

Privacy Notice

Disciplinary Procedure



**North Yorkshire
County Council**

This Privacy Notice is designed to help you understand how and why North Yorkshire County Council processes your personal data. This notice should be read in conjunction with the Council's [Corporate Privacy Notice](#).

Who are we?

North Yorkshire County Council is a 'Data Controller' as defined by Article 4(7) of the General Data Protection Regulation (GDPR).

The Council has appointed **Veritau Ltd** to be its Data Protection Officer. Their contact details are:

Data Protection Officer
Veritau Ltd
County Hall
Racecourse Lane
Northallerton
DL7 8AL
01609 53 2526

What personal information do we collect?

If an allegation is made against you, which warrants investigation, then the County Council will appoint an investigating officer who will conduct a fact-finding exercise and either present their findings to a disciplinary panel or provide information for disciplinary action to be taken outside of the formal procedure. This information could be comprised of, but not limited to:

- Witness statements;
- Relevant correspondence (emails to/from your NYCC account);
- Social Media Accounts;
- CCTV;
- IT Audit Trails;
- Investigatory Interview notes;

Why do we collect your personal information?

The County Council collects this data in order to allow a disciplinary panel to make a decision as to whether any disciplinary action is required.

Occasions will arise when it is appropriate to take disciplinary action outside of the formal procedure. This should not be regarded as normal practice but can arise when, for example, an employee is made aware of the results of a formal investigation and is prepared to accept a formal warning without the formal hearing process. Such action can save a considerable amount of time and stress for all the parties concerned whilst also achieving the purpose of a disciplinary warning which is to address an employee's behavior and move forward.

Who do we share this information with?

As well as the investigatory officers, the disciplinary panel (if convened), and an appeals panel (if convened), the County Council may disclose this information with individuals within the HR Team, Unison Reps, and any individual that you choose to accompany you.

How long do we keep your information for?

Data held	Retention period
Written warning	Date of warning + 12 months
Final written warning	Date of warning + 15 months
Action short of dismissal	Date of warning + timescale determined by the panel
Records relating to Safeguarding Investigations where upheld	Until your retirement age or 10 Years from the date of allegation (whichever is longer) *Currently under the <i>Goddard Enquiry</i> all safeguarding files are frozen until the enquiry is concluded.
Records relating to Safeguarding Investigations where unfounded	Removed from file upon investigation completion. However, a record could be kept on the file of the person making the allegation if appropriate with the caveat that allegation is unfounded.

What is our lawful basis for processing your information?

GDPR Article 6(1)(b) The processing of your personal information is necessary for the performance of a contract to which you are party (employment contract).

GDPR Article 9(2)(b) The processing of your special category data is necessary for the carrying out of obligations and exercising specific rights of the controller or of the data subject in the field of employment.

For More information about how the County Council uses your data, including your privacy rights and the complaints process, please see our Corporate Privacy Notice.