

Employee Privacy Notice

Royal Berkshire Fire and Rescue Service (RBFRS) collects and processes personal data relating to its employees to manage the employment relationship. RBFRS is committed to being transparent about how it collects and uses that data and to meeting obligations under the General Data Protection Regulation (GDPR). If you have any queries about the processes or how we handle your information please contact us at hr@rbfrs.co.uk.

What information does RBFRS collect?

RBFRS collects and processes a range of information about you. This includes:

- Your name, address and contact details, including email address and telephone number, date of birth and gender
- The terms and conditions of your employment
- Details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with RBFRS
- Information about your remuneration, including entitlement to benefits such as pensions
- Details of your bank account and National Insurance number
- Information about your marital status, next of kin, dependants and emergency contacts
- Information about your nationality and entitlement to work in the UK
- Information about your criminal record
- Details of your schedule (days of work and working hours) and attendance at work
- Details of periods of leave taken by you, including holiday, sickness absence, family leave, career breaks and any other leave outlined in RBFRS policies and the reasons for the leave
- Details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence
- Assessments of your performance, including PDIs, training records, fitness and any actions taken under the Performance and Ability in the Workplace Policy, and related correspondence
- Information about medical or health conditions, which could include reasons for absence, GP reports, Occupational Health reports and notes. This information will be used in order to comply with our Health and Safety obligations and improving absence management and support through liaison with occupational health. Occupational Health also uses personal contact details in order to manage appointments with individual staff.
- To consider how your health affects your ability to do your job and whether any adjustments to your job may be appropriate. We also need this data to administer and manage the sick pay scheme
- Equal opportunities monitoring information including information about your ethnic origin, sexual orientation, health and religion or belief
- Images taken throughout your employment for internal communications purposes.

RBFRS collects information in a variety of ways. For example data is collected through application forms; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment; from correspondence with you; or through interviews, meetings or other assessments. RBFRS also collects personal data about you

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from third parties, such as references supplied by former employers and, where applicable, information from criminal record and security checks permitted by law. Images can be taken throughout your career and used for internal publicity purposes.

Data is stored in a range of different places, including in your hard copy Personnel Record File (PRF) and other hard copy files (e.g. discipline investigation files) and various electronic files and systems.

Why does RBFRS process personal data?

RBFRS needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer benefit and pension entitlements.

In some cases, RBFRS needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled. For certain positions it is necessary to carry out criminal records or security checks to ensure that individuals are permitted to undertake the role in question.

In other cases, RBFRS has a necessity in line with public interest to process personal data before, during and after the end of the employment relationship.

Processing employee data allows the organisation to:

- Run recruitment and promotion processes;
- Maintain accurate and up to date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
- Operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- Operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management processes;
- Employee training records to ensure staff are undertake the role they are employed for
- Operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay and other benefits to which they are entitled;
- Obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, support health and wellbeing improvement initiatives and ensure that employees are receiving the pay and other benefits to which they are entitled
- Operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that RBFRS complies with its duties in relation to leave entitlement, and to ensure that employees are receiving the pay and other benefits to which they are entitled;

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- Ensure effective general HR administration;
- Provide references on request for current or former employees;
- Respond to and defend against legal claims;
- Maintain and promote equality in the workplace;
- Responding to Freedom of Information and Subject Access Requests
- Maintain records for tax and pensions purposes after employment ends

You have some obligations under your employment contract to provide the organisation with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide the organisation with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable RBFRS to enter into a contract of employment with you. If you do not provide other information (such as address and bank details for pensions administration), this will hinder RBFRS' ability to administer the rights and obligations arising as a result of the employment relationship effectively and efficiently.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities, and for health and safety purposes). Information about gender, ethnic origin, sexual orientation; health or religion or belief is collected for the purposes of equal opportunities monitoring. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

Our legal basis for processing your data.

We will only use your personal information when the law allows us to. These are known as the legal bases for processing.

