



## Liverpool Streetscene Services Limited

### Workplace Privacy Notice for Employees, Workers and Contractors

#### 1. GENERAL

- 1.1. This privacy notice describes how Liverpool Streetscene Services Limited (LSSL) will collect and use personal information about you as an employee during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 and other relevant data protection laws (**Data Protection Law**).
- 1.2. Liverpool Streetscene Services Limited (**LSSL**) as your employer is the "data controller" in relation to your personal information. This means that we are responsible for deciding how we hold and use personal information about you.
- 1.3. This notice applies to current and former employees, workers and contractors and where references to employment are made in this document, this covers individuals in any of those categories. This notice does not form part of any contract of employment or other contract to provide services. We may have other privacy notices from time to time dealing with other kinds of personal information being processed. We may update this notice at any time but in doing so, will ensure an updated copy of the notice is available.

#### 2. DATA PROTECTION PRINCIPLES

We will comply with Data Protection Law and only use your personal information when the law allows us to. This says that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date
- Kept only as long as necessary for the purposes we have told you about
- Kept securely

Our Data Protection Policy explains how we do this in practice, a copy of which is available on request.

#### 3. TYPES OF PERSONAL INFORMATION WE WILL COLLECT AND USE

3.1 Personal data, or personal information, means any information about an individual from which that person can be identified, even from numbers or references. It does not include data where the identity has been completely and permanently removed (which is called anonymous data). The kinds of personal information we collect includes your name and contact details, financial information, workplace information and other information relevant to your work and job related activities throughout your employment with us. We will collect additional personal information in the course of job-related activities throughout the period of your employment.



Further information is provided in Table 1 in the Schedule at the end of this document.

- 3.2. There are certain types of more sensitive personal data which require a higher level of protection, such as information about a person's health, trade union membership or sexual orientation. Information about criminal convictions also warrants this higher level of protection. This is called Special Category personal data, and is explained in Table 1 in the Schedule.

#### 4. **HOW WE USE INFORMATION ABOUT YOU**

- 4.1. We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract we have entered into with you, for example in respect of your employment contract and the obligations and benefits under it;
- Where we need to comply with a legal obligation, for example tax and health and safety reasons; and
- Where it is necessary for legitimate interests pursued by us or a third party and your interests and fundamental rights do not override those interests. Third parties includes third-party service providers (including contractors and designated agents) and other organisations which host systems on behalf of LSSL, for example pension administration, or to comply with our legal requirements under the TUPE Regulations where a TUPE transaction is complete and personal data must be shared. We will share personal data regarding your participation in any pension arrangement operated by LSSL with the pension trustees or scheme managers in connection with the administration of such arrangements.

We may also use your personal information in the following exceptional situations:

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest.

We will not use your information to take any automated decisions about you or your employment.

Please see Table 2 in the Schedule for further details of how we use your personal information.

#### 5. **HOW WE USE SPECIAL CATEGORY PERSONAL INFORMATION**

- 5.1. "Special categories" of sensitive personal information, such as information about your health, racial or ethnic origin, sexual orientation or trade union membership, require higher levels of protection.
- 5.2. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document if we are required to, and safeguards which we are required by law to maintain when processing such data.
- 5.3. In general, we will not process special category personal information about you unless it is necessary for performing or exercising obligations or rights in connection with employment. On rare occasions, there may be other reasons for processing, such as to protect your vital interests, or it is in the public interest to do so.



5.4. The situations in which we will process and use your special category personal information are set out in Table B in the Schedule.

## 6. **FAILING TO PROVIDE PERSONAL INFORMATION**

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers), in which case we would need to consider the impact and consequences on your immediate and continued employment with us.

