

Privacy Notice – SEPA Staff

This notice applies to all current and former employees, workers and contractors.

SEPA's Agency Board approved an updated [Data Protection Policy](#) on 24 April 2018.

Please read this in conjunction with our General privacy notice at <https://www.sepa.org.uk/help/privacy-policy/>.

How we use your personal information

This privacy notice explains how we collect and use personal information about employees, workers and contractors working for SEPA. It also states how and when data may be shared with other organisations and how long data will be retained after employment has ceased.

If you are a SEPA employee, worker or contractor, we collect and use your personal information for the purpose of carrying out our duties as an employer, to support you in your employment at SEPA and to fulfil our contractual obligations as an employer. This will include collection and use of your personal details, financial information, health information, and information relating to your performance, attendance and activity at work. Your personal information will be processed by SEPA staff members where it is part of their job role, for example members of the HR team.

If you leave employment at SEPA, we will continue to process your personal information in order to end your contract with us, to fulfil any outstanding obligations we have as your former employer, and to meet our statutory obligations.

We share some employee information with public bodies such as HMRC in line with statutory obligations, or where you have given us your consent to share your information with them.

We also have contracts with third parties who are part of our own supply chain to collect and use your personal information, on our behalf. In each case they do this under explicit instructions from us and are not allowed to pass your personal information to others without our permission, or to use it for any further purpose. They retain your personal information only as long as is necessary and we ensure that they return to us, or destroy, any remaining personal information at the end of our contract with them.

This privacy notice does not form part of your contract. We keep this notice under regular review and may amend this notice at any time.

What data do we hold?

Personal information can be anything that identifies and relates to a living person. This can include information that when put together with other information can then identify a person.

There may also be situations where we process special categories of personal information that need more protection due to its sensitivity. It is often information you would not want widely known and is very personal to you.

We may also hold personal information about your family members or next of kin, where you have provided it, for example to apply for parental leave.

The table below shows **examples** of the types of personal information listed in relevant Data Protection legislation, which we may hold about SEPA staff members.

Personal information	Special category information
Personal details <i>[e.g. Staff number, Name, home address, National Insurance number, personal contact number]</i>	Physical or mental health details <i>[including pregnancy]</i>
Family details <i>[e.g. Next of kin, dependents]</i>	Racial or ethnic origin
Lifestyle and social circumstances	Religious or other beliefs
Visual images, personal appearance and behaviour <i>[e.g. Photograph for staff pass]</i>	Political opinions, sexual life
Financial details <i>[e.g. Bank account details, salary and benefits details, including pension]</i>	Trade union membership <i>[e.g. only if dues are paid from your salary or you are a Union official]</i>
Employment and education details <i>[e.g. Qualifications certificates]</i>	Offences (including alleged offences)
Details of complaints, incidents and grievances <i>[e.g. records of investigations]</i>	Criminal and legal proceedings, outcomes and sentences

We may also receive your personal data from external bodies such as:

- Providers of salary sacrifice services (e.g. Childcare vouchers or Additional Voluntary Contributions) – so that SEPA payroll can administer the required payments and maintain records required by HMRC.
- Recruitment agencies
- Background check providers
- Credit reference agencies
- Former employers or other referees, whom you have given us permission to contact.
- Medical professionals

How the law allows us to use your personal information

We must have a legal basis for using your personal information and make it clear to you, which one is being used. As an employee, this will include:

- if you have entered into a **contract** with us, including if you are an employee
- If you, or your legal representative, have given us **consent**
- it is required by law (**legal obligation**)
- it is necessary to protect someone in an emergency (**vital interests**)

Where we need to process any of your personal information, which is defined as *special category* information, we *must* also ensure that we have an additional legal basis for doing so. These include:

- If you, or your legal representative, have given us **consent**
- it is required by law (**legal obligation**)
- it is necessary to protect someone in an emergency (**vital interests**)
- necessary for the establishment, exercise or defence of **legal claims**
- it is necessary for the purposes of **preventative or occupational medicine**, assessment of working capacity, medical diagnosis.

