



# Employee Privacy Notice Policy

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## Version control

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## **1.0 Introduction to the Employee Privacy Notice**

As an employer, Transport for the North (TfN) must meet its contractual, statutory and administrative obligations. We are committed to ensuring that the personal data of our employees is handled in accordance with the principles of Data Protection. This policy tells you what to expect when TfN collects personal information about you.

It applies to all employees, ex-employees, agency staff, contractors, secondees and members. However, the information we will process about you, will vary depending on your specific role and personal circumstances.

TfN is the controller for this information unless this notice specifically states otherwise. Details of our Data Protection Officer are on the intranet. This notice should be read in conjunction with our global privacy notice and our other corporate policies and procedures.

When appropriate we will provide a 'just in time' notice to cover any additional processing activities not mentioned in this document.

In this notice:

- How do we get your information
- What personal data we process and why
- Lawful basis for processing your personal data
- How long we keep your personal data
- Data sharing
- Your rights in relation to this processing
- Transfers of personal data
- Further information

## **2.0 How Do We Get Your Information**

We get information about you from the following sources:

- Directly from you
- From an employment agency
- From your employer if you are a secondee
- From referees, either external or internal
- From Occupational Health and other health providers
- From Pension administrators and other government departments, for example tax details from HMRC
- From your Trade Union

## **3.0 What Personal Data We Process and Why?**

### **3.1 Categories of Personal Data**

We process the following categories of personal data: Information related to your employment. We use the following information to carry out the contract we have

with you, provide you access to business services required for your role and manage our human resources processes.

- Personal contact details such as your name, address, contact telephone numbers (landline and mobile) and personal email addresses
- Your date of birth, gender and NI number
- Copy of your passport or similar photographic identification and/or proof of address documents
- Marital status
- Next of kin, emergency contacts and their contact information
- Employment and education history including your qualifications, job application, employment references, right to work information and details of any criminal convictions that you declare
- Location of employment
- Details of any secondary employment, political declarations, conflict of interest declarations or gift declarations
- Any criminal convictions that you declare to us
- Your political declaration form in line with our policy and procedure regarding party political activities

### **3.2 Information related to your salary, pension and loans**

We process this information for the payment of your salary, pension and other employment related benefits. We also process it for the administration of statutory and contractual leave entitlements such as holiday or maternity leave.

- Information about your job role and your employment contract including; your start and leave dates, salary (including grade and salary band), any changes to your employment contract, working pattern (including any requests for flexible working)
- Details of your time spent working and any overtime, expenses or other payments claimed
- Details of any leave including sick leave, holidays, special leave etc
- Pension details including membership of both state and occupational pension schemes (current and previous)
- Your bank account details, payroll records and tax status information
- Trade Union membership for the purpose of the deduction of subscriptions direct from salary
- Details relating to Maternity, Paternity, Shared Parental and Adoption leave and pay.

### **3.3 Information relating to your performance and training**

We use this information to assess your performance, to conduct pay and grading reviews and to deal with any employer/employee related disputes. We also use it to meet the training and development needs required for your role.

- Information relating to your performance at work e.g. probation reviews, PDRs, promotions
- Grievance and dignity at work matters and investigations to which you may be a party or witness

- Disciplinary records and documentation related to any investigations, hearings and warnings/penalties issued
- Whistleblowing concerns raised by you, or to which you may be a party or witness
- Information related to your training history and development needs.

### **3.4 Information relating to monitoring**

We use this information to assess your compliance with corporate policies and procedures and to ensure the security of our premises, IT systems and employee.

- Information derived from monitoring IT acceptable use standards.

### **3.5 Information relating to your health and wellbeing and other special category data**

We use the following information to comply with our legal obligations and for equal opportunities monitoring. We also use it to ensure the health, safety and wellbeing of our employees.

- Health and wellbeing information either declared by you or obtained from health checks, eye examinations, occupational health referrals and reports, sick leave forms, health management questionnaires or fit notes i.e. Statement of Fitness for Work from your GP or hospital
- Accident records if you have an accident at work
- Details of any desk audits, access needs or reasonable adjustments
- Information you have provided regarding Protected Characteristics as defined by the Equality Act and s.75 of the Northern Ireland Act for the purpose of equal opportunities monitoring. This includes racial or ethnic origin, religious beliefs, disability status, and gender identification and may be extended to include other protected characteristics.

Depending on the processing activity, we rely on the following lawful basis for processing your personal data under the GDPR:

- Article 6(1)(b) which relates to processing necessary for the performance of a contract
- Article 6(1)(c) so we can comply with our legal obligations as your employer
- Article 6(1)(d) in order to protect your vital interests or those of another person
- Article 6(1)(e) for the performance of our public task
- Article 6(1)(f) for the purposes of our legitimate interest.

