**Privacy Notice for Civil Service Investigations Cases**

This notice sets out how we will use your personal data, and your rights. It is made under Articles 13 and/or 14 of the UK General Data Protection Regulation (UK GDPR).

**YOUR DATA**

*Purpose*

Data is processed for the purpose of Cabinet Office conducting internal investigations into employee conduct or grievances.

The Cabinet Office will conduct such investigations using the Civil Service Investigation Service. The Civil Service Investigation Service provides a cross-government investigations service for serious, complex and/or sensitive cases of the following types:

* Serious and gross misconduct/discipline
* Grievances
* Bullying, harassment, discrimination
* Other ad hoc investigations

*The data*

We will process the following personal data of the subjects of investigations: name, location, grade, job role, pay, previous disciplinary details, summary of the allegations, and the background of any criminal convictions. We may also obtain further information on the conduct of the subject of the investigation from witnesses, complainants, employers, public bodies, and (only where relevant to the investigation) public sources such as public records or social media posts.

In respect of complainants and witnesses, we process their contact and employment details, opinions and any evidence offered.

Depending on the nature of the allegations, we may also process special category data such as race or ethnic origin, Trade Union membership, sexual orientation or details of the sex life of an individual, religious or philosophical beliefs or health.

*Legal basis of processing*

The legal basis for processing your personal data is:

- It is necessary for the performance of a contract to which the data subject is a party. In this case that is investigating breaches of your terms of employment.

Sensitive personal data is personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation. Our legal basis for processing your sensitive personal data or data relating to criminal convictions is:

- It is necessary for the purposes of performing or exercising our obligations or rights as the controller, or your obligations or rights, under employment law, social security law or the law relating to social protection. This includes investigating allegations of bullying, harassment and discrimination.

- the processing relates to personal data which are manifestly made public by you. This would relate to public material on the internet.

- It is necessary for the establishment, exercise or defence of legal claims, or in relation to a court acting in its judicial capacity. This relates to any subsequent legal proceedings.

*Recipients*

Your personal data will be shared by us with the Civil Service Investigations Service, which is based in the Home Office Professional Standards Unit. The Civil Service Investigations Service is our data processor and processes your data under our instructions.

As your personal data will be stored on the IT infrastructure of the Cabinet Office and the Home Office, it will also be shared with our data processors who provide email, and document management and storage services.

In the event of legal proceedings, your data will be shared with the appropriate court, tribunal, and legal advisers. In the event of criminal activity your data may be shared with law enforcement agencies.

*Retention*

Investigation documents will be kept by the Civil Service Investigations Service for 4 months after the conclusion of the investigation. The Civil Service Investigations Services will retain the final report, the minute sheet and the record on the log for statistical/management information purposes for 12 months after the conclusion of the investigation.

Your personal data will be kept by the Cabinet Office for two years.

*Where personal data have not been obtained from you*

Your personal data were obtained by us from a complainant, a witness, your employer, a public body, or from a public source, such as public records or public social media profiles (but only where relevant to the investigation).

**YOUR RIGHTS**

You have the right to request information about how your personal data are processed, and to request a copy of that personal data.

You have the right to request that any inaccuracies in your personal data are rectified without delay.

You have the right to request that any incomplete personal data are completed, including by means of a supplementary statement.

You have the right to request that your personal data are erased if there is no longer a justification for them to be processed.

You have the right in certain circumstances (for example, where accuracy is contested) to request that the processing of your personal data is restricted.

You have the right to object to the processing of your personal data.

**INTERNATIONAL TRANSFERS**

As your personal data is stored on our IT infrastructure, and shared with our data processors, it may be transferred and stored securely outside the UK. Where that is the case it will be subject to equivalent legal protection through an adequacy decision or reliance on Standard Contractual Clauses.

**COMPLAINTS**

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, or 0303 123 1113, or casework@ico.org.uk. Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

**CONTACT DETAILS**

The data controller for your personal data is the Cabinet Office. The contact details for the data controller are: Cabinet Office, 70 Whitehall, London, SW1A 2AS, or 0207 276 1234, or publiccorrespondence@cabinetoffice.gov.uk.

The contact details for the data controller’s Data Protection Officer are: dpo@cabinetoffice.gov.uk.

The Data Protection Officer provides independent advice and monitoring of Cabinet Office’s use of personal information.