Data Protection Privacy Statement - Entering into an employment contract

In order to deliver services to the citizens and communities in Bedford Borough, it is necessary for the Council to collect, gather and process personal data about residents, staff and other individuals. Bedford Borough Council is committed to protecting your personal data when you use its services and/or correspond with it.

The Council has registered as a Data Controller with the Information Commissioner's Office. This registration can be viewed on the ICO website (opens in a new window) Registration Number Z5916725.

As a Data Controller, the Council sets out the purposes and methods for processing information and ensures safeguards over any personal and special category information it processes.

The sections below explain the arrangements we have in place to protect the information entrusted to the Council.

In relation to applying for a vacancy, Bedford Borough Council will process your personal data for the following processing purposes:
Although this privacy notice relates to employees, where applicable, the principles also apply to other staff such as casual workers, agency workers, self-employed workers and to former employees and workers. Once your employment ends the Council will continue to retain necessary information in accordance with the Personnel Services Retention Schedule of which a copy can be requested.

The personal data that we may collect and process about you includes, but not exclusively, the following:

- your personal details including your name, address, date of birth, email address, phone numbers
- gender
- marital status
- dependents, next of kin and their contact numbers
- information used for equal opportunities monitoring such as your sexual orientation, religion or belief and ethnic origin
- information included on your job application form including references, education history and employment history
- information regarding your nationality and documentation relating to your right to work in the UK
- information about your criminal record
- driving license
- bank details
- tax codes
- National Insurance number
- current and previous job titles, job descriptions, pay grades, pension entitlement, hours of work and other terms and conditions relating to your employment with us
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence

- internal performance information and related documentation with regard to capability procedures and PDR forms
- leave records including annual leave, family leave, sickness absence etc.
- details of your criminal record
- training details
- expenses claimed
- medical or health information including whether or not you have a disability
- health related referrals such as those to occupational health, or a counselling service
- information regarding your remuneration and pensions scheme membership and contributions
- any voluntary or non-voluntary salary deductions (student loan, donations to charity and trade union contributions etc.)
- details of vaccination status where an employee works at a care home either in their substantive post or as part of their role
- audio and/or video recordings of HR meetings, e.g. sickness, disciplinary or grievance meetings

The Council needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract. For example, the Council needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer benefits such as your pension and other entitlements.

In some cases, the Council needs to process data to ensure that it is complying with its legal obligations. For example, the requirement to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety legislation, to enable employees to take periods of leave to which they are entitled and to ensure care home staff and other staff entering care homes have been fully (Covid-19) vaccinated.

In other cases, the Council has to process data based on their legitimate interest and/or for the performance of a task carried out in the public interest before, during and after the end of the employment relationship. Processing employee data allows the Council to:

- run recruitment and organisational review processes;
- maintain accurate and up-to-date employment records, 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 appraise performance, plan for career development and workforce management purposes;
- operate and keep a record of absence and absence management procedures followed, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;

- obtain occupational health advice, to ensure that the Council complies with duties in relation to individuals with disabilities, and meets obligations under health and safety legislation;
- operate and keep a record of other types of leave (including annual leave, maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, and to ensure that the Council complies with duties in relation to leave entitlement, and to ensure that employees are receiving pay or other benefits to which they are entitled;
- enable employee access to and operation of the e-learning management system;
- ensure effective general HR and business administration;
- provide references on request for current or former employees;
- respond to and defend against legal claims;
- maintain and promote equality and transparency in the workplace;
- produce statutory data reports related to the workforce.

Some special categories of personal data, such as information about health or medical conditions, are processed to carry out legal employment obligations (such as those in relation to employees with disabilities).

Where the Council processes other special categories of personal data, such as information about ethnic origin, sexual orientation or religion or belief, this is done for the purposes of equal opportunities monitoring. Data that the Council uses for these purposes is anonym ised or is collected with the explicit consent of employees, which can be withdrawn at any time. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

The Council will only collect criminal conviction data appropriate to the nature of your role and where legally permitted. This data will usually be collected at the recruitment stage, however, may also be collected during your employment. This information is sought because it is necessary for the Council to carry out its legal obligations and to exercise specific rights in relation to employment.

