



Rolvenden Parish Council

Employee and Councillor Privacy Notice

Introduction

Rolvenden Parish Council ("the Council", "we", "us") holds personal data about the people who work for it and who serve on it. This notice explains what we hold, why we hold it, who we share it with, how long we keep it and what rights you have.

It applies to you if you are:

- an employee of the Council, including the Clerk and Proper Officer;
- a former employee;
- an applicant for employment with the Council;
- a councillor, whether elected or co-opted;
- a volunteer acting for the Council.

It should be read alongside the Council's Data Protection Policy and its IT and AI Policy. Where this notice describes something differently from those documents, please raise it with the Clerk so that the inconsistency can be corrected rather than assumed away.

Who is responsible

Data Controller	Rolvenden Parish Council
Address	Parish Council Office, Coxheath Village Hall, Stockett Lane, Coxheath, Kent ME17 4PT
Email	clerk@rolvendenparishcouncil.gov.uk
Telephone	07900 693572
ICO registration	ZB947259

What personal data we hold about you

3.1 If you are an employee

Category	Examples
Identity and contact	Name, address, telephone number, personal email address, date of birth, National Insurance number, photograph where used
Recruitment	Application form, CV, references, interview notes, right to work documentation, qualifications
Contractual	Contract of employment, job description, hours, place of work, changes to terms
Financial	Bank account details, salary, payslips, tax code, expenses claims, pension contributions
Pension	Scheme membership, contribution records, nominations
Attendance and leave	Annual leave records, sickness absence, other leave
Performance and development	Appraisals, objectives, training records, qualifications obtained
Conduct	Records relating to disciplinary or grievance matters, where any arise
Health	Sickness certificates, occupational health reports, details of any disability and adjustments made
Emergency	Next of kin and emergency contact details

Category	Examples
Working practices	Lone working records, health and safety records, incident reports
IT and communications	Council email account and its contents, files created in the course of your work, records of use of Council systems

If you are a councillor

Category	Examples
Identity and contact	Name, Council email address, and the contact details you have agreed may be published
Eligibility	Evidence of qualification to stand, nomination papers, declaration of acceptance of office
Interests	Register of members' interests, including disclosable pecuniary interests, and any dispensations granted
Attendance	Attendance at meetings of the Council, its committees and working groups; apologies
Conduct	Records relating to any complaint under the Code of Conduct
Training	Data protection and other training undertaken
IT and communications	Council email account and its contents; records of use of Council systems

Your register of interests is published. That is a statutory requirement under the Localism Act 2011 and not something the Council can choose to disapply. If you consider that publishing a particular interest would put you or someone in your household at risk, you may apply to the Monitoring Officer at Maidstone Borough Council for it to be treated as a sensitive interest and withheld from the published version.

If your home address currently appears on the Council's website and you would prefer it did not, tell the Clerk and it will be removed.

If you are a volunteer

We hold your name and contact details, a record of the activity you help with, and where relevant any emergency contact details or health information you have given us so that we can keep you safe.

Where we get it from

Most of it comes from you. We may also receive information about you from:

- referees you have nominated;
- your previous employer, in the course of taking a reference;
- Ashford Borough Council, in relation to elections, co-options and the register of interests;
- an occupational health provider, where one is instructed with your knowledge;
- HMRC and the pension administrator;
- the Disclosure and Barring Service, where a check is required for your role.

Why we use it, and our lawful basis

What we use it for	Lawful basis	Where that comes from
Administering your employment and paying you	Contract	Your contract of employment
Deducting tax and National Insurance, and pension administration	Legal obligation	Tax and pensions legislation
Managing absence, performance, discipline and grievance	Contract; public task	Contract; Council's Disciplinary, Grievance and Capability Policy
Meeting health and safety obligations, including lone working	Legal obligation	Health and Safety at Work etc. Act 1974
Making reasonable adjustments for disability	Legal obligation	Equality Act 2010
Administering elections, co-options and the register of interests	Legal obligation	Local Government Act 1972; Localism Act 2011
Publishing councillor contact details and committee membership	Public task	Council's statutory functions and duty of transparency
Administering the Code of Conduct	Legal obligation	Localism Act 2011 sections 27 to 28
Providing and administering Council IT accounts	Public task; contract	Council's IT and AI Policy
Keeping records for audit and accountability	Legal obligation	Local Audit and Accountability Act 2014
Responding to information rights requests and legal claims	Legal obligation	FOIA 2000; EIR 2004; UK-GDPR
Contacting your next of kin in an emergency	Vital interests	Article 6(1)(d) UK-GDPR

We do not rely on your consent for anything we need to do in order to employ you or to administer your office. That is deliberate. The ICO's position is that consent is rarely a sound basis in an employment relationship, because the imbalance of power means it is not freely given, and because consent can be withdrawn at any time, which would leave the Council unable to run its payroll. Where consent genuinely is the basis, for example using your photograph on the website, we will ask for it separately and you may refuse or withdraw it without any consequence for you.

Health and other special category data

Some of what we hold is treated as more sensitive: information about your health, your racial or ethnic origin, your religious or philosophical beliefs, your political opinions, trade union membership, your sex life or sexual orientation, and genetic or biometric data.

We hold health information about employees where it is necessary, principally sickness absence records, any occupational health report, and details of any disability so that adjustments can be made.

Where we process this data we rely on:

Situation	Article 9 condition	DPA 2018 Schedule 1 condition
Sickness absence, occupational health, adjustments	Article 9(2)(b) employment, social security and social protection law	Part 1 paragraph 1
Equal opportunities monitoring, if carried out	Article 9(2)(b)	Part 1 paragraph 8
A matter engaging safeguarding	Article 9(2)(g) substantial public interest	Part 2 paragraph 18
Establishing, exercising or defending a legal claim	Article 9(2)(f)	Not required
An emergency where you cannot give consent	Article 9(2)(c) vital interests	Not required

Where the Council relies on a condition in Part 1 or Part 2 of Schedule 1, the Data Protection Act 2018 requires it to have an Appropriate Policy Document in place, explaining how it complies with the principles and how long it will keep the data. The Council's Appropriate Policy Document is [to be prepared and cross-referenced here].

Criminal offence data

No role requires a DBS check and the Council holds no criminal offence data,

Monitoring of your use of Council systems

Activity	Position
Routine monitoring of email content	Not carried out
Routine monitoring of internet browsing	Not carried out
Recording of telephone calls	Not carried out
Third-party monitoring software	Not deployed
Access to a Council email account in the account holder's absence	Only where necessary for the Council's business, for example during extended absence, and with the account holder informed as soon as reasonably possible
Access to Council systems and files in an investigation	Only where there is a specific and identified reason, and recorded
Security logging by IT systems	Yes, as a by-product of normal system operation

Being able to monitor is not the same as being entitled to. Any monitoring the Council does carry out will be proportionate to a specific purpose, you will be told about it, and it will not extend beyond what that purpose requires. Systematic monitoring would require a Data Protection Impact Assessment before it began, and the Council has not carried one out because it does not currently monitor systematically.

Your Council email account belongs to the Council, not to you. Its contents may be subject to freedom of information requests and to subject access requests made by other people, and must be surrendered when you leave. Personal correspondence should be kept out of it, for your own sake as much as the Council's.

Who we share it with

- HMRC, for tax and National Insurance.
- The pension administrator.
- [The payroll provider, DM Payroll], which acts as our processor.
- Our IT supplier, which acts as our processor and may encounter your data in the course of support.
- Occupational health providers, where one is instructed and you know about it.
- Maidstone Borough Council, for the register of interests and for member conduct matters.
- The Council's internal and external auditors.
- Our insurers, and legal or HR advisers where the Council takes advice.
- A prospective employer, where you have named the Council as a referee.
- The emergency services, where necessary to protect your life or someone else's.

We do not sell your data and we do not share it for marketing. Where a supplier processes your data on our behalf, a written contract is required before that processing begins.

How long we keep it

Record	Retention period	Reason
Personnel file	Six years after employment ends	Limitation period for employment and contractual claims
Payroll and tax records	Six years plus the current tax year	HMRC requirements
Pension records	As required by the pension scheme, potentially for life	Pension entitlement may be claimed decades later
Recruitment records, unsuccessful applicants	Six months from the decision	Time limit for discrimination claims
Right to work documentation	Two years after employment ends	Home Office guidance
Sickness absence records	Three years	Statutory sick pay and management purposes
Occupational health reports	Duration of employment plus six years	May be relevant to a later claim
Disciplinary records	As set out in the Disciplinary, Grievance and Capability Policy; expired warnings disregarded	Fairness in future proceedings
Accident and incident records	Three years from the date of the incident, or from the person's 18th birthday if a child was involved	RIDDOR and personal injury limitation
Training records	Term of office or employment plus six years	Evidence of compliance under Article 5(2)
Council email account contents	Reviewed on departure; Council records retained per the retention schedule, the remainder deleted	Records management

These periods are set out in full in the Council's Retention Schedule. Where the two differ, the Retention Schedule governs.

Your rights

You have the right to:

- be told how we use your data, which is what this notice does;
- ask for a copy of the personal data we hold about you;
- ask us to correct data that is wrong or incomplete;
- ask us to delete data, in limited circumstances;
- ask us to restrict how we use your data while a dispute about it is resolved;
- object to processing we carry out under public task;
- ask us to transfer data to you or someone else, where processing is based on consent or contract and is automated;
- withdraw consent, where we have relied on it;
- not be subject to a decision based solely on automated processing that significantly affects you.

Some of these rights are narrower than they first appear. We cannot delete your payroll records at your request, because we are required by law to keep them. We cannot delete your register of interests, because it is a statutory register. Where a right does not apply, we will tell you why rather than simply declining.

The Council does not make decisions about you by automated means.

A subject access request from an employee or councillor is treated in exactly the same way as one from a member of the public. Making one will not be held against you, and it does not need to be made through any particular channel or in any particular form.

How to exercise your rights, and how to complain

Write to the Clerk at clerk@rolvendenparishcouncil.gov.uk, or to the postal address in section 2.

We will respond within one calendar month. If your request is complex, or if you have made several, we may extend that by up to two further months, and we will tell you within the first month if we do. Where we reasonably need you to clarify what you are looking for, the month does not run until you reply.

If you are unhappy with how we have handled your personal data, tell us first so that we can put it right. Since 19 June 2026 the Council has a statutory duty to acknowledge a data protection complaint within 30 days and to respond without undue delay.

You may also complain to the Information Commissioner's Office at any time, and you do not have to come to us first. If you are an employee, you may also use the Council's grievance procedure.

Information Commissioner's Office	Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Telephone	0303 123 1113
Website	www.ico.org.uk

Your obligations

This notice is about data the Council holds concerning you. You will also handle personal data about other people in the course of your role, and different duties apply to that.

In particular:

- use your Council email account for Council business, and not a personal account;
- report any personal data breach, or suspected breach, to the Clerk immediately, and do not attempt to fix it first;
- tell the Clerk if your own details change;
- complete data protection training when it is provided;
- remember that a councillor acting as a ward representative for an individual resident may be a controller in their own right and may need their own ICO registration. Ask the Clerk if you are unsure which capacity, you are acting in.

Obtaining, disclosing or retaining personal data without the Council's consent may be a criminal offence under section 170 of the Data Protection Act 2018. For employees it may also be a disciplinary matter.