## 7. **CHANGE OF PURPOSE**

7.1. We will only use your personal information for the purposes for which we collected it, unless we consider that we need to use it for another compatible reason. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain why we are allowed to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## 8. **PROVIDING YOUR CONSENT**

8.1. We do not need your consent if we use your personal information in accordance with the provisions outlined in this policy. Further, we do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law

8.2. However in limited circumstances, we may approach you for your written consent to allow us to process certain personal information. For example, we may ask for your consent to share your photographs that contain Special Category data in some cases, or for example for the disclosure of health reports to us. Where such consent is required we will inform you about it and seek your permission providing full details of the information we would like and reasons for it. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us. You can also withdraw your consent

## 9. **INFORMATION ABOUT CRIMINAL CONVICTIONS**

9.1. We will only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our legal obligations and provided we do so in line with our data protection policy.

9.2. We do not envisage that we will hold information about criminal convictions other than for vetting for specific higher risk roles agreed by the Data Protection Contact Officer.

## 10. **DATA SHARING**

10.1 We share your data with third parties, including our service providers, legal advisers, organisations like Liverpool City Council and related entities. We require those third parties to respect the security of your data and to treat it in accordance with the law.



- 10.1. We would share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. In this situation we will, so far as possible, share anonymised data or limited personal data with the other parties before the transaction completes. Once the transaction is completed, we will share your personal data with the other parties if and to the extent required under the terms of the transaction.
- 10.2. We also need to share your personal information with our regulators or to otherwise comply with the law. This may include making returns to HM Revenue & Customs.
- 10.3. We participate in the Cabinet Office's National Fraud Initiative (NFI) which is an exercise that matches electronic data within and between public and private sector bodies to prevent and detect fraud. We are required by law to provide particular sets of data, including personal data, to the Cabinet Office for matching.
- 10.4. The use of data for the NFI exercise is carried out with statutory authority under Part 6 of the Local Audit and Accountability Act 2014. It does not require the consent of the individuals concerned under Data Protection legislation and General Data Protection Regulations 2018. Data matching by the Cabinet Office is subject to a [Code of Practice](#).

## 11. DATA SECURITY

- 11.1. We have put in place measures to protect the security of your information, which aim to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.
- 11.2. We limit access to your personal information to those employees, service providers, legal advisers and other third parties who have a legitimate business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so. If you become aware of a data security breach which is affecting your information and/or that of others, please contact the Data Protection Contact Officer in accordance with our Data Protection Policy.

- 11.3. Any systems that are built specifically to store personal employee information eg Oracle based HR and Payroll information is wither hosted by Liverpool City Council on premise in their own data centres or in UK based cloud services.

## 12. DATA RETENTION

- 12.1. 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 any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our Data Retention Policy, a copy of which is available from the Data Protection Contact Officer.
- 12.2. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.
- 12.3. In some circumstances we will anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an



employee, worker or contractor of the company we will retain and securely destroy your personal information in accordance with the above and applicable laws and regulations.

### 13. YOUR RIGHTS OF ACCESS, CORRECTION, ERASURE AND RESTRICTION

13.1. It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

13.2. Under certain circumstances (and subject to some exemptions), by law you have the right to:

- **Be informed** through this Privacy Policy of how we will collect and use personal information about you as an employee
- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you rectified and corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it.
- **Object to processing** of your personal information where we are relying on a legitimate interest (or that of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. 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.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of certain of your personal information to another party.

13.3. If you wish to exercise any of these rights, please contact the Data Protection Contact Officer by email to [DPO@lssl.liverpool.gov.uk](mailto:DPO@lssl.liverpool.gov.uk)

13.4. You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

13.5. We may need to request specific information from you to help us confirm your identity before exercising your rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### 14. RIGHT TO WITHDRAW CONSENT

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for



that specific processing at any time. To withdraw your consent, please contact the Data Protection Contact Officer.

**15. DATA PROTECTION CONTACT OFFICER**

22.1 We have appointed a Data Protection Contact Officer to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Protection Contact Officer at [DPO@lssl.liverpool.gov.uk](mailto:DPO@lssl.liverpool.gov.uk) in the first instance to that we can address your queries.

15.2. If you remain dissatisfied with how LSSL has used your personal information, you have the right to make a complaint at any time to the Information Commissioner's Office (ICO) the UK's supervisory authority for data protection issues at [casework@ico.org.uk](mailto:casework@ico.org.uk).