### **3.6 Special category data**

Where the information we process is special category data, for example your health data, the additional bases for processing that we rely on are:

- Article 9(2)(b) which relates to carrying out our obligations and exercising our rights in employment and the safeguarding of your fundamental rights
- Article 9(2)(c) to protect your vital interests or those of another person where you are incapable of giving your consent
- Article 9(2)(f) for the establishment, exercise or defense of legal claims

- Article 9(2)(j) for archiving purposes in the public interest.

In addition, we rely on the processing condition at Schedule 1 part 1 paragraph 1 of the DPA 2018. This relates to the processing of special category data for employment purpose.

### **3.7 Criminal convictions and offences**

We process information about staff criminal convictions and offences. The lawful basis we rely to process this data are:

- Article 6(1)(e) for the performance of our public task. In addition, we rely on the processing condition at Schedule 1 part 2 paragraph 6(2)(a)
- Article 6(1)(b) for the performance of a contract. In addition, we rely on the processing condition at Schedule 1 part 1 paragraph 1.

## **4.0 How Long We Keep Your Personal Data**

For information about how long we hold your personal data, see our retention schedule on the intranet.

## **5.0 Data Sharing**

In some circumstances, such as under a court order, we are legally obliged to share information. We may also share information about you with third parties including government agencies and external auditors. For example, we may share information about you with HMRC for the purpose of collecting tax and national insurance contributions.

### **5.1 Your rights in relation to this processing**

As an individual you have certain rights regarding our processing of your personal data, including the right to lodge a complaint with the Information Commissioner as the relevant supervisory authority.

### **5.2 Transfers of personal data**

We don't routinely transfer employee personal data overseas but when this is necessary we ensure that we have appropriate safeguards in place.

## **6.0 Further Information**

Personnel files Physical and electronic records are held for each member of staff. Data is held securely on TfN systems and at our premises.

You can request your personnel file by emailing the HR team or by submitting an access request to TfN. You can also make a verbal request for your information.

You will not be able to take away your physical file. We will consult internally with members of staff who might hold personal data about you.

## **7.0 Whistleblowers**

TfN has a policy and procedure in place to enable its current staff and ex-employees to have an avenue for raising concerns about malpractice. If you wish to raise a concern, please refer to TfN's whistleblowing policy and procedure.

Information in this context is processed by us because it is necessary for our compliance with our legal obligations under the Public Interest Disclosure Act 1998.

Although every effort will be taken to restrict the processing of your personal data and maintain confidentiality whether this is possible will be dependent on the nature of the concern and any resulting investigation.

## **8.0 Equal Opportunities Monitoring**

Equal opportunities information provided by job applicants is attached to the relevant application. This information is not made available to any staff outside our recruitment team (including hiring managers) in a way which can identify you.

## **9.0 Occupational Health**

During your employment you may be referred to occupational health following a request to HR by you or your line manager. This may result in a face-to-face consultation, a telephone appointment with an occupational healthcare professional and/or a medical report from a GP or specialist.

## **10.0 ICT Systems**

All of our ICT systems, EDRM system and the swipe access system for the entry and exit of our premises are auditable and can be monitored, though we don't do so routinely. We are committed to respecting individual users' reasonable expectations of privacy concerning use of our ICT systems and equipment. However, we reserve the right to log and monitor such use.

Any targeted monitoring of employees will take place within the context of our disciplinary procedures. Part 3 of the Data Protection Act 2018, which concerns law enforcement processing requires us to keep logs. Section 62 states that these logs make it possible to establish the identity of the person who consulted the data, the date and time it was consulted and the justification for doing so.

Beyond this, the logs must make it possible to establish the identity of the person disclosing the data, the date and time it occurred and the identity of the recipients. These logs will be kept to assist with self-monitoring by TfN, including internal disciplinary proceedings, verifying the lawfulness of the processing, ensuring the integrity and security of personal data, and for the purposes of criminal proceedings.



## **11.0 Security Passes**

All staff are all issued with a security pass that displays their name, department, staff reference number. When you leave TfN your details are deleted as soon as possible from this system.

## **12.0 Senior Salaries**

The Transparency Code 2014 mandates that local authorities publish information about senior salaries. The Accounts and Audit Regulations 2015 (Statutory Instrument 2015/234) 2 3(A&A regs) already require local authorities to publish the following information about staff whose annual remuneration is at least £50,000:

- The number of employees whose remuneration in that year was at least £50,000 in brackets of £5,000
- Details of remuneration and job title of certain senior employees whose salary is at least £50,000
- Employees whose salaries are £150,000 or more must be identified by name.

[info@transportforthenorth.com](mailto:info@transportforthenorth.com)  
0161 244 0888

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Transport for the North  
Level 6, Town Hall Extension,  
Lloyd Street  
Manchester  
M2 5DB