

Privacy Notice Employees

This privacy notice explains how we use any personal information about you that we collect and store.

What information do we collect about you?

We collect and store information about you when you complete your application form and initial employment paperwork. This includes your:

- Full name
- Address
- Telephone number
- Date of birth
- Next of kin/emergency contact details
- Photocopies of driving license, passport, proof of address
- Bank account details
- Pension details
- Health questionnaire
- DBS outcome
- References
- Interview records

Throughout the course of your employment, we will continue to collect and store data including:

- Performance management discussions (including supervisions, appraisals, formal & informal discussions, disciplinary)
- Training records
- Return to work interview records
- Fit for work/medical notes
- Changes to your circumstances (e.g. new address)

Personal data is kept in files or within Catherine Care's HR and IT systems.

How will we use the information about you?

Your information will be stored in your personnel file, which is kept in a locked, fireproof cabinet, and is only accessible to senior managers. Information about you which is received or held electronically (e.g. when information has been emailed) will be printed and placed in your file. All electronically stored information is held on password protected computers which only senior managers have access to.

We use your information to ensure your fitness and suitability to become employed and continue your role, pay your wages, set up and contribute to your pension (unless you have chosen to opt out), and monitor and review your performance.

Some data is inputted onto the National Minimum Data Set for Social Care (NMDS-SC). This enables us to monitor our recruitment and employment diversity. Skills for Care use the data on the NMDS to produce sector reports and intelligence to authorities such as CQC, Health Education England and NHS England. Your National Insurance Number and date of birth are inputted into the National Minimum Data Set for Social Care (NMDS-SC) to ensure each person is only counted once in statistics. They are not shared with any other party. You can view their privacy policy at <https://www.nmds-sc-online.org.uk/content/view.aspx?id=A new FAQ 2>.

Who we may share your information with

Information we hold	Who we may share it with
Full name	1,2,3,4,5,6,7,8
Address	1,3,5,7
Telephone number	1,3,5
Date of birth	1,2,3,4,5,7
Next of kin/emergency contact details	1,5
Photocopies of driving license, passport, proof of address (e.g. utility bill)	1,5,6
National Insurance Number	1,2,5,6,7
Tax code	1,2,5,6,7
CV	1,5,6
Bank account details	1,5,7
Pension details	1,5,7
Health questionnaire/medical information	1,6
Equal opportunity monitoring forms	1,2,5,6
DBS outcome	1,4,5,6,8
Interview records	1,6
Performance management discussions (including supervisions, appraisals, formal & informal discussions, disciplinary)	1,4,5,6,8
Sickness records & occupational health referrals	1,2,4,5,6,7
Return to work interview records	1,4,6,8
Holiday records	1,4,5,6,7
Training records	1,2,6,8
Fit for work/medical notes	1,4,6,8
References	1,4,5,6,8
CCTV monitoring	1,3,4,5,6,10
Terms & conditions of employment	1,4,5,6,7
Job Title, description, wage	1,2,3,4,5,6,7

1. Senior management team (need to know basis only)
2. National Minimum Data Set for Social Care (NMDS)
3. Disclosure & Barring Service (via Mayflower for new applications)
4. Peninsula/Bright HR
5. Police, if it is suspected a crime has been committed
6. Care Quality Commission (CQC)
7. Accountant/Pay
8. Local authority

Catherine Care does not share your data with bodies outside of the European Economic Area.

Your rights

You have the following rights in relation to the personal data we hold on you:

- a) the right to be informed about the data we hold on you and what we do with it;
- b) the right of access to the data we hold on you. More information on this can be found in the section headed "Access to Data" below and in our separate policy on Subject Access Requests";
- c) the right for any inaccuracies in the data we hold on you, however they come to light, to be corrected. This is also known as 'rectification';
- d) the right to have data deleted in certain circumstances. This is also known as 'erasure';
- e) the right to restrict the processing of the data;
- f) the right to transfer the data we hold on you to another party. This is also known as 'portability';
- g) the right to object to the inclusion of any information;
- h) the right to regulate any automated decision-making and profiling of personal data.

More information can be found on each of these rights in our separate policy on employee rights under GDPR.

Lawful Basis

We process your personal data under the lawful bases of 1) contract, and 2) legal obligation.

1) Contract: this means that the processing is necessary for a contract we have with you. This is because you are employed under a contract, and we need certain information to be able to issue you with the contract and ensure compliance on both sides.

2) Legal obligation: this means that the processing is necessary for us to comply with the law. This is because we are governed by employment, health and safety, and social care legislation, amongst others. We have a duty to ensure our employees are fit for the role

for which they are employed, and to continually review this, to ensure the safety and well-being of the people we support, visitors, colleagues, and the organisation itself.

The information below categorises the types of data processing we undertake and the lawful basis we rely on.