**16. CHANGES TO THIS PRIVACY NOTICE**

We reserve the right to update this privacy notice at any time, and a new privacy notice will be made available when any substantial updates are made.

If you have any questions about this privacy notice, please contact our Data Protection Contact Officer at [DPO@lssl.liverpool.gov.uk](mailto:DPO@lssl.liverpool.gov.uk)



## THE SCHEDULE

### ABOUT THE INFORMATION WE COLLECT AND USE

**TABLE 1: PERSONAL INFORMATION WE COLLECT AND USE**

The table below illustrates the categories of personal information we will collect, store and use about you. These categories of information are required primarily to allow us to perform our contract with you and to enable us to comply with legal obligations.

<b>Personal Information</b> including	<ul style="list-style-type: none"> <li>• Personal contact details such as name, title, addresses, telephone numbers and personal email addresses</li> <li>• Employee photos</li> <li>• Date of birth</li> <li>• Gender</li> <li>• Marital status and dependants</li> <li>• Next of kin and emergency contact information</li> </ul>
<b>Financial data</b> including	<ul style="list-style-type: none"> <li>• National Insurance number</li> <li>• Bank account details, payroll/earning records and tax status information</li> <li>• Salary/earnings, annual leave, pension and other benefits information</li> </ul>
<b>Employment data</b> , including	<ul style="list-style-type: none"> <li>• Start date and, if different, the date that your continuous employment started</li> <li>• Leaving date and your reason for leaving</li> <li>• Location of employment or workplace</li> <li>• Recruitment information (including copies of right to work documentation, including your passport or other identification and immigration information, certification as to competence for the role, medical certification, references and other information included in a CV or cover letter or as part of the application process)</li> <li>• Employment records (including job titles, work history, working hours, holidays, training records, ongoing certification and professional memberships and Trade Union)</li> <li>• Compensation/pay history</li> <li>• Performance information and incident records</li> <li>• Disciplinary and grievance information</li> </ul>



<p><b>Security and Legal data</b>, i.e. data collected because of a legal requirement, for security and insurance purposes, and to pursue or defend legal claims and prosecutions, including:</p>	<ul style="list-style-type: none"> <li>• Copy of passport or other identity documents to meet legal requirements in recruitment</li> <li>• CCTV footage and other information obtained through electronic means</li> <li>• Information about your use of our information and communications systems</li> </ul>
<p><b>Special Category personal data</b></p>	<p>Information about your health, including any medical condition, health and sickness records, including</p> <ul style="list-style-type: none"> <li>• where you leave employment the reason for leaving is determined to be ill-health, injury or disability, the high level health status relating to that decision;</li> <li>• details of any absences (other than holidays) from work including time on authorised leave and sick leave.</li> <li>• Trade union membership, if there were issues with membership</li> </ul>
<p><b>Information about criminal convictions and offences</b></p>	<p>Please see section 6 below for details.</p>

**TABLE 2 : HOW WE USE THAT PERSONAL INFORMATION**

For each of the categories set out in Table 1, and listed in the "Category of personal data" column in Table 2 below, we explain further how use and share this information including the legal basis for doing so.





	<b>Category of personal data</b>	<b>How we obtain the information</b>	<b>Legal basis</b>	<b>How we use the information</b>	<b>Who we may share the information with</b>
1.	<b>Personal information</b>	From you and, where necessary, from the bodies referred to in the <b>How we use the information</b> column and the <b>Who we may share the information with</b> column	Because it is necessary to enter into and perform the employment contract with you	So that we can: <ul style="list-style-type: none"> <li>• make a decision about your recruitment/ appointment</li> <li>• contact you</li> <li>• contact your next of kin in an emergency</li> <li>• enrol you in a pension arrangement in accordance with our statutory automatic enrolment duties</li> <li>• keep a record of the reasons for our decision to appoint you</li> <li>• keep a record of the reasons for our decision about the terms on which to appoint you</li> <li>• allocate work to you</li> <li>• assess qualifications for a particular job or task, including decisions about promotions, redeployment opportunities, honoraria and secondments</li> </ul>	Our pension administrators, LCC Payroll, Peoples Pension, our life insurance benefit administrators, Legal and General and HM Revenue & Customs.
			Because it is necessary to comply with a legal obligation to which we are subject	So that we can: <ul style="list-style-type: none"> <li>• prevent fraud</li> <li>• verify you are legally entitled to the right to work in the UK</li> <li>• confirm what deductions to make for HM Revenue &amp; Customs, the Benefits Agency, the Department for Work and Pensions, and under any Court Order</li> <li>• monitor equal opportunities</li> <li>• comply with health and safety obligations</li> <li>• comply with other legal obligations to which we are subject</li> </ul>	HM Revenue & Customs, the Benefits Agency, the Department for Work and Pensions, and any body with which we are required to share your information under a Court Order



