

RECRUITMENT & EMPLOYEE PRIVACY STATEMENT

Document reference number:	MS/PER/SR/REPS/001	Revision Number:	001
Document drafted by:	Section Head	Date drafted:	27.09.18
Document approved by:	Senior Executive Officer	Date approved:	10.10.18
Document adopted by:	Head of Personnel	Date document adopted:	10.10.18
Issued by:	Head of Personnel	Date of Issue:	11.10.18
Assigned Review Period	3 Years	Next Review Date:	10.10.21
Responsibility for Review	Senior Executive Officer	Date of withdrawal obsolete document	

Amendment History:

Date	Revision Number	Details of amendment

1. WHO WE ARE AND WHY DO WE REQUIRE YOUR INFORMATION?

- 1.1 Cork County Council seeks to promote the economic, social and cultural development of Cork County and in doing so contribute significantly to improving the quality of life of the people of County Cork.
- 1.2 The delivery of high quality services, tailored to meet the needs of all our citizens, remains one of Cork County Council's core objectives and is included in our Corporate Plan. These quality services include not only the level and quality of service given to our customers, but also the quality of our decision-making processes, the efficiency and effectiveness of our business operations, standard of our facilities and our ability to adapt in an ever-changing environment.

2. WHY DO WE HAVE A RECRUITMENT & EMPLOYEE PRIVACY STATEMENT?

- 2.1 This Privacy Statement applies to our employees, agency workers, contractors, former employees and candidates. This Statement sets out how we collect, use and protect your personal data. It should be read in conjunction with the Council's Corporate Privacy statement which is available at www.corkcoco.ie
- 2.2 Cork County Council's Personnel Department has created this privacy statement in order to demonstrate our firm commitment to privacy and to assure you that in all your dealings with us, we will endeavour to ensure the security of the data you provide to us.
- 2.3 This Statement has been developed to inform our employees about the privacy and security of personal data and to meet our obligations under the Data Protection Acts 1988 to 2018 and the General Data Protection Regulation (the "Data Protection Law"). Under Data Protection Law, personal data is information that identifies you as an individual or is capable of doing so ("Personal Data").
- 2.4 We comply with Data Protection Law and this Statement applies to the personal data collected, processed and stored by us during and after your employment with us.

2.5 For the purposes of Data Protection Law, we are the data controller of your Personal Data. You will find our contact details in the “Contact us” section below.

2.6 Cork County Council’s Personnel Department creates, collects and processes a significant amount of personal data in various formats on a daily basis. This data may be submitted by you through application forms or our website or through correspondence with you. We may also obtain information about you from other sources such as government departments or other statutory bodies and also from other third parties and from public sources where required. Cork County Council’s commitment is that the personal data you may be required to supply to us is:

- Obtained lawfully, fairly and in a transparent manner
- Obtained for only specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary for purpose for which it was obtained
- Recorded, stored accurately and securely and where necessary kept up to date
- Kept only for as long as is necessary for the purposes for which it was obtained
- Kept in a form which permits identification of the data subject
- Processed only in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing.

3. HOW WE GATHER PERSONAL DATA

3.1 We gather data from when you apply for employment with us. Applications are currently made in writing or via e-mail. You will receive confirmation from us of receipt of your application. Your application will be reviewed and if the relevant criteria is met, then the application will be progressed to the next stage. We hold applications and additional information which may be obtained during the course of the interview process, such as interview notes, education qualifications etc. electronically and/or manually. Our general retention period for applications and interview notes is 2 years and documents

are then securely destroyed. All provisions of this Statement will apply to the processing of your application. Your information may be shared with our agents or partners in connection with services that these individuals or entities perform for us, including recruitment agencies. These agents or partners are restricted from using this data in any way other than to provide specified recruitment related services to us.

- 3.2 We gather Personal Data from data once you are an employee of the Council for the reasons outlined in this Statement.

4. KINDS OF INFORMATION COLLECTED BY THE PERSONNEL DEPARTMENT

- 4.1 The Personnel Department needs to keep and process information about you for recruitment and/or employment purposes. The information held and processed will be used for management and administrative use only. It will be kept and used to enable the Department to manage the relationship with you effectively, lawfully and appropriately, during the recruitment stage and/or employment. This includes contact details to allow for efficient communication. You do not have to provide all contact details but providing more, such as email, phone, address, will make it easier to communicate with you.
- 4.2 This also includes using information to enable us to carry out recruitment, to comply with the employment contract, to comply with any legal requirements, to comply with health & safety and occupational health obligations, to pursue legitimate interests and protect the Council's legal position in the event of legal proceedings. If you do not provide this data, we may be unable to comply with certain obligations. We will inform you about the implications of that decision.
- 4.3 Much of the information held will have been provided by you, but some may come from external sources, such as referees or previous public sector employers.
- 4.4 The personal information held in relation to initial applications may include;
- Name
 - Address

- Telephone number
- E-mail address
- Qualifications
- Disability declaration
- Date of Birth (where there is a minimum age requirement e.g. lifeguards).

