

## Privacy Notice

### *Employment*

**This Privacy Notice is designed to help you understand how and why York and North Yorkshire Combined Authority (YNYCA) processes your personal data. This notice should be read in conjunction with our main [privacy notice](#).**

#### Who are we?

York and North Yorkshire Combined Authority (YNYCA) is a 'Data Controller' as defined by Article 4(7) of the UK General Data Protection Regulation (UK GDPR).

YNYCA have appointed North Yorkshire Council to provide HR and Payroll Services via a Service Level Agreement on their behalf. Services provided by North Yorkshire Council comprise of the following teams who deal with and advise on all employment and HR related matters for YNYCA:

- Employment Support Service
- HR Shared Service Team
- Pay and Reward
- Resourcing Solutions
- HR Business Partners (HRBPs)
- Training and Learning

In addition, Occupational Health Services, Disclosure and Barring Services and North Yorkshire Pension Fund are also provided through North Yorkshire Council

YNYCA has its own Data Protection Officer. Their contact details are:

Head of Compliance/DPO  
York and North Yorkshire Combined Authority  
County Hall  
Northallerton  
DL7 8AL  
[information.requests@yorknorthyorks-ca.gov.uk](mailto:information.requests@yorknorthyorks-ca.gov.uk)

#### What personal information do we collect?

We process your information to fulfil our obligations associated with your employment contract. This includes recruiting you to employment and undertaking pre-employment checks, the information required to maintain employment records and ensure you are paid correctly and information around your work performance and conduct in line with YNYCA's published employment policies. This information includes, but is not limited to:

- Personal identifiers (your name, address, date of birth, personal email address etc.)
- Previous job experience and qualifications (including copies of certificates and employment references)
- Information about your employment attendance and performance (including information collected through appraisal processes and workplace investigations e.g. witness statements, e-mail correspondence, CCTV, interview notes, etc.)
- Training and development records
- Information about your right to work in the UK
- Emergency contact information of those individuals you identify
- Financial information, including bank account information, tax, national insurance and pension contributions to facilitate salary payments.
- Driving licence status, including any penalties or endorsements associated with the license.

We also collect the following sensitive/ special category data:

- Information about your ethnicity, religious beliefs and trade union membership (for the purposes of equality monitoring)
- Relevant medical information which affects your employment
- Criminal Conviction data

### **Why do we collect your personal information?**

We process your information to fulfil our obligations associated with your employment contract as below:

- To manage the recruitment process and conduct pre-employment checks including Disclosure and Barring service checks required to begin your employment with the YNYCA
- To maintain employee records throughout your employment eg training records
- To be able to contact you throughout your employment.
- To record and monitor leave and absence taken during your employment.
- To monitor your work performance and conduct eg disciplinary process.
- To manage payroll services.
- To enable pension contributions.

- To meet our health and safety obligations e.g. Occupational health to assess working capacity.
- To process a termination of your contract.
- To contact you following termination of your contract, if expressly required (e.g. to obtain your consent to share reference details with another organisation if a request is made in your name; to resolve any ongoing investigations related to your employment; to rectify any salary overpayments which may have occurred during your employment at YNYCA).
- To protect and maintain the health, safety and welfare of employees and others in the workplace.
- To provide necessary and relevant training and development of you as an employee.
- To arrange corporate travel, confirm your booking and share relevant information with you in relation to your booking as well as responding to queries/issues with bookings. For this we may require information about any specific needs (such as wheelchair access or allergies).

### **Who do we obtain your information from?**

We obtain information from yourself and also various external organisations including, but not limited to, the following;

- HMRC
- Department of Work and Pension, if applicable
- North Yorkshire Pension Fund
- Local Government Pension Scheme
- Any salary sacrifice arrangement you sign up to
- Your trade union, if applicable
- Disclosure and Barring service in order to conduct criminal record checks, if applicable
- Occupational Health Providers
- Experian (in the event that we need to contact you following termination of your employment. We may need to confirm your up-to-date contact address to avoid sending any correspondence to an incorrect address. In order to facilitate this, we may perform an Experian Credit Check using your name and last known address). Please see our Credit Control Privacy Notice for further information.

### **Who do we share this information with?**

Your information will only be made available to those who need it to do their job in relation to your employment. This includes your line manager(s), as well as our employment and business support teams and HR and legal services when necessary.

In the event that you are involved in an employee relations issue which is being formally investigated or proceeds to a hearing or appeal, then some information will be shared with the officers who have a role within that process, either through the investigation, hearing or appeal stages.

Should you work in a role involving access to children or vulnerable adults, we may share your data with safeguarding leads, social care professionals and the police, in the event that an allegation is made against you.

Your name, job title, work email address, telephone number, photograph and office base will be available in our internal telephone directory which is accessible to YNYCA employees, members and organisations which we work closely or in partnership with. Please be assured your photograph and office base will not be distributed publicly.

Your information may be shared with prospective future employers, landlords, letting agents, or mortgage brokers where you have asked them to contact us to seek a reference and YNYCA provides this.

