

PRIVACY NOTICE

EMPLOYEES, CONTRACTORS, BANK

Heywood Family Practice is committed to protecting the Privacy and security of your personal information. This Privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with General Protection Regulation (GDPR) 2016 and the Data Protection Act 2018. It applies to all employees, workers and contractors.

1. ABOUT US

The practice is a “Data Controller”. This means that we are responsible for deciding how we hold and use your personal information about you. We are required by law under the General Data Protection Regulations and the Data Protection Act 2018 to notify you of the information contained in this Privacy Notice. This Privacy notice applies to all current employees, contractors and Bank staff. This does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

There may be times where we also process your information. That means we use it for a particular purpose and, therefore, on those occasions we may also be **Data Processors**. The purposes for which we use your information are set out in this Privacy Notice.

2. THE DATA PROTECTION OFFICER

The Data Protection Officer for the Surgery is Kelly-Anne Gast. You can contact her if:

- A. You have any questions about how your information is being held;
- B. If you require access to your information or if you wish to make a change to your information;
- C. If you wish to make a complaint about anything to do with the personal and healthcare information we hold about you;
- D. Or any other query relating to this Policy and your rights as a patient.

Kelly-Anne can be contacted here:

kelly@almc.co.uk

3. PERSONAL DATA WE MAY COLLECT ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). The organisation collects and processes personal data relating to its employees to manage the employment relationship. The organisation is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations. There are “special categories” of more sensitive personal data which require a higher level of protection.

The practice collects and processes a range of information about you. This includes:

- Your name, address and contact details, including email address and telephone number, date of birth and gender;
- the terms and conditions of your employment;

- Details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the organisation;
- Information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- Details of your bank account and national insurance number;
- Information about your marital status, next of kin, dependants and emergency contacts;
- Information about your nationality and entitlement to work in the UK;
- Details of your schedule (days of work and working hours) and attendance at work;
- Details of periods of leave taken by you, including holiday, sickness absence, family leave and the reasons for the leave;
- Details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- Assessments of your performance, including appraisals, performance reviews, performance improvement plans and related correspondence;

4. SPECIAL CATEGORY DATA WE MAY COLLECT ABOUT YOU

We may also collect, store and use the following “special categories” of more sensitive personal information including:

- Information about medical or health conditions, including whether or not you have a disability for which the organisation needs to make reasonable adjustments; and equal opportunities
- Monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.
- Biometric data, including fingerprints, hand geometry and samples.

5. SITUATIONS IN WHICH WE WILL USE YOUR PERSONAL INFORMATION

In some cases we may use your personal information to pursue legitimate interests of your own if those third parties, provided by your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below:-

- Making a decision about your recruitment or appointment
- Determining the terms in which you work for us
- Checking you are legally entitled to work in the UK
- Paying you and if you are an employee, deducting tax and national insurance contributions
- Liaising with your pension provider
- liaising with CQC and other regulators
- Administering the contract we have entered into with you and others
- Business Management and planning, including accounting and auditing
- Conducting performance reviews, managing performance and determining performance requirements
- Making decisions about salary reviews and compensation
- Assessing qualifications for a particular job for a particular job or task, including decisions about promotions
- Gathering evidence for possible grievance or disciplinary hearings
- Making decisions about your continued employment or engagement
- Making arrangements for the termination of our working relationship
- Education training and development requirements
- Dealing with legal disputes involving you, or other employees, workers and contractors including accidents at work
- Ascertaining your fitness to work

- Managing sickness absence
- Complying with health and safety obligations
- To prevent fraud
- To monitor your use of information and communication systems to ensure compliance with our IT policies
- To ensure network and information security, including preventing malicious software distribution
- To conduct data analytics studies to review and better understand employee retention and attrition rates
- Equal opportunities monitoring

6. WHY DOES THE PRACTICE NEED TO PROCESS MY PERSONAL DATA?

The practice needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer entitlements [benefit, pension and insurance].

In some cases, the organisation needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled:-

- Where we need to protect your interests (or someone else's interests);
- Where it is needed in the public interest (or for official purposes).

In other cases, the organisation has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows the organisation to:

- Run recruitment and promotion processes;
- Maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
- Operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- Operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
- Operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- Obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
- Operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the organisation complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- Ensure effective general HR and business administration;
- Provide references on request for current or former employees;
- Respond to and defend against legal claims; and
- Maintain and promote equality in the workplace.

Some special categories of personal data, such as information about health or medical conditions, are processed to carry out employment law obligations (such as those in relation to employees with disabilities).

Where the organisation processes other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring. Data that the organisation uses for these purposes is anonymised. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

7. YOUR RIGHTS?

It's your duty to inform us of any changes, as it is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us. Under certain circumstances, by law you have the right to:

- Access and obtain a copy of your data on request;
- Require the organisation to change incorrect or incomplete data;
- Require the organisation to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and
- Object to the processing of your data where the organisation is relying on its legitimate interests as the legal ground for processing.
- Request the transfer of your personal information to another party.

If you would like to exercise any of these rights, please speak to your HR team or Practice Manager.

If you believe that the organisation has not complied with your data protection rights, you can complain to the Information Commissioner.

8. IF YOU FAIL TO PROVIDE INFORMATION

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers)

9. CHANGE OF PURPOSE

We will only use the information for the purpose that it has been collected, unless we reasonably consider that we need to use it for another purpose of which will need to be compatible with the original purpose. If we need to use your personal information for an un related purpose, we will notify you and we will explain the legal basis for processing.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules where is required and permitted by law.

10. ANONYMISED INFORMATION

Sometimes we may provide information about you in an anonymised form. If we do so, then none of the information we provide to any other party will identify you as an individual and cannot be traced back to you.

We use your personal and healthcare information in the following ways:

- A. when we need to speak to, or contact other doctors, consultants, nurses or any other medical/healthcare professional or organisation during the course of your diagnosis or treatment or on going healthcare;
- B. when we are required by Law to hand over your information to any other organisation, such as the police, by court order, solicitors, or immigration enforcement.

Please note: We will never pass on your personal information to anyone else who does not need it, or has no right to it, unless you give us clear consent to do so.

11. LEGAL JUSTIFICATION FOR COLLECTING AND USING YOUR INFORMATION

The Law says we need a **legal basis** to handle your personal and healthcare information.

CONTRACT: We have an employment contract with you so that you are able to work for us as an employee.

CONSENT: Sometimes we also rely on the fact that you give us consent to use your personal and healthcare information so that we can take care of your healthcare needs.

Please note that you have the right to withdraw consent at any time if you no longer wish to receive services from us.

NECESSARY CARE: Providing you with the appropriate healthcare, where necessary. The Law refers to this as 'protecting your vital interests' where you may be in a position not to be able to consent.

LAW: Sometimes the Law obliges us to provide your information to an organisation.

12. HOW LONG WE KEEP YOUR PERSONAL INFORMATION

We carefully consider any personal information that we store about you, and we will not keep your information for longer than is necessary for the purposes as set out in this Privacy Notice. By law we have to keep your personnel file for a specified period of time even after employment ends which is usually 6 years after your employment ends as standard..

13. COMPLAINTS

If you have a concern about the way we handle your personal data or you have a complaint about what we are doing, with your data or how we have used or handled your personal and/or healthcare information, then please contact our Data Protection Officer.

You also have a right to raise any concern or complaint with the UK information regulator: Information Commissioner's Office (ICO): <https://ico.org.uk/>