PN18-164 Managing Bullying and Harassment – Privacy Notice

**Your Data**

The Council has a range of employee related [policies](http://thezone/AskHR/YourEmployment/your_employment.asp) including Managing Bullying and Harassment. For those involved in managing, or being managed through this policy, more personal information is generated to investigate and document allegations and make appropriate decisions. This notice explains how this information is used, managed and stored.

This information will be held by the Investigating Officer during the investigation. If a People and Organisation Adviser is assigned to support the Investigating Officer during the investigation, they will also have access to the information.

Where the Bullying and Harassment Policy and Procedure results in progression to a Disciplinary hearing, this will be chaired by a manager, different from that involved in the Bullying and Harassment process, who will also have access to this information.

Where the process does result in a Disciplinary hearing it will be considered under the Managing Discipline Policy and Procedure. This has its own Privacy Notice that details what information is captured as a result of that policy being applied.

Where the process results in an appeal hearing, this will be notified to the appellants Director who may hear the appeal themselves or nominate a Chief Officer to take their place. The information will be shared with those conducting the appeal.

Once the process is complete, the Officers involved in the process will arrange for any relevant documents to be retained in the appropriate personal file.

How long information generated by the Managing Bullying & Harassment process is retained is as follows:

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| **Managing Bullying & Harassment** **– Employee does not work with children or vulnerable adults** | **Duration Held for** |
| Any written documents produced as a result of following the Managing Bullying & Harassment process. | 6 years post termination of employment |
| **Managing Bullying & Harassment** **– Employee does not work with children or vulnerable adults** | **Duration Held for** |
| Any written documents produced as a result of following the Managing Bullying & Harassment process. | 25 years post termination of employment |

**Your Rights**

All employees have legal rights about the way the Council handles and uses your data, including the right to ask for a copy of it, and to ask us to stop doing something with your data. More information about all of your rights is available on our website at: https://www.aberdeencity.gov.uk/your-data. You also have the right to make a complaint to the Information Commissioner’s Office, (www.ico.org.uk). They are the body responsible for making sure organisations like the Council handle your data lawfully. Aberdeen City Council is the Data Controller for this data. If you’ve got any queries about your data, get in touch with the Council’s Data Protection Officer by email: [DataProtectionOfficer@aberdeencity.gov.uk](mailto:DataProtectionOfficer@aberdeencity.gov.uk)

**The Legal Basis for processing your data**

Whenever the Council processes personal data we need to make sure we have a basis for doing so in data protection law. We understand our basis in data protection law to be Article 6(1)(b) of the General Data Protection Regulation (GDPR) because processing your personal information is necessary for us manage our relationship with you, as your employer.

As part of this relationship, the Council is also likely to process special categories of personal data. The Council understands our legal basis for doing so as Article 9(2)(b) of the GDPR as processing is necessary for carrying out our obligations in the field of employment.