Activity requiring your data	Lawful basis
Carry out the employment contract that we have entered into with you e.g. using your name, contact details, education history, information on any disciplinary, grievance procedures involving you	Performance of the contract
Ensuring you are paid	Performance of the contract
Ensuring tax and National Insurance is paid	Legal obligation
Carrying out checks in relation to your right to work in the UK	Legal obligation
Making reasonable adjustments for disabled employees	Legal obligation
Making recruitment decisions in relation to both initial and subsequent employment e.g. promotion	Our legitimate interests
Making decisions about salary and other benefits	Our legitimate interests
Ensuring efficient administration of contractual benefits to you	Our legitimate interests
Effectively monitoring both your conduct, including timekeeping and attendance, and your performance and to undertake procedures where necessary	Our legitimate interests
Maintaining comprehensive up to date personnel records about you to ensure, amongst other things, effective correspondence can be achieved and appropriate contact points in the event of an emergency are maintained	Our legitimate interests
Implementing grievance procedures	Our legitimate interests
Assessing training needs	Our legitimate interests
Implementing an effective sickness absence management system including monitoring the amount of leave and subsequent actions to be taken including the making of reasonable adjustments	Our legitimate interests
Gaining expert medical opinion when making decisions about your fitness for work	Our legitimate interests
Managing statutory leave and pay systems such as maternity leave and pay etc	Our legitimate interests
Business planning and restructuring exercises	Our legitimate interests
Dealing with legal claims made against us	Our legitimate interests
Preventing fraud	Our legitimate interests
Ensuring our administrative and IT systems are secure and robust against unauthorised access	Our legitimate interests

Retention Periods

We only keep your data for as long as we need it for, which will be at least for the duration of your employment with us though in some cases we will keep your data for a period after your employment has ended. Some data retention periods are set by the law. Retention periods can vary depending on why we need your data, as set out below:

Record	Statutory Retention Period
Children/young adults	Until the child reaches 21
Retirement Benefits Schemes	6 years from the end of the scheme year
Statutory Maternity Pay (calculations, certificates, medical evidence)	3 years after the end on the tax year in which the period ends
Wage/salary (overtime, bonuses, expenses)	6 years
National Minimum Wage	3 years after the end of the consequent pay reference period
Working hours	2 years after they are made

Record	Recommended Retention Period
Application forms and interview notes	6 months to a year
Assessments under health and safety regulations and records of consultations with safety representatives and committees	Permanently
HMRC approvals	Permanently
Money purchase details	6 years after transfer or value taken
Parental leave	Until child is 18 (birth/adoption)
Pension scheme investment policies	12 years from the ending of any benefit payable under the policy
Pensioners' records	12 years after end of benefit
Personnel files, training records (disciplinary records, working time records)	6 years after end of employment
Redundancy details, calculations of payments, refunds, notification to the Secretary of State	6 years after date of redundancy
Statutory Sick Pay records, calculations, certificates, self-certificates	at least 3 months after the end of the period of sick leave, but 6 years after the employment ceases advisable
Time cards	2 years after audit
Trade Union agreements	10 years after end
Works Council minutes	Permanently

Special Categories of Data

Special categories of data are data relating to your:

- i) health
- j) sex life
- k) sexual orientation
- l) race
- m) ethnic origin
- n) political opinion
- o) religion
- p) trade union membership
- q) genetic and biometric data.

We carry out processing activities using special category data:

- a) for the purposes of equal opportunities monitoring
- b) in our sickness absence management procedures
- c) to determine reasonable adjustments

Most commonly, we will process special categories of data when the following applies:

- a) you have given explicit consent to the processing
- b) we must process the data in order to carry out our legal obligations
- c) we must process data for reasons of substantial public interest
- d) you have already made the data public.

Failure to Provide Data

Your failure to provide Catherine Care with data may mean that we are unable to fulfill our requirements for entering into a contract of employment with you. This could include being unable to offer you employment, or administer contractual benefits.

Criminal Conviction Data

Catherine Care will only collect criminal conviction data where it is appropriate given the nature of your role and where the law permits us. This data will usually be collected at the recruitment stage, however, may also be collected during your employment. We use criminal conviction data to determine your suitability, or your continued suitability for the role. We rely on the lawful basis of legal obligation to process this data.

Automated Decision Making

Automated decision making means making decision about you using no human involvement e.g. using computerised filtering equipment. No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

Making a Complaint

If you think your data rights have been breached, you are able to raise a complaint with the Information Commissioner (ICO). You can contact the ICO at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or by telephone on 0303 123 1113 (local rate) or 01625 545 745.

Data Protection Compliance

Our appointed compliance officers in respect of our data protection activities are:

Kelly Dunbavan and Gemma Bengier

Changes to this privacy notice

We will keep this privacy notice under regular review and we will inform you of any updates. This privacy notice was last updated on 14th May 2018.