Under the General Data Protection Regulation (GDPR), it is necessary to process your personal data under the following conditions:

Purpose	Conditions for Processing
Run recruitment and promotion processes;	6(1)(b) – Necessary for the performance of a contract with the data subject or to take steps preparatory to such a contract 6(1)(e) – Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller Special Category Data: 9(2)(b) – Necessary for the carrying out of obligations under employment, social security or social protection law, or a collective agreement 9(2) (g) – Necessary for reasons of substantial public interest on the

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	basis of Union or Member State law which is proportionate to the aim pursued and which contains appropriate safeguarding measures.
Maintain accurate and up to date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;	6(1)(b) – Necessary for the performance of a contract with the data subject or to take steps preparatory to such a contract 6(1)(e) – Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller Special Category Data: 9(2)(b) – Necessary for the carrying out of obligations under employment, social security or social protection law, or a collective agreement 9(2) (g) – Necessary for reasons of substantial public interest on the basis of Union or Member State law which is proportionate to the aim pursued and which contains appropriate safeguarding measures.
Operate and maintain records of benefit schemes open to employees on a voluntary basis. (Eg Benenden and RBFRS Advantage)	6(1)(a) – Consent of the data subject
Operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;	6(1)(b) – Necessary for the performance of a contract with the data subject or to take steps preparatory to such a contract 6(1)(e) – Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller Special Category Data: 9(2) (g) – Necessary for reasons of substantial public interest on the basis of Union or Member State law which is proportionate to the aim pursued and which contains appropriate safeguarding measures.
Operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management processes;	6(1)(c) – Necessary for compliance with a legal obligation 6(1)(e) – Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller Special Category Data: 9(2) (g) – Necessary for reasons of substantial public interest on the basis of Union or Member State law which is proportionate to the aim pursued and which contains appropriate safeguarding measures.
Operate and keep a record of organisational reviews and consultation exercises, to establish themes and assess employee responses to proposals	6(1)(c) – Necessary for compliance with a legal obligation Special Category Data: 9(2) (g) – Necessary for reasons of substantial public interest on the basis of Union or Member State law which is proportionate to the aim pursued and which contains appropriate safeguarding measures.
Employee training records to ensure staff are suitably competent and qualified to undertake the role they are employed for.	6(1)(c) – Necessary for compliance with a legal obligation 6(1)(e) – Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
Employee fitness records to assess and monitor employee fitness	6(1)(e) – Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller Special Category Data: 9(2)(b) – Necessary for the carrying out of obligations under employment, social security or social protection law, or a collective agreement

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	9(2) (g) – Necessary for reasons of substantial public interest on the basis of Union or Member State law which is proportionate to the aim pursued and which contains appropriate safeguarding measures
Operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay and other benefits to which they are entitled;	6(1)(b) – Necessary for the performance of a contract with the data subject or to take steps preparatory to such a contract 6(1)(c) – Necessary for compliance with a legal obligation 6(1)(e) – Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller Special Category Data: 9(2) (g) – Necessary for reasons of substantial public interest on the basis of Union or Member State law which is proportionate to the aim pursued and which contains appropriate safeguarding measures. 9(2)(h) – Necessary for the purposes of preventative or occupational medicine, for assessing the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services on the basis of Union or Member State law or a contract with a health professional
Obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, support health and wellbeing improvement initiatives and ensure that employees are receiving the pay and other benefits to which they are entitled	6(1)(a) – Consent of the data subject – in relation to release of full medical reports from OH provider and medical practitioners. 6(1)(b) – Necessary for the performance of a contract with the data subject or to take steps preparatory to such a contract 6(1)(e) – Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller Special Category Data: 9(2)(a) – Explicit consent of the data subject, unless reliance on consent is prohibited by EU or Member State law 9(2)(b) – Necessary for the carrying out of obligations under employment, social security or social protection law, or a collective agreement 9(2) (g) – Necessary for reasons of substantial public interest on the basis of Union or Member State law which is proportionate to the aim pursued and which contains appropriate safeguarding measures
Operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that RBFPS complies with its duties in relation to leave entitlement, and to ensure that employees are receiving the pay and other benefits to which they are entitled;	6(1)(e) – Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller Special Category Data: 9(2)(b) – Necessary for the carrying out of obligations under employment, social security or social protection law, or a collective agreement
Ensure effective general HR administration;	6(1)(e) – Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
Provide references on request for current or former employees;	6(1)(e) – Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
Respond to and defend against legal claims;	6(1)(c) – Necessary for compliance with a legal obligation

