

## Privacy Notice – Staff Records

East Kent Hospitals University NHS Foundation Trust collects and processes personal information about prospective, current and former staff.

This Privacy Notice applies to applicants, employees (and former employees), workers (including agency, casual and contracted staff), members, volunteers, trainees and those engaged in work experience.

We recognise the need to treat staff personal and sensitive data in a fair and lawful manner. No personal information held by us will be processed unless the requirements for fair and lawful processing can be met.

Our staff members undertake annual training to process your information correctly and protect your privacy. We aim to maintain high standards, adopt best practice for our record keeping and regularly check and report on how we are doing. Your information is never collected for direct marketing purposes, and is not sold on to third parties. Your information is not sent outside the United Kingdom or the European Union unless the recipient has the same level of legal responsibility as we do.

We may also use sub-contractors to process your data. They will be bound by law to maintain your privacy.

Information is held for the different periods of time recommended by the [Records Management Code of Practice for Health & Social Care 2016](#).

### What types of your personal data do we handle?

In order to carry out our activities and obligations to staff we handle data in relation to your:

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

### What is the purpose of processing your data?

- Staff administration and management (including payroll and performance);
- Pensions administration;
- Business management and planning;
- Accounting and Auditing;
- Accounts and records;
- Crime prevention and prosecution of offenders;
- Education;
- Health administration and services;
- Information and databank administration and
- Sharing and matching of personal information for national fraud initiative.

We have a legal basis to process this as part of your contract of employment (either permanent or temporary), other contractual arrangements or as part of our processes to comply with data protection, health and safety and other legal provisions.

## Sharing your information

There are a number of reasons why we share information. This can be due to:

- Our obligations to comply with legislation and
- Our duty to comply any Court Orders which may be imposed.

Any disclosures of personal data are always made on case-by-case basis, using the minimum personal data necessary for the specific purpose and circumstances and with the appropriate security controls in place. Information is only shared with those agencies and bodies who have a legal right to know or where you have consented to the disclosure.

## Use of Third Party Companies

To enable effective staff administration East Kent Hospitals University NHS Foundation Trust may share your information with external companies to process your data on our behalf in order to comply with our legal obligations.

## Employee Records; Contracts Administration (NHS Business Services Authority)

The information which you provide during the course of your employment (including the recruitment process) will if necessary be shared with the NHS Business Services Authority for maintaining your employment records, held on the national NHS Electronic Staff Record (ESR) system.

## Prevention and Detection of Crime and Fraud

We may use the information we hold about you to detect and prevent crime or fraud. We may also share this information with other bodies that inspect and manage public funds.

We will not routinely disclose any information about you without your express permission. However, there are circumstances where we must or can share information about you owing to a statutory or other legal obligation.

## Individuals' Rights

Data Protection laws give individuals' rights in respect of the personal information that we hold about you. You have the right to:

- be informed why, where and how we use your information;
- ask for access to your information;
- ask for your information to be corrected if it is inaccurate or incomplete;
- ask for your information to be deleted or removed where there is no need for us to continue processing it;
- ask us to restrict the use of your information;
- 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;
- object to how your information is used and
- challenge any decisions made without human intervention (automated decision making).

Should you have any queries on the uses of your information, wish to exercise one or more of your rights or complain about our use of your information please direct your enquiry to our Data Protection Officer – via our website at <https://www.ekhuft.nhs.uk/patients-and-visitors/about-us/personal-information> or using the contact details at the foot of this notice.

If you are unhappy with the outcome of your enquiry you can write to the regulator: The Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF - Telephone: 01625 545700.