The table below outlines **examples** of the activities that will be undertaken under the relevant legal basis, which may include the necessary sharing of your personal information with other organisations. [Where the activity may include special category information, the wording is shown in ***bold italics***]

Contract	Consent
<i>Administer our contract with you and ensure compliance with the terms of your contract;</i>	<i>Referral to Occupational Health provider</i>
<i>Manage requests and maintain records for time off work (including but not limited to time off for antenatal appointments; maternity, paternity, adoption, parental and / or shared parental leave; time off for dependants; trade union duties, bereavement; and / or jury service);</i>	<i>Registration with Business Continuity messaging service (SESIL)</i>
<i>Provide and process payments and benefits to you (including complying with pension auto-enrolment obligations, liaising with your pension provider and determining pension eligibility) and, if applicable, deduct tax and national insurance;</i>	
<i>Manage performance and conduct;</i>	Legal Obligation
<i>Manage sickness absence; assess your fitness to work; and consider disability status and reasonable adjustments for disabled workers;</i>	<i>Comply with gender pay gap reporting obligations</i>
<i>Assess qualifications and suitability for a job or task, including promotion decisions; make decisions about salary and compensation;</i>	<i>Comply with health and safety obligations [Health & Safety Executive]</i>
<i>Manage flexible working applications;</i>	<i>Comply with tax obligations [HMRC]</i>
<i>Make arrangements for the termination of our working relationship;</i>	<i>Carry out equal opportunities monitoring;</i>
<i>Carry out education, training and development;</i>	Vital interests
<i>Monitor your use of our IT and communications systems;</i>	<i>Protect your vital interests or those of another person (in exceptional circumstances, such as a medical emergency);</i>
<i>Conduct disciplinary and grievance proceedings;</i>	<i>Inform your contacts in the event of sickness, accident or other emergency;</i>

How we share personal information

We sometimes need to share your personal information with other organisations for statutory or regulatory reasons. Any sharing will be carried out lawfully and securely in accordance with the Data Protection Principles. Information will be sent by secure means or in encrypted format.

These organisations include

- the suppliers of our IT systems and infrastructure
- suppliers of communications systems and services
- suppliers of professional services (such as auditors or legal advisors)
- pension and taxation bodies (such as Falkirk Local Government Pension Scheme and HMRC).
- Scottish Government and other public bodies
- Audit Scotland and the Audit Commission (for [National Fraud Initiative](#))

How long do we keep your data?

We will only retain your personal information for as long as necessary to fulfil the purposes for which we collected it, including to satisfy any legal, accounting or reporting requirements. At the end of the necessary retention period your data will be confidentially destroyed. Please see BP-069 for further details

Your rights regarding your personal information held by SEPA

Right	What it means
Information	<i>You have the right to clear information about how we collect and use your personal information – this privacy notice is one example of how we do this</i>
Access	<i>To request a copy of your information, please complete the Data Subject Access Request Form or contact dataprotection@sepa.org.uk.</i>
Correction	<i>You have the right to ask for any personal information that is inaccurate or incomplete to be corrected</i>
<i>In certain circumstances, you will have the following extra rights:</i>	
Erasure	<i>You have the right to ask for your personal data to be deleted under certain circumstance</i>
Objection to processing	<i>You have the right to object to our use of your personal information under certain circumstances</i>
Restriction on processing	<i>If you make an objection, our use of your personal information may be temporarily suspended whilst we deal with your request</i>
Portability	<i>You have the right to ask for a copy of your personal information in a machine readable format to pass to another organisation under certain circumstances</i>

Our Data Protection Officer makes sure we respect your rights and follow the law. If you have any concerns or questions about how we look after your personal information, please contact Alison Mackinnon, SEPA's Data Protection Officer, at dataprotection@sepa.org.uk or by calling 03000 99 66 99 and ask to speak to the Data Protection Officer.

Complaints

We seek to resolve directly all complaints about how we handle personal information but you also have the right to lodge a complaint with the Information Commissioner's Office. They can be contacted at <https://ico.org.uk/concerns/> or call 0303 123 1113