

Staff privacy notice

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

To find out more about our Privacy Notice, please read the relevant sections below:

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

<p>Who we are</p>	<p>We are a hospice, providing a range of palliative care and end of life services to the communities within Exeter, Mid and East Devon. The hospice is a charity and we are registered with the Care Quality Commission and the Charity Commission.</p> <p>We provide a wide range of services including:</p> <ul style="list-style-type: none"> • Community services including Hospiscare@Home • Supportive care • Inpatient care • Day Hospices. <p>The Hospice employs more than 250 staff.</p> <p>The Hospice is registered with the Information Commissioner’s Office (ICO) process personal and special categories of information under the Data Protection Act 2018 and our registration number is Z4946024</p>
<p>Why we collect personal information about you?</p>	<p>The organisation 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 benefit, pension and insurance entitlements. 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 to. For certain positions, it is necessary to carry out criminal records checks to ensure that individuals are permitted to undertake the role in question.</p>
<p>What is our legal basis for processing personal information about you?</p>	<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 Hospice) 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 Hospice does not require explicit consent of employees to process their personal data if the purpose</p>

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

falls within the legal basis detailed above.

For further information on this legislation please visit: <http://www.legislation.gov.uk/>

We collect and use different types of personal information about you, depending on your circumstances, your role and the law, which may include:

Types of Information	Examples Please note that the examples are illustrative and non-exhaustive
Information about you:	Name, address, date of birth, marital status, nationality, race, gender, any online identifier such as an IP address, religion, preferred language, details of any disabilities, work restrictions and/or reasonable adjustments made.
Information to contact you at work or home:	Name, address, telephone and email address.
Information about who to contact in case of emergency (yours or ours):	Name, address, telephone, email address and their relationship to you.
Information to identify you:	Photographs, passport and/or driving licence details, electronic signatures.
Information about your suitability to work for us and/or a relevant third party:	References, interview notes, work visas, ID information such as passport details and driving licence information, records/results of pre-employment checks, including criminal record checks.
Information about your skills and experience:	Application forms and/or CVs, references, records of qualifications, skills, training, experience and employment history and other compliance requirements.

Information about your terms of employment with Hospiscare:	Letters of offer and acceptance of employment, your employment contract, details of your working schedule (days of work and working hours).
Information that we need to pay you:	Bank account details, national insurance or social security numbers (where applicable), your rate of remuneration (pay point).
Information that we need to provide you with benefits and other entitlements:	Length of service information, sickness absence dates, self certificates and Fit Notes, records of holiday and any other authorised leave taken, information about your marital status, next of kin and dependents.
Information to allow you to access our buildings and systems:	Employee identification number (UIN), computer or facilities access and authentication information, identification codes, passwords, photographs, video images.
Information relating to your performance and attendance at work:	Performance ratings, objectives, records of performance reviews, records and/or notes of 1:1s and other meetings, personal development plans, personal improvement plans, correspondence and reports, records of training and development with Hospiscare.
Information relating to discipline, grievance and other employment related processes:	Details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you (with expiry dates) and other related correspondence.
Information relating to your work travel and expenses:	Bank account details, passport, driving licence, vehicle registration, MOT and insurance details.

What do we do with your personal information?

The organisation 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 benefit, pension and insurance entitlements.

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 to. For certain positions, 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 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:

Purposes for which we need your personal information:	Examples
Recruitment.	<p>Please note that the examples are illustrative and non-exhaustive.</p> <ul style="list-style-type: none"> • Run recruitment and promotions processes • Maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency) • Records of employee contractual and statutory rights
Human Resources ("HR"), finance and other business administration purposes.	<ul style="list-style-type: none"> • 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 and 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

Who do we share your information with and why?

- Ensure effective general HR and business administration
- Provide references on request for current or former employees
- Respond to and defend against legal claims
- Maintain and promote equality in the workplace

We will not routinely disclose any information about you without your express permission. 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 hospice 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 & 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

There may also be situations where we are under a duty to share your information, due to a legal requirement. This includes, but is not limited to, sharing with the Care Quality Commission for inspection purposes or where there is an overriding public interest to prevent abuse or serious harm to others and other public bodies (e.g. HMRC for the misuse of public funds in order to prevent and detect fraud).

The Hospice is required to protect your personal information, inform you of how your personal information will be used, and allow you to decide if and how your personal information can be shared. Personal information you provide to the Hospice in confidence will only be used for the purposes explained to you and to which you have consented. Unless, there are exceptional circumstances, such as when the health or safety of others is at risk, where the law requires it or there is an overriding public interest to do so. Where there is cause to do this, the Hospice will always do its best to notify you of this sharing.

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 and the GDPR 2016. In addition, everyone working for Hospiscare 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 the information we hold on you;
- keep records about you confidential and secure;
- provide information in a format that is accessible to you.

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

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 gives you certain rights, including the right to:

- Request to access the personal data we hold about you, e.g. personnel records. The way in which you can access your own personnel records is further explained on our Individual rights page.
- Request the correction of inaccurate or incomplete information recorded in our records, subject to certain safeguards. Contact the HR Team for further information;

Data Protection Officer

- 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)

If you wish to raise a complaint on how we have handled your personal data, you can contact our Data Protection Officer who will investigate the matter.

Please contact the Head of Governance and Data Protection:

Hospiscare
Searle House
Dryden Road
Exeter, EX2 5JJ

Or via hospiscare.dpo@nhs.net

Information Commissioner's Office

The Information Commissioner's Office (ICO) is the body that regulates the Hospice under Data Protection 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 1231113 (local rate) or 01625 545745 if you prefer to use a national rate number.

Fax: 01625 524510. Email: casework@ico.org.uk.

Live chat is available at: <https://ico.org.uk/global/contact-us/live-chat/>

