

Staff Privacy Notice

Your Information

Who we are

Procure Community Services employs a number of healthcare staff in Guildford and Waverley. In a joint venture with our local hospital, Royal Surrey Foundation Trust we provide care in our community to our local population.

Procure Community Services is registered with the Information Commissioner's Office, the UK's independent body set up to uphold information rights, including rights on your information. Our registration number is ZA623268.

Our Data Protection Administrator's contact details are telephone: 01483 956541, email address: procare.info.procure@nhs.net

Why we collect information about you

Personal data might be provided to us by you, or someone else (such as a previous employer or GP), or it could be created by us. It could be provided or created as part of the recruitment process, through application forms, CVs; obtained from your passport or other identity documents such as your driving licence; or in the course of the contract of employment (or services); or after its termination.

This personal data may include:

- Interview notes;
- Contact details and date of birth;
- Recruitment information e.g. application form, CV, references, qualifications etc.;
- Emergency contact details;
- Gender, marital status and family status;
- Information regarding their contract of employment (or services) e.g. start and end dates of employment; working hours; role; location; pension; benefits; holiday entitlement; and salary (including details of previous remuneration);
- Bank details and information in relation to tax status, including National Insurance number;
- Information relating to disciplinary or grievance investigations and proceedings involving them (whether or not they were the main subject of those proceedings);
- Electronic information in relation to their use of IT systems/SMART cards/telephone systems;
- Identification documents e.g. passport; information in relation to immigration status; driving licence; and right to work for the Practice;
- Information relating to an employee's performance and behaviour at work;
- Images (whether captured on CCTV, by photograph or video);
- Criminal convictions and offences;
- Training records.

Special Category data may include:

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- Health data;
- Sexual life;
- Your religious, spiritual or philosophical beliefs;
- Racial or Ethnic origin;
- Genetic data;
- Political opinions;
- Biometric data (where used for identification purposes);
- Trade union membership.

Processing Personal Data

We have contracted the Royal Surrey NHS Foundation Trust to process the Human Resources and Payroll Data of the staff we employ. The Royal Surrey NHS Foundation Trust are only permitted to process your data for the lawful purpose for which it has been shared and in accordance with our instructions.

‘Processing’ means any operation which is performed on personal data such as:

- Disclosure by transmission, dissemination or otherwise making available;
- Alignment or combination;
- Collection, recording, organisation, structuring or storage (e.g. within a filing system);
- Adaption or alteration;
- Retrieval, consultation, or use; and
- Restriction, destruction, or erasure.

We will process staff personal data in accordance with the obligations prescribed under the 2018 Act, including:

- Performing the contract of employment (or services) between us and the individual;
- Complying with any legal obligation; or;
- If it is necessary for our legitimate interests (or for the legitimate interests of someone else). We can only do this in circumstances where the individual’s interests and rights do not override those of ours (or their own). Individuals have the right to challenge our legitimate interests and request that this processing be halted.

We may process staff personal data for these purposes without your knowledge or consent. We will not use your personal data for an unrelated purpose without informing you about it and the legal basis for processing it.

Please note that if you opt not to provide us with some personal data, we may be unable to carry out certain parts of the contract between us, e.g. We need staff members’ bank account details in order to pay them.

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When We Might Process Your Personal Data

We are required to process staff personal data in various situations during their recruitment, employment (or engagement) and even following termination of their employment (or engagement) for reasons including but not limited to:

- Deciding how much to pay staff, and other terms of their contract with us;
- Ensuring they have the legal right to work for us;
- Carrying out the contract between us and you including, where relevant, its termination;
- Carrying out a disciplinary or grievance investigation or procedure in relation to you or someone else;
- Monitoring and protecting the security (including network security) of Procure Community Services, of the individual, other staff, patients and others;
- Paying tax and national insurance;
- Providing a reference upon request from another employer;
- Preventing and detecting fraud or other criminal offences;
- Race, ethnic origin, religion, sexual orientation or gender to monitor equal opportunities;
- Sickness absence, health and medical conditions to monitor your absence, assess your fitness for work, to pay you benefits, to comply with our legal obligations under employment law including to make reasonable adjustments and to look after your health and safety;
- and any other reason which we may notify you of from time to time.

We do not take automated decisions about you using your personal data or use profiling in relation to you.

We will only process special categories of staff personal data in certain situations in accordance with the law e.g. with their explicit consent. If we request consent to process a special category of staff personal data, the reasons for the request will be explained. Members of staff do not need to consent but where consent has been given this can be withdrawn at any time if you choose to by making a request to our Data Protection Officer.