4.5 Where an applicant is successful at interview and offered employment, further information may be required/recorded e.g.:

- Medical Report
- References
- Date of Birth
- PPSN
- Gender
- Bank Details
- Driver's Licence/Passport
- SafePass
- Service details from previous public sector employer.
- Staff Photograph

5. IDENTITY CARDS

5.1 The use of Identity Cards is necessary for employees of Cork County Council to facilitate ease of access around Council Buildings hence permitting them to carry out their job responsibilities as outlined under their contracts of employment.

5.2 The processing of employee photographs is carried out by the Time and Attendance section and under procedures developed to ensure best practice.

5.3 Individual employee photos are uploaded and stored on the Core HR database under the relevant employees profile and on the Internal Staff Phonebook Directory.

6. LEGAL BASIS FOR PROCESSING

6.1 We rely on the following legal bases under Data Protection Law in processing your Personal Data:

Legal Basis	Example
Performance of a contract	We will process your Personal Data to perform our obligations under your contract of employment.
Compliance with legal obligations	We may need to disclose Personal Data to comply with a request from law enforcement, or other government agencies or court order.
Legitimate interests	To administer your employment and monitor your performance.

6.2 Where special categories of information relating to your racial or ethnic origin, political opinions, religious and philosophical beliefs, trade union membership, biometric data or sexual orientation are processed, the Personnel Department will always obtain your explicit consent to those activities unless this is not required by law or the information is required to protect your health in an emergency.

6.3 Where data is processed based on consent, you have the right to withdraw that consent at any time. Application forms and other relevant documentation and correspondence are also retained securely in Hard Copy format.

7. SHARING INFORMATION

7.1 The Personnel Department may share your information internally (within the Council) in accordance with statutory obligations. In addition, we may share your information with third parties in accordance with statutory and regulatory obligation. This includes:

- Providing information on Superannuation entitlements to another Public Service organisation if you move employment from Cork County Council.
- Material is provided to our legal advisers, as required, in the event of a case being taken against Cork County Council;

- Certain data may be disclosed to assessment providers who may carry out assessments on behalf of the Personnel Department; only the minimum amount of personal data is disclosed to allow them to fulfil their functions as data processors (name, email address);
- Where an employee appeals a decision under the Freedom of Information Act to the Information Commissioner, the information requested is provided to them in order for them to respond to the candidate's request for a review;
- The Personnel Department may use external selection board members and these board members may receive, or have access to, candidate application data in order to assist in the determination of suitability for a specific role; selection board members have a duty to keep such information confidential and secure;

7.2 If in the future we intend to process your personal data for a purpose other than that which it was collected, information will be provided on that purpose and any other relevant information prior to doing so.

7.3 The Personnel Department requests and obtains information from the following bodies;

- Other Public Service bodies
- Medical Practitioners or your GP/Physiotherapist/Consultant etc. with your consent or if provided by you
- Occupational Health Practitioners engaged by Cork County Council
- An Garda Síochána.

7.4 Whenever we disclose employee information to third parties, we will only disclose that amount of personal information necessary to meet such business need or legal requirement. Third parties that receive employee information from us must satisfy us as to the measures taken to protect the personal data such parties receive.

7.5 Appropriate measures will be taken to ensure that all such disclosures or transfers of employee information to third parties will be completed in a secure manner and pursuant to contractual safeguards.

8. HOW YOUR PERSONAL DATA WILL BE USED / PROCESSED

8.1 Except as disclosed in this Statement, we will not disclose Personal Data that we collect to any parties other than those with whom we partner or are affiliated with, without your consent. Except as disclosed below, we will not sell, share, trade, rent, or give away your Personal Data.

8.2 Business processes or employee administration uses for personal data include:

- recruitment;
- background checks;
- changing salary;
- changing Department/ Job code;
- changing working hours;
- terminating an employee;
- process offers of employment and processing work permits and visas where applicable;
- systems set up;
- processing payroll;
- processing benefits and expenses;
- arranging travel and/or travel visas;
- organising training programmes; and/or
- other reasons for ordinary personnel administration not listed here.

8.3 We may also use your personal data to:

- track your performance and keep records of your development for the purposes of annual reviews;
- communicate any changes to our policies, procedures or to your contract of employment (including changes to salary);
- contact you or your dependants if there are any health and safety or absence issues (including long term illness and maternity leave);
- calculate any changes in your salary, bonus or commission;
- retain contact information for the purposes of returning our property e.g. security cards, mobile phones, laptops, in connection with your departure from us.

- 8.4 IT systems are used to manage and process employee data.
- Core HR provides HR, Payroll and Superannuation software. Some of your personal data will be recorded and processed using this software.
 - Payroll is currently processed by the Finance Department but will be processed by a public sector shared service operator (MyPay) using the CoreHR software at a later date.
 - MakoData Ltd provides analytics software connected to the CoreHR database.
- 8.5 Appropriate Agreements are in place to govern access to the data.

9. HOW WE KEEP YOUR INFORMATION SAFE

- 9.1 To protect your information we use appropriate technical, personnel procedural and physical measures to safeguard Personal Data against loss, theft and unauthorised uses access, uses or modifications, which include computer safeguards, secure files and buildings. We have established a range of cyber security and data privacy controls and our staff are provided with training in data protection. All of the third parties with whom we share personal data are expected to adhere to the same standards that we hold ourselves to. We will use our reasonable endeavours to ensure that personal information is kept as secure as possible.

10. HOW DO WE PROTECT PERSONAL DATA WHEN OR IF IT IS TRANSFERRED OUT OF EUROPE?

- 10.1 We do not transfer data outside of Europe currently. Any transfer of employee personal data outside of the EEA would only be made through transfer mechanisms approved or allowed for under Data Protection Law and we shall take all necessary steps to ensure that there is adequate protection, as required by Data Protection Law.

11. DATA PROTECTION POLICY

- 11.1 Cork County Council has a detailed Data Protection Policy which outlines in greater detail how we as a public authority are committed to ensuring that we

comply in full with our data protection obligations in respect of our processing of any personal data which we receive and that we only use such data to the extent reasonably required for the performance of our functions

12. LEGAL AND REGULATORY OBLIGATIONS

12.1 The legal basis and legitimate interest for processing personal data by the Personnel Department are included in;

- Employment Legislation
- Health & Safety legislation
- Superannuation legislation
- National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016
- Children First Act 2015
- National Guidance for the Protection and Welfare of Children 2017.
- Data Protection Act 2018

13. RECORDS RETENTION POLICY

13.1 The time period for which we retain information varies according to the use of that information. In some cases there are legal requirements to keep data for a minimum period of time. Unless specific legal requirements dictate otherwise, we will retain information no longer than is necessary for the purposes for which the data were collected or for which they are further processed.

13.2 The Council is in the process of preparing retention policies for all services and business units. These policies will outline the timeframe for which your personal data will be retained by the Council and what will happen to it after the required retention period has expired. These policies will be published, when available, on the Council's website.

14. YOUR RIGHTS

14.1 You have the following rights, in certain circumstances and subject to applicable exemptions, in relation to your personal data:

- The right to access the personal data that we hold about you, together with other information about our processing of that personal data;
- The right to require us to rectify any inaccuracies in your personal data;
- The right to require us to erase your personal data;
- The right to request that we no longer process your personal data for particular purposes;
- The right to object to our use of your personal data or the way in which we process it; and
- The right to receive your personal data, which you provided to us, in a structured, commonly used and machine-readable format or to require us to transmit that data to another controller.

14.2 Please note that to help protect your privacy; we take steps to verify your identity before granting access to personal data.

If you would like to exercise any of these rights, please submit a request to our Data Protection Officer outlining the specific details of the request:

Email: dpo@corkcoco.ie

14.3 All valid requests will be processed without undue delay and in any event within one month of receipt of the request. This period may be extended by up to two further months where necessary, taking into account the complexity of the request or the number of other requests we may have received at the same time. If this is the case, we will inform you of any time extensions.

14.4 In circumstances where a request appears to be manifestly unfounded or excessive, we will inform you of this in which case we will either decide not to fulfil the request and the reasons why or we will propose administrative fees in accordance with the GDPR if you wish to progress the request.

15. EMPLOYEE MONITORING

15.1 We provide e-mail facilities and access to the internet. In order to protect against the dangers associated with e-mail and internet use, we may monitor e-mail and internet usage. Please refer to the e-mail and internet usage policies for further details.

15.2 CCTV cameras shall be in operation at various points throughout the site and the primary purpose of having CCTV is for security and health & safety purposes. The CCTV is positioned near the entrances and throughout the site, as indicated by signs at the entrance.

15.3 As an ancillary use, employee monitoring will only take place in the event of an incident that requires investigation. Access to the recorded material is strictly limited to authorised personnel.

16. DATA PROTECTION OFFICER CONTACT DETAILS – HOW TO CONTACT US

16.1 For any queries relating to the Cork County Council privacy statement, Recruitment & Employee Privacy Statement or Data Protection policies, please contact our designated Data Protection Officer at:

Data Protection Officer

Email: dpo@corkcoco.ie

Postal Address: Data Protection Officer, Cork County Council Headquarters, County Hall, Carrigrohane Road, Cork, Ireland

Eircode: T12 R2NC

16.2 If you are not satisfied with the outcome of the response you receive from the Council in relation to your request, then you are entitled to make a complaint to the Data Protection Commission who may investigate the matter for you.

16.3 The Data Protection Commission's website is www.dataprotection.ie or you can contact their Office at:

Lo Call Number: 1890 252 231

E-mail: info@dataprotection.ie

Postal Address: Data Protection Commissioner, Canal House, Station Road, Portarlinton, Co. Laois.

Eircode: R32 AP23

17. REVIEW

- 17.1 This statement will be reviewed and updated from time to time to consider changes in the law and the experience of the policy in practice. Any and all changes will be advised to employees and, if necessary, we will obtain your consent prior to applying any changes to any Personal Data collected from you prior to the date the change becomes effective. We encourage you to periodically review this Statement to stay informed about how we collect, use, and disclose personal information