It is processing this personal data by virtue of the following Lawful Basis:

Consent of the data subject, Performance of a contract, Compliance with legal obligation, Performance of a task carried out in the public interest.

Personal data provided for applying for a vacancy may be shared with, or obtained from the following organisations (in addition to any other disclosure quired by a Court of Law or in response to a valid request by, normally, a law enforcement agency):

Your data will be shared with colleagues within the Council where it is necessary for them to undertake their duties. This includes, for example, your line manager for their management of you, Personnel Services for maintaining personnel records and administering payment under your contract of employment and Occupational Health for the provision of occupational health services where required. On occasion IT, Finance or Audit staff may have access to your data, if this is necessary for the performance of their roles.

We may share your data with third parties for example to obtain employment references, to obtain a criminal record check and for the operation of our HR/ payroll and e-learning management systems. We share your data with third parties that process data on our behalf in connection with the provision of benefits, for example the Local Government and Teachers' Pension Schemes.

The Council may need to share your data with a regulator or with other third parties in the performance of your contract or to comply with the law. This may include HMRC, the Home Office, the Council's employment solicitors, trade union representatives, ACAS or an employment tribunal or other court**.**

The Council may also share your data with third parties in the context of the Transfer of Undertakings (Protection of Employment) Regulations. In those circumstances the data will be subject to confidentiality arrangements.

We may disclose relevant personal data to appropriate third parties for data matching purposes to assist in the detection and/or prevention of fraud, subject to such disclosures being in accordance with the Employer's notification to the Information Commissioner or otherwise by law.

We require third parties to respect the security of your data and to treat it in accordance with the law.

The processing of your personal data will be restricted in time to:

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying legal, accounting or reporting requirements. To determine the appropriate retention period for personal data we consider the amount, nature and sensitivity of the personal data, the purpose for which we process your personal data and whether we can achieve those purposes through other means and the applicable legal requirement.

Personal data is kept with the Council's HR and IT systems.

Your personal data will be held by/for the Council within the UK or the EU.

The information you have provided is a statutory or contractual requirement: this is something we have to do. Please see details below, including any consequences if we do not receive the information:

The Council processes certain information, such as contact details, your right to work in the UK and payment details to enable the Council to enter into a contract of employment with you. If you do not provide this information, the Council will be unable to perform those duties for example ensuring you are paid correctly.

We may also be prevented from confirming, or continuing with, your employment with us in relation to our legal obligations if you do not provide us with this information for example confirming your right to work in the UK, confirming your legal status for carrying out work via a criminal records check (where appropriate) or confirming your vaccination status (for employees working at care homes).

You may also have to provide the Council 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.

We may process personal data for Freedom of Information requests. However, personal data is not shared as the data is anonymised.

We have a range of measures to protect the personal data you provide. These include: cyber security; physical security of the Council's buildings and training on Data Protection for staff.

Bedford Borough Council is the Data Controller processing your information, who can be contacted as follows:

Information Governance
Bedford Borough Council
Borough Hall
Cauldwell Street
Bedford MK42 9AP
Email: dpo@bedford.gov.uk
Telephone: 01234 267422

If you wish to enquire about your rights as a data subject, whether you wish to request a copy of your own information that Bedford Borough Council holds, request for data portability; rectification or erasure of your data for any reason or objection to any processing, please contact the Council's GDPR Data Protection Officer email: dpo@bedford.gov.uk or send to the above address.

Alternatively, in the event that you remain dissatisfied with the way Bedford Borough Council has handled the processing of your information (i.e. after liaising with the Council to find a satisfactory solution), you have the right to contact the UK's Statutory Authority: The Information Commissioner's Office (ICO) who can be contacted by using the details displayed at the bottom of the page entitled Personal

information and your rights | Bedford Borough Council on our website under the “Challenging the response” heading.

Changes to this Notice:

We keep this Privacy Notice under regular review; this Notice was last updated in August 2025.