

**POLICY AND PROCEDURE:      EMPLOYEE PERSONAL INFORMATION**

**PURPOSE:** This policy complements the Council's Data Protection and Information Security which deals with our approach to information obtained and held on members of the public and Councillors.

**SCOPE:** It sets the standards that govern the collection, use, storage, disclosure or disposal of all personal information relating to staff employed by the Council. Through adoption of this policy we make sure that the Council complies with the requirements of the Data Protection Act 1998.

**POLICY:** Information will be obtained fairly and lawfully, and will only be processed with the consent of the employee.

**PROCEDURE:****1. Obtaining Information**

- 1.1 Every effort will be made to ensure that personal information gathered is relevant to a purpose of the Council and does not exceed the amount of information required. Irrelevant or excessive data will be erased.
- 1.2 The purpose of collecting the information will be clearly stated, either through a note on any form used or by the person collecting the information. Appendix 1 shows the purpose of information currently held by the Council.

**2. Length of time retained and destruction**

- 2.1 Data will be retained only for the period that it is used and relevant. These timings are set out in Appendix 1. At the end of designated lifetime records of personal information will be securely destroyed. Paper records will be shredded and electronic records deleted so that all back-up copies are also removed.

**3. Disclosure of Information**

- 3.1 Personal information will be used only for the purpose for which it was gathered ***unless*** the consent of the people concerned has been obtained to a new or varied use.
- 3.2 Personal information will be disclosed only to those who, in the view of the Clerk, have a demonstrable need to know the information. Access to personal information will be refused if the data use is uncertain – even if the person requesting the information is entitled to it.

- 3.3 The explicit consent of the data subject will be obtained in writing. Confirmation of consent by telephone is acceptable if a written request has been received.

#### **4. Standards of Data Collection**

- 4.1 Information obtained from a third party will be marked to indicate its source. Information which has not been verified will be marked "Unverified: not to be used for decision". The period of retention is set out in Appendix 1.
- 4.2 Nothing in this policy is intended to limit the right of employees to record all the information needed to achieve stated and agreed objectives. Where possible, the information recorded will be restricted to the factual. However, employees whose responsibilities require them to record their opinions and impressions will do so by recording their observations, followed by the conclusions they have drawn.
- 4.3 Personal records will accurate and be kept up to date. Where necessary, the data subject will be asked to confirm that what has been recorded is accurate.

#### **5. Access to Personal Files**

- 5.1 Employees should know the types of information held and may have access to their personal records. Information that would disclose the identity of a third person is exempt from access unless the consent of the source is available. Nor will information be disclosed that would otherwise infringe upon the privacy of a third party.
- 5.1 In general, information will be made available when requested. However, the Council will restrict access where its disclosure could entail harm either to an individual or the interests of the Council. A charge will be made only if the Council incurs costs in complying with the request, and the charge will be notified in advance. The identity of people requesting access to the Council's records will be verified.

#### **6. Security**

- 6.1 The Council will determine and maintain an appropriate level of security for its premises, equipment, network, programs, data and documentation, and will ensure that access to them is restricted to appropriate employee. Ease of access to premises or information will be related to the sensitivity of the information processed or stored.

- 6.2 Council employees who have access to other employees' records will be made aware of the security regime and the reasons for it.
- 6.3 Appropriate back-up procedures will be maintained.
- 6.4 Sickness and accident records should be kept separately from absence records. Sickness records typically contain details of the illness or condition from which an employee is suffering. Accident records generally contain details of the injury suffered. Absence records contain only details of time away from work and a generic reason.

## **7. Recruitment**

- 7.1 Only questions which help the Council decide whether or not to recruit a person will be asked. We do not collect at interview information that will be needed later to administer employment. This information is requested once the person has been recruited.
- 7.2 The Council recognises that interviewees have a right under the Data Protection Act to request access to their interview notes. These notes are kept securely. If the interviewee is rejected, they are shredded after 6 months. If the interviewee is taken on, information is extracted as set out in Appendix A, and the rest is shredded.

**Document Approval:**



**(Chair to Melbourn Parish Council)**

**Date of Parish Council meeting: 25 July 2022**

*Review Policy: Every 12 months*

### PURPOSE AND RETENTION TIME FOR EMPLOYEE PERSONAL DATA

Category	Purpose	Length of time retained
Application form	Employee's written confirmation of employment history  Suitability for Employment  Salary assessment	For the duration of the employment to which it relates, and 12 months thereafter.
Interview notes	Suitability for employment	6 months from date of appt
References	For present employment  For future employment	6 months from date of appt  6 months from date last requested
Copies of qualification certificates	Suitability for employment	Duration of employment and 6 months thereafter.
Contract of employment and any variation letters  Copy of contract acceptance	Written confirmation of the legal agreement between employer and employee.	For the period of employment and 12 months thereafter.
Administrative info eg address, payroll number	To communicate with the employee in matters relating to their employment	For the period of employment
Copy of one of the following: NI number, British certificate,	Employer's defence in relation to the Asylum and Immigration Act	Duration of employment and 6 months thereafter.

passport or Home Office documentation, work permit		
Performance records	Written confirmation of the employee's performance record.	3 years
Induction records	To show that employees have been given appropriate training	Duration of employment and 6 months thereafter.
Training records	Monitoring employee development	Duration of employment and 6 months thereafter.
Absence records, including self-certification, medical certificates and other leave of absence including parental leave.	Monitoring employee absence	For 3 years – including after the termination of employment.
Disciplinary records	Monitoring employee conduct and/or capability	In accordance with the Council's disciplinary procedures.
Letter of resignation and acceptance of resignation	Written confirmation of date of leaving Council's employ.	12 months after leaving
Exit interview notes	Record of view of Council. May include suggestions for improvements.	12 months after leaving