

Lancashire CCA – Employment and Recruitment Privacy Notice

Lancashire Combined County Authority's core data protection obligations and commitments are set out in the [LCCA Primary Privacy Notice](#)

This service specific privacy notice provides additional privacy information for:
Employment and Recruitment.

Purpose(s)

We collect [or obtain] your personal information for the following purpose(s):

In order to carry out our activities and obligations as a service provider we will process data in relation to:

- Undertaking pre-employment and verification checks during the recruitment process.
- 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.
- Paying you and, if you are an employee, deducting tax and National Insurance contributions.
- Liaising with your pension provider.
- Administering the contract 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, including decisions about promotions.
- Gathering evidence for possible grievance 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 sickness 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 monitoring purposes.

Categories of personal data

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

- Personal demographics (including date of birth, gender, marital status).
- Photographs, CCTV footage and other information obtained through electronic means such as swipe card records.
- Contact details such as names, addresses, personal email address, telephone numbers and Emergency contact(s).
- Recruitment records (including CV, application form, references, pre-employment and verification checks).
- Employment records (including your workplace, job title, national insurance number, training records, professional memberships, proof of eligibility to work in the UK and security checks).
- Bank account details, payroll records and tax status information.
- Salary, annual leave, pension and benefits information.
- Information relating to health and safety (including accident and incident details).
- Information about your use of our information and communications systems.
- Disciplinary and Grievance information (including Employment Tribunal applications, complaints).

We may also collect, store and use the following special and sensitive personal information:

- Disciplinary and Grievance information (including Employment Tribunal applications, complaints, Information about your race or ethnicity, religious beliefs, sexual orientation (including ensuring meaningful equal opportunities monitoring and reporting).
- Trade union membership (including complying with employment law and paying subscriptions).
- Medical information including physical health or mental condition, sickness and occupational health records (including: to comply with employment and other laws, to ensure health and safety, to assess fitness to work, to monitor and manage absence, to record Covid-19 lateral flow test results taken and submitted by Employees and to record the Covid-19 vaccination status for all staff, who for any professional reason, are required to enter a setting covered under the 'Management of staff and exposed patients or residents in health and social care settings' legislation).
- Genetic information and biometric data.
- 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 or required to do so. We collect information about criminal convictions as part of the recruitment process or may be notified of information directly by you or a 3rd party in the course of your recruitment or employment.

We do not need your consent to use personal or special categories of your personal information to carry out our legal obligations or exercise specific rights in the field of employment law, social security and social protection. In limited circumstances, we may approach you for your written consent to allow us to process your personal information or certain particularly sensitive data.

If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us and that where consent is given applies, you have the right to withdraw it at any time (without affecting the lawfulness of our processing prior to the withdrawal of your consent).

Legal basis for processing

The legal basis for processing your personal information is:

- 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.
- 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).
- Your consent (in situations where you have a genuine choice and control over whether your information is processed, including the right to withdraw your consent at any time without detriment).
- Our legitimate interests (or those of a third party) provided your interests and fundamental rights do not override those interests.
- Fraud prevention and protection of public funds.
- Compliance with any Court Orders.
- Where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent.

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers). This could damage your employment relationship and/or result in breach of contract.

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you or we may be prevented from complying with our legal obligations.

Information sharing/recipients

We will share personal information about you with the following types of organisations:

- 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.
- 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 disclose your personal information to any of our employees, officers, insurers, professional advisers, agents and suppliers so far as necessary for the purposes set out in this policy.
- To comply with our obligations with legislation.
- To comply with our duty to respond to any Court Orders which may be imposed.
- To provide a report of your training record to your employer, when requested.

As well as information collected directly from you, we also obtain or receive information from:

- Former employers.
- Referees.
- Employment agencies.
- Disclosure and Barring Service.
- Complainants (e.g. service users/employees).
- Next of kin.
- Health professionals.
- Public sources, if relevant to employment and job role Any disclosures of personal data are always made on a case-by-case basis, using the minimum personal data necessary for the specific purpose and circumstances and with the appropriate security controls in place. Information is only shared with those agencies and bodies who have a "need to know" or where you have consented to the disclosure of your personal data to such persons.

Automated Decisions

All the decisions we make about you involve human intervention.

Data retention/criteria

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 for the 'current year plus six' and for pensionable employees, certain employment records must be kept until after pension benefits become payable'. Further advice relating to records can be obtained by emailing the HR team at HR@lancashire-cca.gov.uk

Rights of individuals

If you have any queries relating to the way we are processing your information, you may contact the CCA's [Data Protection Officer](#)

These queries may be regarding (but not limited to):

- exercising your rights in relation to the following:
 - access to personal data.
 - right to rectification.
 - right to erasure (The right to be forgotten, unless there is a legal obligation to refuse this request).
 - right to restriction of processing
 - right to data portability
 - right to object to profiling
- raising a concern with us, or

- guidance on making a complaint to the Information Commissioner.

Updates to this Privacy Notice

We may update or revise this Privacy Notice at any time so please refer to the version published on our website for the most up to date details: [LCCA Primary Privacy Notice](#)