

# Staff Privacy Notice

This Privacy Notice explains what personal information we collect from you, how we store this personal information, how long we retain it and with whom and for which legal purpose we may share it.

Elms Medical Practice also publishes a number of specific notices which are available at the bottom of this page.

Included in this document are answers to the following:

**Who we are?**

**Why we collect personal information about you?**

**What is our legal basis for processing your personal information?**

**What personal information do we need to collect about you and how do we obtain it?**

**What do we do with your personal information and what we may do with your personal information?**

**Who do we share your personal information with and why?**

**How we maintain your records?**

**What are your rights?**

**Who is the Data Protection Officer?**

**How to contact the Information Commissioners Office.**

<b>Who we are</b>	<p>Elms Medical Practice employs more than 25 people.</p> <p>Our Practice is registered with the Information Commissioner’s Office (ICO) to process personal and special categories of information under the Data Protection Act 2018 (subject to parliamentary approval).</p>
<b>Why we collect personal information about you?</b>	<p>The Practice collects stores and processes personal information about prospective, current and former staff to ensure compliance with legal or industry requirements.</p>
<b>What is our legal basis for processing your personal information?</b>	<p>Processing of employee personal information is necessary for the purposes of carrying out the obligations and exercising specific rights of the data controller (The Practice) or of the data subject (staff member) 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 of the data subject;</p> <p>The Practice does not require explicit consent of employees to process their personal data if the purpose falls within the legal basis detailed above.</p> <p>For further information on this legislation please visit: <a href="http://www.legislation.gov.uk/">http://www.legislation.gov.uk/</a></p>

**What personal information do we need to collect about you and how do we obtain it?**

Personal information about you will largely be collected directly from you during your recruitment and employment. Personal information may also be collected from healthcare professionals in certain circumstances, through national checks such as DBS etc.

In order to carry out our activities and obligations as an employer we handle data in relation to:

- Personal demographics (including gender, race, ethnicity, sexual orientation, religion)
- Contact details such as names, addresses, telephone numbers and emergency contact(s)
- Employment records (including professional membership, references and proof of eligibility to work in the UK and security checks)
- Bank details
- Pension details
- Occupational health information (medical information including physical health or mental condition )
- Information relating to health and safety
- Trade union membership
- Practice Directors / membership
- Offences (including alleged offences), criminal proceedings, outcomes and sentences
- Employment Tribunal applications, complaints, accidents, and incident details

**What we may do with your personal information?**

Your personal information is processed for the purposes of:

- Staff administration and management (including payroll and performance)
- Pensions administration
- Business management and planning
- Accounting and Auditing
- Accounts and records
- Education
- Health administration and services

- Information and databank administration
- Crime prevention and prosecution of offenders
- Sharing and matching of personal information for national fraud initiative

## Who do we share your personal information with and why?

We will not routinely disclose any information about you without your express permission. However, in order to enable effective staff administration and comply with our obligations as your employer, we will share the information which you provide during the course of your employment (including the recruitment process) with the NHS Business Services Authority for maintaining your employment records.

Any disclosures of personal data are always made on a case-by-case basis, using the minimum personal data necessary for the specific purpose and circumstances and with the appropriate security controls in place. Personal 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.

Where possible, we will always look to anonymise/ pseudonymise your personal information so as to protect confidentiality, unless there is a legal basis that permits us to use it, and will only ever use/ share the minimum information necessary. However, there are occasions where the Practice is required by law to share information provided to us with other bodies responsible for auditing or administering public funds, in order to prevent and detect fraud.

For any request to transfer your data internationally outside the UK/EU we will make sure that an adequate level of protection can be satisfied before the transfer.

There are a number of circumstances where we must or can share information about you to comply or manage with:

- Disciplinary/ investigation processes; including referrals to Professional Bodies, e.g. NMC and GMC;
- Legislative and/or statutory requirements;
- A Court Orders which may have been imposed on us;
- NHS Counter Fraud requirements;

- Request for information from the police and other law enforcement agencies for the prevention and detection of crime and/or fraud if the crime is of a serious nature.

## How we maintain your records

Your personal information is held in both paper and electronic forms for specified periods of time as set out in the NHS Records Management Code of Practice for Health and Social Care and National Archives Requirements.

We hold and process your information in accordance with the Data Protection Act 2018 (subject to Parliamentary approval) as amended by the GDPR 2016, as explained above. In addition, everyone working for the NHS must comply with the Common Law Duty of Confidentiality and various national and professional standards and requirements.

We have a duty to:

- maintain full and accurate records of your information;
- keep records about you confidential and secure;
- provide information in a format that is accessible to you.

**Use of Email** - Some services in the Practice provide the option to communicate with patients via email. Please be aware that the Practice cannot guarantee the security of this information whilst in transit, and by requesting this service you are accepting this risk.

Further information can be found in our Information Governance policies, which are available on the shared drive under:

IT\Information Governance\Information Governance Policy

## What are your rights?

If we need to use your information for any reasons beyond those stated above, we will discuss this with you and ask for your explicit consent. The Data Protection Act 2018 (subject to Parliamentary approval) gives you certain rights, including the right to:

- Request to access the personal data we hold about you, e.g. personnel records. If you wish to do this, please contact the Practice Manager in writing. Please remember to include details of the information you require plus contact details and two forms of identification such as a copy of your driving license/ passport and also a document with your name and address on such as a utility bill;
- Request the correction of inaccurate or incomplete information recorded in our records, subject to certain safeguards.
- Request that your information be deleted or removed where there is no need for us to continue processing it and where the retention time has passed;
- Ask us to restrict the use of your information where appropriate;
- Ask us to copy or transfer your information from one IT system to another in a safe and secure way, without impacting the quality of the information;
- To object to how your information is used;
- To challenge any decisions made without human intervention (automated decision making)

## Relevant Individuals

Practice Manager : **Atiya Alam-Jones**

Information Governance lead : **Dr Aidan Magrath**

Data Protection Officer: **Tara Moylan, Howbeck Healthcare**

## Information Commissioners Office

The Information Commissioner's Office (ICO) is the body that regulates the Trust under Data Protection and Freedom of Information legislation. <https://ico.org.uk/>. If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law you can complain to the ICO at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

Fax: 01625 524 510

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