	<b>Category of personal data</b>	<b>How we obtain the information</b>	<b>Legal basis</b>	<b>How we use the information</b>	<b>Who we may share the information with</b>
<b>2</b>	<b>Financial data</b>	From you and, where necessary, from the bodies referred to in the <b>How we use the information</b> column and the <b>Who we may share the information with</b> column	Because it is necessary to enter into and perform the employment contract with you	So that we can: <ul style="list-style-type: none"> <li>• pay you appropriately, and offer you benefits of employment such as salary sacrifice schemes, voluntary deductions from pay</li> <li>• enrol you in a pension arrangement in accordance with our statutory automatic enrolment duties,</li> <li>• we, or the trustees of any relevant pension scheme can manage pension and death in service funds</li> <li>• we can undertake business management and planning, including accounting and auditing</li> </ul>	Our payroll administrators, our pension administrators, HM Revenue & Customs, the Benefits Agency, the Department for Work and Pensions, and any body with which we are required to share your information under a Court Order
			Because it is necessary to comply with a legal obligation to which we are subject	So that we can: <ul style="list-style-type: none"> <li>• enrol you in a pension arrangement in accordance with our statutory automatic enrolment duties</li> <li>• calculate what deductions to make for HM Revenue &amp; Customs, the Benefits Agency, the Department for Work and Pensions, and under any Court Order</li> <li>• prevent fraud</li> </ul>	



	<b>Category of personal data</b>	<b>How we obtain the information</b>	<b>Legal basis</b>	<b>How we use the information</b>	<b>Who we may share the information with</b>
3	<b>Employment data</b>	From you, former employers, recruitment or employment agencies, your personnel records and from other employees and from consultants we may engage in relation to our employment procedures and our health and safety obligations and the entities set out in the <b>Who we may share the information with</b> column	Because it is necessary to enter into and perform the employment contract with you	So that we can: <ul style="list-style-type: none"> <li>• administer the contract we have entered into with you</li> <li>• undertake business management and planning, including accounting and auditing</li> <li>• make decisions about any relevant salary reviews (where applicable)</li> <li>• conduct performance reviews, manage performance and determine performance requirements</li> <li>• assess learning and development requirements</li> <li>• gather evidence for possible grievance or disciplinary hearings</li> <li>• deal with legal disputes involving you, or other employees, workers and contractors, including accidents at work</li> <li>• ascertain your fitness and ongoing competence to work</li> <li>• manage sickness absence</li> <li>• make decisions about your continued employment or engagement</li> <li>• make arrangements for the termination of the working relationship</li> </ul>	Our insurers, insurance brokers, legal advisors, training providers and the Health and Safety Executive and other relevant regulators or bodies
			Because it is necessary to comply with a legal obligation to which we are subject	So that we can : <ul style="list-style-type: none"> <li>• comply with health and safety obligations and regulatory requirements</li> <li>• monitor fraud</li> </ul>	



