

# Data protection

## Employee's data privacy statement

You are required to give certain personal data to enable the Employer to carry out their duties, rights and obligations as the Employer. The privacy of your Data is taken seriously, and this policy explains how Data will be used and protected.

Your Employer, as named on your contract of employment, is the Data Controller. This notice applies before, during and after your employment has come to an end.

Personal Data that is processed by your Employer includes the following:

- Name, residential address and contact details including telephone numbers and email address
- Date of birth
- Financial details, such as your National Insurance Number, bank account, payroll records, tax status, pensions, benefits and Court orders relevant to employment
- Details about your health that you have consented to share and sickness/absence records
- Information about your criminal record and offences
- Right to work information
- References obtained from your referees
- A copy of your driving license
- Information about your private vehicle where it is used for work purposes, including; registration number, make, model, tax, insurance, MOT and safety checks
- Work history and location of employment past and present
- Emergency contact details
- Training records, performance information, qualifications, disciplinary and grievance history
- CCTV footage and audio recordings obtained in the course of employment

The Employer will process and control such data principally for personnel, administrative and payroll purposes and for the purposes of managing the performance of your employment contract. Data may also be used where the Employer is under a legal obligation to do so or where it is necessary and proportionate to safeguard the interests of the Service User and/or the public interest.

The Employer may receive and share data with the following parties in order to assist them in the management of their duties and fulfil the purpose set out above:

- The Service user (where they are not already the Employer)
- The Local Authority or NHS Clinical Commissioning Group which is responsible for funding the care required
- Third sector support organisations authorised by the employer and/or funding authority to support the Employer in payroll and employee management activities
- Accountants and Pay roll organisations
- Independent living organisations or disability advocates

- Insurance companies and legal advisors including helpline providers and solicitors
- Other employers strictly for the purpose and operation of TUPE transfers
- Personal agents of the Employer, such as family members, friends or other employees, where the Employer's physical or mental health prevents adequate performance of their duties and responsibilities

All third-parties to the employment contract are required to take appropriate security measures to protect your personal information in line with this policy. They are not allowed to use your personal data for their own purposes. Permission has/will only be granted for them to process your personal data for specified purposes and in accordance with our instructions. The Employer does not accept responsibility or control of Data willingly shared by you with any other third party independent of and outside of the Employers control.

Data will be retained for as long as necessary to fulfil the purposes it was collected for in accordance with this policy. Where Data is considered sensitive data (such as health records, criminal conviction information, CCTV footage etc) to determine the appropriate retention period for Data consideration will be given to the amount, nature, and sensitivity of the Data collected, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which data is processed and whether those purposes can be achieved through other means, and the applicable legal requirements.

Your rights, in certain circumstances, in regards to your personal data include:

- Request access There is no charge for this request and the Employer will endeavour to provide the information within a reasonable timeframe.
- Request correction of the personal information
- Request erasure of your personal information.
- Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal information to another party.

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent please notify the Employer.

The Employer reserves the right to update this privacy notice at any time, and will provide you with a new privacy notice when substantial updates are made. From time to time you may also receive notification in other ways about the processing of your personal information.