

DR. J. A. SIMMONS
MBBS MRCGP LFHom

DR. C. J. DODGE
MBBS MRCGP



HERSTMONCEUX INTEGRATIVE
HEALTH CENTRE

HAILSHAM ROAD
HERSTMONCEUX
EAST SUSSEX
BN27 4JX
Tel: 01323 833535

Employee Privacy Notice

Data Controller:	Herstmonceux Integrative Health Centre
Practice Manager:	Nicola Hone
Data Protection Officer: (or person with responsibility for data protection):	Trudy Slade GP IG and Data Protection Officer (DPO) for GP practices within the West Sussex, Brighton and Hove, East Sussex and East Surrey

Herstmonceux Integrative Health Centre collects and processes personal and financial data relating to our employees in order to manage the employment relationship. We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations.

What information do we collect?

We collect and process a range of information about employees. This includes:

- Personal Confidential Data such as your name; address and contact details, including email address and telephone number, National Insurance number
- Special Category data such as; date of birth; gender; health issues; disabilities for which the Practice needs to make reasonable adjustments; and ethnicity; trade union information
- We also collect other data such as; details of your bank account and national insurance number;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the Company;
- information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- 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 if appropriate to your role;
- 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 other types of leave, and the reasons for the leave;

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Review due: July 2022

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- 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;
- [details of trade union membership]; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.]
- the terms and conditions of your employment

We collect this information in a variety of ways, for example, data may be provided by yourself or may be collected from other sources, such as your previous employer; occupational health HMRC or Pension provider: The information may be provided in a number of ways

- application forms, CVs or resumes;
- obtained from your passport or other identity documents such as your driving licence;
- from forms completed by you at the start of or during employment (such as benefit nomination forms);
- from correspondence with you;
- through interviews, meetings or other assessments.
- In some cases, we collect personal data about you from third parties, such as references supplied by former employers
- information from employment background check providers DBS
- information from credit reference agencies and information

In some cases we seek to gain information from third parties, such as other health providers, this will be discussed with you and your consent will be required.

Data Storage

Data is stored in a range of different places, including:

- Hard copy of personnel files, which is kept in a locked cabinet
- Your electronic personal files, which is kept in a secure file on the IT system
- electronic HR management system
- electronic payroll system
- other IT systems (including our email system).

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Why do we process personal data?

We need to process data to enter into an employment contract with you and to meet our obligations under your Contract of Employment. For example, we need 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, we need to process data to ensure that we are complying with our 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. 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, we have a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows us 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 Company 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;

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- provide references on request for current or former employees;
- respond to and defend against legal claims; and
- maintain and promote equality in the workplace.

Legal Basis for Processing

Under GDPR the information is required to be processed in order for you to work within the practice, the practice will rely on a number of legal gateways in order to process your employment data as outlined above;

Personal Confidential Data

Article 6 1 (a) Consent (health data, ability to do the role)

Article 6 1 (b) Contract where the data subject is party (contract of employment)

Article 6 1 (c) Processing is necessary for the compliance with a legal obligation to which the controller is subject (Tax)

Special Category of data

Article 9 2 (a) Explicit consent, if information regarding you is required from third parties.

Article 9 2 (b) Employment, social Security or Social Protection Law

Article 9 2 (d) Legitimate activities by a foundation associated or other not for profit body (i.e. HMRC)

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). Information about trade union membership is processed to allow the Company to operate check-off for union subscriptions.

Who has access to the data?

Your information will be shared internally only with those managers who have a legitimate reason for accessing it, including our HR, recruitment and payroll teams, your line manager,

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managers in the business area in which you work and IT staff if access to the data is necessary for performance of their roles.

We share your data

We share your data with third parties in order to;

- obtain pre-employment references from other employers
- obtain employment background checks
- obtain necessary criminal records checks from the Disclosure and Barring Service if this is appropriate to your role.
- The practice may also share your data with third parties in certain circumstances where there is a legitimate reason to do so;
 - HMRC
 - Occupational Health
 - Pensions company
 - CCG
 - Practice Accountant
- We may also share your name, role hours worked with other practices within our PCN if it is appropriate for cross cover working

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

How do we protect data?

We take the security of your data seriously. We have internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. Where personal information is held onsite the data will be protected with secure passwords, key locks and have Role Based Access.

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 organisational measures to ensure the security of data.

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For how long do we keep data?

We 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:

Information	Retention Period
Bank details, next of kin etc..	Within one month post-employment
Unsuccessful job applicants	6 months post the role being filled
Right to work documentation	2.5 years post-employment
Opting out of the Working Time Regulations	3 years from date on which the records were made
Payroll/PAYE/Tax	7 years from the end of the tax year to which records relate
Maternity pay	4 years from end of tax year when SMP ended
Employment information including being able to respond to Tribunal claims and other legal claims	6.5 years post-employment
Health and Safety (accidents at work and related illness)	4 years from date when record was made

Your rights

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

- access and obtain a copy of all information held about you on request; this will be requested through the Subject Access Request process (SAR)
- require us to change incorrect or incomplete data;
- require us 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 we rely on a legitimate interest as the legal ground for processing; and
- ask us to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the Company's legitimate grounds for processing data.

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If you would like to exercise any of these rights, please contact Nicola Hone, Nicola.hone@nhs.net. You can make a subject access request by completing the form for making a subject access request.

If you believe that we have 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 Company 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 Company 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 Company to enter a contract of employment with you. If you do not provide other information, this will hinder the Company's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

Automated decision-making

Employment decisions are not based on automated decision-making.

We are asking you to sign this document as proof that we have given you this information and that you have read and understood why we collect and process your data.

Signed:

Print name:

Date: