

Rivermead Gate Medical Centre

EMPLOYEE PRIVACY NOTICE

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Data Controller: Rivermead Gate Medical Centre / The Partners

Data Protection Lead: Michelle Coote

Data Protection Officer: Michelle Coote

The practice collects and processes personal data relating its employees to manage the employment relationship. The practice is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

What information does the practice collect?

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 practice;
- 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;
- information about your criminal record;
- 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 sabbaticals, 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 and ratings, training you have participated in, performance improvement plans and related correspondence;
- information about medical or health conditions, including whether or not you have a disability for which the practice needs to make reasonable adjustments;
- details of trade union membership; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.
- an emergency contact name (relative/family/friend) and contact number in case you become ill

The practice collects this information in a variety of ways, such as:

- Application forms;
- CVs or resumes;
- Copies of your passport other identity documents;
- Information collected through interviews or other forms of assessment;
- Forms completed by you at the start of or during employment;
- From correspondence with you;
- Through meetings or other assessments.

The practice will also collect personal data about you from third parties, such as:

- References supplied by former employers;
- Information from employment background check providers and information from criminal records checks;
- The practice may seek information from third parties only once a job offer to you has been made and will inform you that it is doing so.

Data will be stored in a range of different places, including:

- Your application record;
- HR management systems;
- IT systems (including email).

Why does the practice process 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. 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 benefit, pension and insurance entitlements.

In some cases, the practice 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. It is necessary to carry out criminal records checks to ensure that individuals are permitted to undertake the role in question.

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

Where the practice relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities and for health and safety purposes). Where the practice 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.

Workforce minimum data set fair processing information

Under the Health and Social Care Act 2013, this Practice provides individual level employee information to the workforce Minimum Data Set (wMDS) for primary care and secondary care. This data is collected to enable a detailed understanding of the current workforce, its shape, size, skills, competencies and experience. Having this information supports the wider NHS to identify future workforce requirements to ensure we can meet patients' needs now and in the future.

Information is currently provided through the annual workforce census data collection covering primary and secondary care, but this does not capture sufficient detail to allow for really effective future workforce planning.

In order to ensure accuracy and reduce duplication some identifying information is required at the start of this process. However, this identifying information is removed from the dataset following the initial automated process so that no one processing the database can identify an individual. The information collected will be analysed and used for workforce planning, accountability, Parliamentary Questions, Freedom of Information requests, and supplied in aggregated reports to GP Practices, Health Education England (HEE), Local Education Training Boards (LETBs), Clinical Commissioning Groups (CCGs) and NHS England.

More information about the workforce Minimum Data Set and its uses is available from the Department of Health and Health Education England.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/204256/workforce_info_arc_reformed_nhs.pdf

Who has access to data?

Your information will be shared internally. This includes:

- Your manager/supervisor
- Payroll
- IT staff
- Book keeper
- Accountant

The practice shares your data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and obtain necessary criminal records checks from the Disclosure and Barring Service.

The practice is obliged to seek information about criminal convictions and offences in line with NHS Employers guidelines on criminal records checks, which you can read at: <http://www.nhsemployers.org/your-workforce/recruit/employment-checks/criminal-record-check>

The practice may also share your data with third parties in the context of a sale of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements.

The practice also shares your data with third parties that process data on its behalf, in connection with payroll, the provision of benefits and the provision of occupational health services.

This information is collected at the time you start your employment with Rivermead Gate Med.Ctr. It is written on your Confidential Personnel Record and is held in a dedicated locked filing cabinet in the Practice Manager's Office.

The practice will not transfer your data to countries outside the European Economic Area.

How does the practice protect data?

The practice takes the security of your data seriously. Internal policies and controls are in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties. See Data Protection & GDPR Policy for Workers, Employees and Consultants.

Where the practice engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and practice measures to ensure the security of data.

For how long does the practice keep data?

The practice will hold your personal data for the duration of your employment. The periods for which your data is held after the end of employment are in line with NHS digital – record retention schedule of 6 years.

Your rights

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require the practice to change incorrect or incomplete data;
- require the practice to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where the practice is relying on its legitimate interests as the legal ground for processing; and
- ask the practice to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the practice's legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact Michelle Coote, michelle.coote@nhs.net. You can make a subject access request by completing the practice's form for making a subject access request.

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

What if you do not provide personal data?

You have some obligations under your employment contract to provide the practice with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide the practice with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the practice to enter a contract of employment with you. If you do not provide other information, this will hinder the practice's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

Automated decision-making

Some of the practice's employment decisions are based solely on automated decision-making. Include information about what that the decision-making involves, and its significance and consequences for the individual.