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	6(1)(e) – Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller Special Category Data: 9(2)(b) – Necessary for the carrying out of obligations under employment, social security or social protection law, or a collective agreement
Maintain and promote equality in the workplace;	6(1)(c) – Necessary for compliance with a legal obligation Special Category Data: 9(2)(b) – Necessary for the carrying out of obligations under employment, social security or social protection law, or a collective agreement 9(2) (g) – Necessary for reasons of substantial public interest on the basis of Union or Member State law which is proportionate to the aim pursued and which contains appropriate safeguarding measures.
Responding to Freedom of Information and Subject Access Requests	6(1)(c) – Necessary for compliance with a legal obligation
Maintain records for tax and pensions purposes after employment ends	6(1)(b) – Necessary for the performance of a contract with the data subject or to take steps preparatory to such a contract 6(1)(c) – Necessary for compliance with a legal obligation 6(1)(e) – Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
Produce and store images (photo/video) in order to communicate the Service and best practice across internal channels	6(1) (a) consent of the data subject. In the case of images, video and audio, the legal basis for processing your personal data is your consent. 6(1)(e) necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

Who has access to data?

Your information will be shared internally with those who need access to it in order to undertake their role within the organisation, including but not limited to members of HR and L&D, Finance, your line manager, managers in the area in which you work and IT staff.

RBFRS shares your data with third parties in order to obtain pre-employment references from other employers and obtain necessary criminal record checks with the Disclosure and Barring Service.

RBFRS also shares your data with third parties that process data on its behalf in connection with payroll, the provision of pensions, benefits and the provision of occupational health service. These providers use your personal data in the provision of their services and are under specific contractual data sharing agreements.

In the case of movement screening, your information may be transferred outside the European Economic Area (EEA) or to an international organisation to comply with our legal or contractual requirements. We have in place safeguards including a Client Consent Form to ensure the security of your data. You will be provided a copy of this form to complete should you undertake Movement Screening which will outline the conditions for processing data and where the data is held.

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How does RBFRS protect data?

RBFRS takes the security of your data seriously. The organisation has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by specific employees in the performance of their duties.

Where RBFRS engages third parties to process personal data on its behalf, it does so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

RBFRS will take all reasonable steps to ensure that employees' personal information is accurate, complete and current. Employees also have a shared responsibility with regard to the accuracy of personal information. Employees should notify HR of any changes to personal information.

For how long does RBFRS keep data?

RBFRS will retain your personal data as long as necessary to achieve the purpose for which it was collected, usually for the duration of any contractual relationship and for any period thereafter as legally required or permitted by applicable law. Further details of this can be found in retention schedules on Siren, the RBFRS website or on request.

Your rights

Under the General Data Protection Regulation you are entitled to exercise your right to object to us processing your data and obtain information that is held about you.

If at any point you believe the information we process on you is incorrect, you can request to have it corrected or deleted. Where possible we will seek to comply with your request but we may be required to hold or process information to comply with a legal requirement.

If you wish to discuss the information we hold about you, make a complaint about how we have handled your personal data or object to us processing it, you can contact our Data Protection Officer (DPO) who will investigate the matter.

How to contact us

Our Data Protection Officer is Becca Chapman and you can contact her at:

Royal Berkshire Fire and Rescue Service Headquarters
Newsham Court
Pincents Kiln
Calcot
Reading
Berkshire
RG31 7SD

(0118) 945 2888

DataProtection@rbfrs.co.uk

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If you are not satisfied with our response or the way we handle your information, you can complain to the Information Commissioner's Office (ICO):

<https://ico.org.uk/>

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