We may share your information with the following organisations:

- North Yorkshire Council who provide support and advice on all employment and HR related matters for YNYCA: such as Employment Support Service, payroll, recruitment, HR business partner services, training and learning
- Pay and Reward
- Resourcing Solutions
- HMRC
- Department of Work and Pension, if applicable
- North Yorkshire Pension Fund
- Any salary sacrifice arrangement you sign up to
- Trade unions recognised by YNYCA for the purposes of collective bargaining and ensuring effective consultation and employee representation including during restructuring and redundancy processes;
- Examining bodies, if applicable
- Disclosure and Barring Service to conduct criminal record checks, if applicable
- Professional bodies relevant to the role in which you are employed or the Disclosure and Barring Service, if an issue is raised regarding your suitability to continue working in your role
- Occupational Health Providers
- Training providers

- Prospective future employers, landlords, letting agents, or mortgage brokers where you have asked them to contact YNYCA to seek a reference
- Veritau who provide business assurance and information governance services to YNYCA
- Third-party organisations which YNYCA works closely or in partnership with, including any contracted to conduct employee surveys
- Experian (for current address check)
- Internally – Procurement and Contract Management Service – for arranging corporate travel
- Externally - travel and accommodation 3rd party provider.

We have duties under the Freedom of Information Act 2000 to disclose information we hold unless there are legal grounds on which to withhold it. Therefore, we may disclose your name and work email address publicly in response to a request if we are required to do so.

We may also be required to share personal data with organisations working to detect or prevent crime, such as the police.

### How long do we keep your information for?

Data held	Retention period
<b>Payroll</b>	
P45	6 years from the end of the tax year in which the employee left YNYCA
Personal file – includes application forms, clearances, contract, HR letters, sick notes	6 years from the end of the tax year in which the employee left YNYCA. In circumstances where an active safeguarding enquiry is being conducted it may be necessary to retain records for a longer period.
LAGAN cases (workload management system) – includes any pay or HR related queries or cases	6 years from the end of the tax year in which the employee left YNYCA unless there is an active safeguarding enquiry as above

Payroll record	6 years from the end of the tax year in which the employee left YNYCA, a skeleton record will be retained after this time
Payslip and claims information	6 years from the end of the tax year in which the employee left YNYCA
<b>Pensions</b> (This applies to the pension information held by YNYCA. Information held by NYPF is subject to their own privacy notice)	
LGPS scheme information	20 years after leaving YNYCA
<b>HR Casework</b>	
Casework records (not safeguarding/involving children/vulnerable adults)	Sanctions will be disregarded for disciplinary purposes on their expiry. A summary of the case and the actions taken will be retained on personnel file for six years from the end of the tax year in which the employee left YNYCA
Records relating to safeguarding investigations/involving children/vulnerable adults	Allegations which are found to have been malicious will be removed from personnel files. A clear and comprehensive record of all other allegations, how the allegation was followed up and resolved and a note of any action taken and decisions reached will be kept on personnel files until the employee has reached normal retirement age or for 10 years - whichever is longer. In circumstances where an active safeguarding enquiry is being conducted it may be necessary to retain records for a longer period.
Resolving Issues at Work (including where proven to be unfounded)	6 years from date of last action

Job Evaluations	6 years
<b>Occupational Health</b>	
Occupational Health (OH) Information – includes referrals, medical reports etc.	6 years after termination of employment or until 75th Birthday (whichever is sooner)
Health surveillance records	40 years after leaving YNYCA
<b>Training Records</b>	
Training records – includes data held 6 on Training Admin System	years after leaving YNYCA (TAS)/Learning Zone
<b>Recruitment</b>	
Recruitment selection paperwork – successful applicants	Following appointment recruitment paperwork and clearances will be uploaded onto Wisdom (see above).
<b>DBS</b>	
DBS positive clearances DBS negative clearances	6 years from the end of the tax year in which the employee left YNYCA
<b>Corporate Travel</b>	
Travel booking and information	We will retain booking and travel information for 6 years due to the need to be able to audit travel expenses.

### What is our lawful basis for processing your information?

YNYCA relies on the following lawful basis to process your personal data:

UK GDPR Article 6(1)(b)- processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract

In connection with certain job roles, YNYCA may need to collect criminal conviction/offences information. For the processing of personal data relating to criminal convictions and offences, processing meets Schedule 1, Part 1 of the Data Protection Act 2018 as below:

- (1) Employment, social security, and social protection

When processing special category data, YNYCA will rely on the following lawful basis:

UK GDPR Article 9(2)(b) - processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by law meeting Schedule 1, Part 1 of the Data Protection Act 2018 as below:

- Employment, social security, and social protection
- Health and Social Care purposes

UK GDPR Article 9 (2)(g) – processing is necessary for reasons of substantial public interest with processing meeting Schedule 1, Part 2 of the Data Protection Act 2018 as below:

- Equality of opportunity or treatment

The legislations, policies and guidance that relate to this service includes, but is not limited to:

- Employment Rights Act 1996 as amended
- Health and Safety at Work Act 1974
- Health Act 2006
- The Equality Act 2010

You may wish to read the following privacy notices in relation to your employment:

- Resolving Issues at Work and Disciplinary Proceedings
- Training and Learning [Learning zone privacy notice | North Yorkshire Council](#)
- Disclosure and Barring Service (DBS) Checks [Disclosure and barring service privacy notice | North Yorkshire Council](#)
- Occupational Health provided by NYC [Occupational health and wellbeing privacy notice | North Yorkshire Council](#)
- Pensions – provided by North Yorkshire Pension Fund [Privacy Notice - April 2023 > North Yorkshire Pension Fund \(nypf.org.uk\)](#)



For more information about how YNYCA uses your data, including your privacy rights and the complaints process, please see our [privacy notice](#).