a) If you apply for a vacancy with the Council and have sent us your application form and/or CV but were not offered employment.
- (b) If you are employed by the Council
- (c) If you enter a volunteer agreement with the Council
- (d) If you undertake work experience with the Council.

The information you provide (personal data such as name, address, email address, phone number, P45, Tax Code, CV, Contract, Appraisals, next of kin details and other relevant information) will be processed and stored so that it is possible to contact you, respond to your correspondence and retain information relating to your employment with the Council. Your personal information will not be shared with any third party outside of the HR Sub-Committee, the Clerk, Chairman, HMRC or Sage Payroll without your consent.

The council will process some or all of the following personal data where necessary to perform its tasks:

- (a) Names, titles, and aliases, photographs;
- (b) Contact details such as telephone numbers, addresses, and email addresses;
- (c) Where they are relevant to the services provided by a council, or where you provide them to us, we may process information such as gender, age, marital status, nationality, education/work history, academic/professional qualifications, hobbies, family composition, and dependants;
- (d) Where you pay for activities such as use of a council hall or room, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers;

The personal data we process may include sensitive or other special categories of personal data such as criminal convictions, racial or ethnic origin, mental and physical health, details of injuries, medication/treatment received, political beliefs, trade union affiliation, genetic data, biometric data, data concerning and sexual life or orientation.

How we use sensitive personal data

- (a) We may process sensitive personal data including, as appropriate:
 - (i) information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work;
 - (ii) 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.

These types of data are described in the GDPR as “Special categories of data” and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.

We may process special categories of personal data in the following circumstances:

- (a) In limited circumstances, with your explicit written consent.
- (b) Where we need to carry out our legal obligations.
- (c) Where it is needed in the public interest.

Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

Do we need your consent to process your sensitive personal data?

In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal data. If we do so, we will provide you with full details of the personal data that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

The council will comply with data protection law. This says that the personal data we hold about you must be:

- (a) Used lawfully, fairly and in a transparent way.
- (b) Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- (c) Relevant to the purposes we have told you about and limited only to those purposes.
- (d) Accurate and kept up to date.
- (e) Kept only as long as necessary for the purposes we have told you about.
- (f) Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

What is the legal basis for processing your personal data?

The council is a public authority and has certain powers and obligations. Most of your personal data is processed for compliance with a legal obligation which includes the discharge of the council's statutory functions and powers.

Sometimes when exercising these powers or duties it is necessary to process personal data of residents or people using the council's services. We will always take into account your interests and rights. This Privacy Notice sets out your rights and the council's obligations to you.

We may process personal data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. An example of this would be processing your data in connection with the use of hall rental facilities, or the acceptance of an allotment garden tenancy

Sometimes the use of your personal data requires your consent. We will first obtain your consent to that use.

Sharing your personal data

This section provides information about the third parties with whom the council may share your personal data. These third parties have an obligation to put in place appropriate security measures and will be responsible to you directly for the manner in which they process and protect your personal data. It is likely that we will need to share your data with some or all of the following (but only where necessary):

- (a) The data controllers listed above under the heading "Other data controllers the council works with";
- (b) Our agents, suppliers and contractors. For example, we may ask a commercial provider to publish or distribute newsletters on our behalf, or to maintain our database software;
- (c) On occasion, other local authorities or not for profit bodies with which we are carrying out joint ventures e.g. in relation to facilities or events for the community.

How long do we keep your personal data?

We only keep your data for the purpose it was collected for and it will be kept during the whole period of your employment and for a statutory period of six months thereafter. After which it will be deleted from any database and any hard copies destroyed by shredding within the Parish Office. If you applied for a position with Marden Parish Council but were unsuccessful your application form, CV and any other information that is held on you will be disposed of securely after six months.

Your rights and your personal data

You have the following rights with respect to your personal data:

When exercising any of the rights listed below, in order to process your request, we may need to verify your identity for your security. In such cases we will need you to respond with proof of your identity before you can exercise these rights.

The right to access personal data we hold on you

- (a) At any point you can contact us to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from. Once we have received your request we will respond within one month.
- (b) There are no fees or charges for the first request but additional requests for the same personal data or requests which are manifestly unfounded or excessive may be subject to an administrative fee.

The right to correct and update the personal data we hold on you

If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.

The right to have your personal data erased

- (a) If you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold.
- (b) When we receive your request we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we need it for to comply with a legal obligation).

The right to object to processing of your personal data or to restrict it to certain purposes only

You have the right to request that we stop processing your personal data or ask us to restrict processing. Upon receiving the request we will contact you and let you know if we are able to comply or if we have a legal obligation to continue to process your data.

The right to data portability

You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.

The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained

You can withdraw your consent easily by contacting the Parish Council via letter or email.

The right to lodge a complaint with the Information Commissioner's Office.

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Transfer of Data Abroad

Any personal data transferred to countries or territories outside the European Economic Area ("EEA") will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. [Our website is also accessible from overseas so on occasion some personal data (for example in a newsletter) may be accessed from overseas].

Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and

setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on this web page <http://www.mardenkent-pc.gov.uk>. This Notice was last updated in March 2024.

Contact Details

Please contact us if you have any questions about this Privacy Notice or the personal data we hold about you or to exercise all relevant rights, queries or complaints at:

Marden Parish Council, Parish Office, Marden Memorial Hall, Goudhurst Road, Marden, Kent TN12 9JX

clerk@mardenkent-pc.gov.uk 01622 832305