**Last updated 16 January 2023**

**Employee / Contractor Privacy Notice-**

This privacy notice covers the TfW Group and sets out how we’ll protect your personal data when you begin your role with us. We respect your privacy and we’re committed to looking after your personal data.

The data controller for the employment period is TfW. This means we’ll determine how and why your personal data can be used. You can find further information in our [privacy policy](https://tfw.wales/website-privacy-statement).
We use software tools to ensure all of our contractual obligations to you are met and we’re able to fulfil any legal obligations that we have to you.

The systems we use are:

* iTrent - this delivers our payroll, pension, HR and recruitment services.

## The data we collect

The personal data we may collect from you includes:

* contact details such as name, title, addresses, telephone numbers, and personal email addresses.
* copies of driving license, passport, birth certificates and proof of current address, such as bank statements and council tax bills.
* evidence of your right to work in the UK and your immigration status.
* diversity and equal opportunities monitoring information – this can include information about your race or ethnicity, religious beliefs, sexual orientation, disability and other ‘special category data’.
* information about your health, including any medical needs or conditions.
* other information required for some applications.
* a record of correspondence if you contact us regarding your application.
* details of your use of our recruitment tools and services, such as your candidate profile and alerts for vacancies.
* images and voices captured by recording devices with your prior permission.
* We’ll also keep copies of interview notes during the recruitment process.

## Why do we use your data?

**Contract** - Processing your data is necessary to move your application forward before signing a contract of work. This concerns employment or pre-employment checks.

**Legal obligation -** The law requires us to check that candidates are entitled to work in the UK.

**Processing criminal convictions and sensitive information -** We collect, use and hold sensitive information such as criminal convictions on the lawful bases of contract and legal obligation.

## Processing special category data

Personal data is defined as ‘special category’ when it reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership. It includes: - genetic data - biometric data that uniquely identifies a person - data concerning health - data concerning someone’s sex life or sexual orientation, we’ll usually only process this data by consent. However in certain circumstances, we have a legal obligation to process this data.

We may process this data if it’s necessary for complying with equal opportunity laws or any lawful obligation.

If there’s any other special category of data we need to process, we’ll seek your explicit consent first.

**COVID 19 and social distancing**

## Why we need your data

We need your data in order to:

* ensure your employee benefits are delivered
* get medical information required for certain roles
* get in contact with you
* send you notifications for vacancy roles or job alerts

## How your personal information is collected

We usually collect your personal information when you enter into a role with the company. We might also collect information from third parties.

These may include:

* former employers and people named by candidates as references
* credit reference agencies
* the Disclosure and Barring Service (DBS)
* Morson, Pertemps, Yoti and other background check agencies
* Medigold or other similar providers will carry out a medical assessment when needed and mandated by relevant authorities

During the application process you’ll be asked eligibility questions. You won’t have to disclose sensitive information, and everyone still has an equal opportunity to apply. The system will automatically decline your application if you don’t meet the eligibility criteria.

## Data sharing

Personal information you provide in the employment process will be made available to our HR team and your line manager (where needed). If you’re successfully hired, we’ll upload your details to our HR system. As a member of staff you’ll sign a contract of employment and agree to additional terms on how your data is handled and stored.

For the purpose of administering contracts of employment, information will be shared with a data processor called iTrent, who provide a bespoke system that we use only for this purpose.

We’ll also store some information on a system called SharePoint, a known and trusted third party provider of that service.

Additionally, information relating to people’s pensions will be shared with a processor called MHR, a known provider of pension administration. A proportion of our payroll processing is contracted out to a provider called Azets, we’ll also share relevant personal information with them for the sole purpose of payroll requirements.

We also share personal information with third parties in order to deliver a suite of employee benefits, and where this is the case, you have the right to object using the contact information below.

We’ll also share your data for statistical analysis (it will be anonymised first).

We may also share data with a legal authority (such as the police if we’re required to do so by law – for example, by court order, or to prevent fraud or other crime.

For certain roles there’s a requirement for online and role specific testing to be completed. We share this data with SHL and other relevant bodies as applicable. We may have to share with other parties, but we will not do this without informing you.

## Transferring information outside the EU

## We will not transfer your personal data outside the EU without your specific consent.

## Data security

We have measures in place to protect the security of your information.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we only give access to your personal information to those employees, agents, contractors and other third parties who need to work on your recruitment process.

We’ve put in place procedures to deal with any suspected data security breach. We’ll notify you and any applicable regulator of a suspected breach where we are legally required to do so.

All data provided to us is fully encrypted and stringent access controls are in place.

All candidates must login to the recruitment portal to confirm ongoing application status.

## Data retention

We’ll only retain your personal information for as long as necessary to fulfil the purposes we collected it for - recruitment.

This will depend on:

* 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 it
* whether we can achieve those purposes in other ways
* certain roles have a longer period of retention due to their nature and these will therefore be processed for longer (please see our retention policy for more information)

## Your rights

You have the right to:

* request access to your personal information (known as a ‘data subject access request’ or DSAR) - you’ll receive a copy of the personal information we hold about you. You can check that we’re lawfully processing it. It also allows you to request an electronic copy of any data you have provided in a structured, commonly used and machine-readable format.
* request that we correct incomplete or inaccurate personal information that we hold about you
* request we delete or remove your personal information - you can do this when there is no good reason for us to keep it. You can ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
* withdraw your consent for any data processed under the lawful basis of consent (see below)
* object to the processing of your personal information where we are relying on any legal basis other than contract or a lawful obligation
* request we restrict the processing of your personal information - you can ask us to stop processing your personal information, for example if you want us to establish its accuracy or the reason for processing it

To make any of these requests or to ask us to transfer a copy of your personal information to another party, contact our Data Protection Officer at **dataprotection@tfw.wales**

### Accessing your data

You won’t have to pay a fee to access your personal information or to exercise any of the other rights. However, if your request for access is clearly unfounded or excessive, we may:

* charge a reasonable fee
* refuse the request

We will need some information to confirm your identity. This is to ensure that your personal information is not disclosed to someone who has no right to access it. Typically it will be copies of 2 forms of ID, one photo ID (e.g. passport) and one proof of address (e.g. utility bill). These copies will be destroyed after your request is satisfied.

**Questions and complaints**

If you have any questions about this privacy notice, please contact the Data Protection Officerat dataprotection@tfw.wales.

The Data Protection Officer provides advice and monitors our use of personal information. If you have any concerns about how your personal data has been handled, please write to the DPO at

#### Data Protection Officer

Transport for Wales,

3 Llys Cadwyn,

Pontypridd,

Rhondda Cynon Taf

CF37 4TH

Email **dataprotection@tfw.wales**

If you have a complaint, you can also contact the [Information Commissioner](https://ico.org.uk/), an independent regulator set up to uphold your information rights.

#### Information Commissioner's Office

Email casework@ico.org.uk

Contact form <https://ico.org.uk/glo...>

Telephone 0303 123 1113

Textphone 01625 545860

## Changes to this privacy notice

We may change this privacy notice. When we make changes to this notice, the ‘last updated’ date at the top of this page will also change. Any changes to this privacy notice will apply to you and your data immediately. If these changes affect how your personal data is processed, we will take reasonable steps to let you know.