

## PRIVACY NOTICE – STAFF

<p>During the course of its employment activities, the Trust collects stores and processes personal information about prospective, current and former staff.</p> <p>This Privacy Notice includes applicants, employees (and former employees), workers (including agency, casual and contracted staff), volunteers, trainees and those carrying out work experience.</p> <p>We recognise the need to treat the personal and sensitive data of staff in a fair and lawful manner. No personal information held by us will be processed unless the requirements for fair and lawful processing can be met.</p>	
1) Data Controller	<p>George Eliot Hospital NHS Trust College Street Nuneaton CV10 7DJ</p>
2) Data Protection Officer	<p>Ben Wilczynski <a href="mailto:Data.ProtectionOfficer@geh.nhs.uk">Data.ProtectionOfficer@geh.nhs.uk</a></p>
3) What data we collect	<p>In order to carry out our activities and obligations as an employer we handle data in relation to:</p> <ul style="list-style-type: none"> <li>• Personal demographics (including, but not limited to, gender, race, ethnicity, sexual orientation, religion, age, marital status, disability, gender reassignment, national identification numbers)</li> <li>• Contact details such as names, addresses, telephone numbers and emergency contact(s)</li> <li>• Employment records (including professional membership, references, proof of eligibility to work in the UK and security checks)</li> <li>• Management records (including, but not limited to, documentation relating to appraisal, training, attendance, conduct and performance management, organisational change processes and payroll data)</li> <li>• Bank details</li> <li>• Pension details</li> <li>• Medical information including physical health or mental condition (for example occupational health information)</li> <li>• Information relating to health and safety</li> <li>• Trade union membership</li> <li>• Offences (including alleged offences), criminal proceedings, outcomes and sentences</li> <li>• Employment Tribunal applications, complaints, accidents, and incident details</li> <li>• Referrals to regulatory bodies e.g.: GMC/NMC/HCPC</li> <li>• Qualification and training information</li> <li>• CCTV data</li> <li>• IT monitoring data</li> </ul> <p>Our staff are trained to handle your information correctly and protect your confidentiality and privacy. We aim to maintain high standards,</p>

	<p>adopt best practice for our record keeping and regularly check and report on how we are doing. Your information is never collected or sold for direct marketing purposes. Your information may be processed overseas. During the recruitment episode references and police checks may be requested from overseas if this is required to satisfy the necessary checking processes.</p>
<p>4) Purpose of the processing</p>	<p>The Trust processes your information for the following purposes:</p> <ul style="list-style-type: none"> <li>• Staff administration and management (including payroll and performance)</li> <li>• Recruitment</li> <li>• Occupational health</li> <li>• Pensions administration</li> <li>• Business management and planning</li> <li>• Accounting and Auditing</li> <li>• Accounts and records</li> <li>• Crime prevention and prosecution of offenders</li> <li>• Education</li> <li>• Health administration and services</li> <li>• Sharing and matching of personal information for national fraud initiative</li> <li>• IT monitoring</li> </ul>
<p>5) Lawful basis for processing</p>	<p>By signing your contract with the Trust, you consent to us holding and processing any information about you which you provide to us, or which we may acquire as a result of employment. We have a legal basis to process this as part of your contract of employment (either permanent or temporary) or as part of our recruitment processes following Data Protection and Employment legislation.</p> <p>The Trust will also process personal data of employees in order to comply with relevant laws and in the Trusts legitimate interests.</p> <p><b>Personal data:</b></p> <p>6(1)(b) Contract: the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.</p> <p>6(1)(c) processing is necessary for compliance with a legal obligation to which the controller is subject</p> <p>6(1) (f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.</p> <p><b>Special categories of data:</b></p> <p>9(2)(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests</p>

	<p>of the data subject;</p> <p>9(2)(h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services</p> <p>9(2)(f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;</p>
6) Recipient or categories of recipients of the shared data	<p>To enable effective staff administration, the Trust may share your information with external companies to process your data on our behalf in order to comply with our obligations as an employer</p> <p>Any disclosures of personal data are always made on case-by-case basis, using the minimum personal data necessary for the specific purpose and circumstances and with the appropriate security controls in place. Information is only shared with those agencies and bodies who have a “need to know” or where you have consented to the disclosure of your personal data to such persons.</p> <p>Sometimes we are required by law to disclose or report certain information, which may include details which identify you. For example, sending statutory information to government organisations such as HM Revenue and Customs, Pensions Agencies, BACS to transfer you salary or releasing information to the police or counter fraud. Where mandatory disclosure is necessary only the minimum amount of information is released.</p> <p>The Trust also contracts data processors to conduct activity on behalf of the Trust which may include the processing of employee data.</p> <p><b>NHS Shared Business Services</b> The information which you provide during the course of your employment (including the recruitment process) and pensions will be shared with the NHS Shared Business Services can be found at <a href="https://my.esr.nhs.uk">https://my.esr.nhs.uk</a></p>
7) Where we collect information from	<p>The Trust may receive information on employees from a variety of sources these may include but are not limited to:</p> <ul style="list-style-type: none"> <li>• The Data Subject</li> <li>• Previous employers</li> <li>• NHS jobs</li> <li>• Agencies</li> <li>• Third parties (for example DBS checks, TRAC jobs)</li> </ul>
8) Rights to object	<p>You have the right to object to certain processing activities. This is not an absolute right and cases will be determined on a case by case basis.</p>
9) Right to access, rectification and	<p>The Data Subjects or legal representatives have the right to access the data that is being shared and have any inaccuracies corrected. In</p>

erasure	certain circumstances you have the right for data to be erased. Requests for erasure should be made to the Trusts information governance team which will be considered on a case by case basis.
10) Retention period	<p>Personal information is retained in line with the NHS Records Management Code of Practice 2016</p> <p><a href="https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-practice-for-handling-information-in-health-and-care/records-management-code-of-practice-for-health-and-social-care-2016">https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-practice-for-handling-information-in-health-and-care/records-management-code-of-practice-for-health-and-social-care-2016</a></p>
11) Right to complain	<p>You have the right to complain about the use of your personal data.</p> <p>You can contact the Trusts Data Protection Officer at:  Data Protection Officer  George Eliot Hospital  College Street  Nuneaton  CV10 7DJ  <a href="mailto:Data.ProtectionOfficer@geh.nhs.uk">Data.ProtectionOfficer@geh.nhs.uk</a></p> <p>If you remain dissatisfied with the Trust's decision following your complaint, you may wish to contact the Information Commissioner's Office, you can use this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a></p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>Information Commissioner's Office  Wycliffe House  Water Lane  Wilmslow  Cheshire  SK9 5AF</p>

Last updated: 27/04/2020