We do not need consent to process special categories of staff personal data when it is processed it for the following purposes:

- Where it is necessary for carrying out rights and obligations under employment law;
- Where it is necessary to protect individuals' vital interests or those of another person where one or both parties are physically or legally incapable of giving consent;
- Where the individual has made the data public;
- Where processing is necessary for the establishment, exercise, or defence of legal claims;
- Where processing is necessary for the purposes of occupational medicine or for the assessment of the individuals' working capacity; and
- All employment checks, including those for criminal records, will be carried out in line with the guidance from NHS Employers, available at: www.nhsemployers.org/your-workforce/recruit/employment-checks/criminal-record-check.

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Sharing Your Personal Data

Sometimes we might share your personal data with group companies or our contractors and agents to carry out our obligations under our contract with you or for our legitimate interests.

We require those companies to keep your personal data confidential and secure and to protect it in accordance with the law and our policies. They are only permitted to process your data for the lawful purpose for which it has been shared and in accordance with our instructions.

Your Rights

In most situations we will not rely on your consent as a lawful basis to process your data. If we do request your consent to the processing of your personal data for a specific purpose, you have the right to decline or withdraw your consent at a later time. To withdraw consent, you should contact our Data Protection Administrator via: telephone: 01483 [956541 782329](tel:01483956541782329), email address: debbie.sampson@nhs.net procure.info@nhs.net

You have rights over how we use your data, and unless your request to exercise those rights is complex or there are numerous requests, we will normally respond within one month of receipt of your request.

Your rights include:

- **Access.** You have a right to know whether we hold personal information about you. You can request a copy of your personal data held, as well as information about how it is being used. However, please note that your right of access is subject to limits and we may not be able to provide you with all the requested information. Where this is the case, we will explain the reasons why
- **Rectification.** Where information held about you is inaccurate or incomplete, you may request its rectification or completion.
- **Erasure.** In certain circumstances, you may request your information to be erased (subject to conditions), for example in the case that we were not entitled under the law to process it, or the data is no longer needed for the purpose it was collected.
- **Objection.** You have a right to object to the use of your information. Additionally, where we have used your information in pursuit of our legitimate interests, you can ask us to stop (subject to conditions).
- **Restriction.** You have a right to ask us to restrict our use of your personal information in some circumstances, for example whilst we investigate a complaint that the data, we hold about you is inaccurate (subject to conditions).
- **Portability.** In certain circumstances, you may request the movement, copy or transfer of your information (subject to conditions).
- With some exceptions, you have the right not to be exposed or subjected to automated decision-making.
- Be notified of a data security breach (within the appropriate timescales) concerning your personal data.

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How Long we Keep your Information

We retain your personal data only for as long as necessary to fulfil our purposes for processing it. Generally, this will be for at least the duration of your employment with us.

Beyond that, in some cases, we will continue to retain your data beyond your period of employment. The duration of this retention will vary depending on the circumstances but will always be underpinned by a legitimate need to retain the data (such as adherence to statutory retention requirements) and will be done in compliance with the Royal Surrey NHS Foundation Trust Records Retention Policy.

The criteria below are good indicators of how we decide how long to keep data for:

- How long is the personal data needed to effectively operate our business? This includes such things as maintaining good business and financial records. This is the general rule that establishes the baseline for most data retention periods.
- Are we subject to a legal, contractual or similar obligation to retain the data? This includes cases where the law prescribes, we should keep information for a given period of time, or where data must be preserved during an investigation, for current or potential litigation or contractual purposes. Some data must also be kept for audit purposes.
- Whether the data protection authority has provided guidance or recommendations for specific data or document types.

Security of your Information

We apply technical and organisational security measures to protect your information and protect it from accidental or unlawful destruction, loss, alteration, or unauthorised disclosure. The security measures we apply vary depending on the type of data, the reasons why we hold it and any specific risks.

The effectiveness of our security controls is assessed and verified at least annually as part of our compliance with the Data Security and Protection Toolkit.

Further Information

If you would like to know more about how we use your information, please contact our Data Protection Officer.

Where your personal data is being corrected or erased, or we are contesting the lawfulness of the processing, you can apply for its use to be restricted while the application is made. In this case, please contact our Data Protection Officer.

If you have a complaint about how your data is processed that cannot be resolved with us, you have the right to raise the issue the Information Commissioner who are the supervisory authority for the United Kingdom at the address below:

Information Commissioner's Office

By Phone: 0303 123 1113

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By Letter:
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

By email: casework@ico.org.uk

Website Address: <https://ico.org.uk/>

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