	<b>Category of personal data</b>	<b>How we obtain the information</b>	<b>Legal basis</b>	<b>How we use the information</b>	<b>Who we may share the information with</b>
<b>4</b>	<b>Security and Legal Data</b>	From you, your personnel record, automated monitoring of our computer networks, CCTV, telephone and voicemail systems	Because it is necessary to comply with a legal obligation to which we are subject	So that we can comply with: <ul style="list-style-type: none"> <li>• Court Orders and regulatory requirements to provide the data</li> <li>• legal obligations to you under employment law</li> <li>• health and safety obligations</li> </ul>	Administrative personnel, legal advisors, the Health and Safety Executive and other regulators or bodies
			Because we have a legitimate interest in processing the data	So that we can: <ul style="list-style-type: none"> <li>• deal with legal disputes and prosecutions and gather evidence involving you, or other employees, workers and contractors, including accidents at work</li> <li>• prevent fraud</li> <li>• ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems</li> </ul>	
<b>5</b>	<b>Special Category personal data</b>				



	<b>Category of personal data</b>	<b>How we obtain the information</b>	<b>Legal basis</b>	<b>How we use the information</b>	<b>Who we may share the information with</b>
5.1	Information about your physical or mental health or disability status	From you, your doctors, medical and occupational health professionals we engage and our insurance benefit administrators	<p>Because it is necessary for us to comply with our legal obligations</p> <p>AND</p> <p>Because it is necessary for us to fulfil our legal obligations under employment law</p>	<p>So that we can:</p> <ul style="list-style-type: none"> <li>ensure your health and safety in the workplace</li> <li>assess your fitness to work</li> <li>provide appropriate workplace adjustments</li> <li>monitor and manage sickness absence</li> <li>for employees, administer benefits including statutory maternity pay, statutory sick pay, pensions and permanent health insurance (if applicable)</li> <li>if you participate in a death in service benefit scheme, we will use information about your physical or mental health to enable the pensions administrator/insurers to reach a decision about your entitlement</li> </ul>	Your doctors, medical and occupational health professionals we engage, pensions administrators and our insurance benefit administrators as well as your trade union if applicable
			<p>Because it is necessary to protect your vital interests</p> <p>AND you are not capable of giving your consent</p>	<p>So that we can:</p> <ul style="list-style-type: none"> <li>share with first-aiders, paramedics or other health professionals in an emergency</li> </ul>	First-aiders, paramedics or other health professionals, or as the context otherwise requires



	<b>Category of personal data</b>	<b>How we obtain the information</b>	<b>Legal basis</b>	<b>How we use the information</b>	<b>Who we may share the information with</b>
<b>5.2</b>	Trade union membership	From you or your trade union	<p>Because it is necessary for us to comply with our legal obligations</p> <p>AND</p> <p>Because it is necessary for us to fulfil our legal obligations under employment law</p>	<p>So we can:</p> <ul style="list-style-type: none"> <li>administer Trade Union membership deductions from your salary</li> <li>understand if there may be any matters arising through collective disputes that may affect the member's ability to work</li> </ul>	GMB, Unite the Union as the recognised Joint Trade Unions within LSSL, LCC Payroll to administer Trade Union membership fee deductions from your salary
<b>5.3</b>	Any of the above types of Special Category data	As set out above in this table regarding legal claims	<p>Because we have a legitimate interest in processing the data</p> <p>AND</p> <p>Because it is necessary for us to exercise, establish or defend legal claims</p>	<p>So that we can:</p> <ul style="list-style-type: none"> <li>take or defend legal action when appropriate</li> </ul>	Our lawyers and expert witnesses and other parties involved



	<b>Category of personal data</b>	<b>How we obtain the information</b>	<b>Legal basis</b>	<b>How we use the information</b>	<b>Who we may share the information with</b>
6	<b>Information about criminal convictions and alleged offences, including any which come to light during the employment relationship</b>	From you and other organisations and people which may inform us of convictions and/or alleged offences	Because it is necessary for us to fulfil our legal obligations	So that we can: <ul style="list-style-type: none"> <li>• make decisions on your recruitment and continued role and undertake investigations as required.</li> <li>• Undertake appropriate vetting for specific higher risk roles only, as agreed by the Data Protection Contact Officer</li> </ul>	Background check providers, the Disclosure and Barring Service and other regulatory authorities and related entities as required, including the police