

Privacy Notice

What this Notice covers

Somerville House is committed to protecting the privacy and security of your personal information.

This Privacy Notice describes how we collect and use personal information about you during and after your relationship with us, in accordance with the General Data Protection Regulation (GDPR) and data protection legislation.

It applies to all current and former employees, workers, contractors and service users.

Identity of the data controller

Graysar Associates is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice does not form part of any contract or other contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Categories of personal data we process

We will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, personal email addresses; date of birth; gender; marital status and dependants
- Next of kin and emergency contact information
- National Insurance number
- Bank account details, payroll records and tax status information
- Salary, annual leave, pension and benefits information
- Start date
- Copy of driving license
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process)
- Employment records (including terms and conditions of employment, work history, working hours, training records and professional memberships)
- Compensation history
- Performance information including appraisals and performance improvement plans
- Details of any disciplinary and grievance proceedings you have been involved in
- Details of any leave you have taken including holidays; sickness; family and parental leave
- CCTV footage
- Information obtained through electronic means such as swipe card records and biometric means of identification
- Information about your use of our information and communications systems
- Photographs
- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions
- Trade union membership
- Information about your health, including any medical condition, health and sickness records and details of any disability for which we may need to make reasonable adjustments
- Genetic information and biometric data
- Information about criminal convictions and offences

Sources of personal data

We collect personal information about you through the application and recruitment process, and pre-admission assessment process, either directly from you or from background check providers. We may sometimes collect additional information from third parties.

We also collect additional personal information throughout the period you are with us.

Our lawful bases for processing your data

We will use your personal information in the following circumstances:

- Where we need to perform the contract we have entered into with you
- Where we need to comply with a legal obligation
- Where it is necessary for our legitimate interests or those of a third party and your interests and fundamental rights do not override those interests

Our purposes for processing your data

- Making a decision about your recruitment or appointment
- Determining the terms on which you work for us
- Checking you are legally entitled to work in the UK
- Paying you and, if you are an employee, deducting tax and National Insurance contributions
- Liaising with your pension provider
- Administering the contract we have entered into with you
- Business management and planning, including accounting and auditing
- Conducting performance reviews, managing performance and determining performance requirements
- Making decisions about salary reviews and compensation
- Assessing qualifications for a particular job or task, including decisions about promotions
- Gathering evidence for possible grievance or disciplinary hearings
- Making decisions about your continued employment or engagement
- Making arrangements for the termination of our working relationship
- Education, training and development requirements
- Dealing with possible legal disputes involving you, or other employees, workers and contractors, including accidents at work
- Ascertaining your fitness to work
- Managing sickness absence
- Complying with health and safety obligations
- To prevent fraud
- To monitor your use of our information and communication systems to ensure compliance with our IT policies
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution
- To conduct data analytics studies to review and better understand employee retention and attrition rates
- Equal opportunities monitoring
- Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information

Who has access to your data

We may share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

Recipients of your data may include third-party service providers (such as payroll and pensions providers); other related business entities; a regulator or to otherwise comply with the law.

Where we do so, we will require third parties to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

National Data Opt-Out

1. When National Data opt-out applies

We review our data processing on an annual basis to assess if the national data opt-out applies. This is recorded in our Record of Processing Activities. All new processing is assessed to see if the national data opt-out applies. If any data processing falls within scope of the National Data Opt-Out we use MESH to check if any of our service users have opted out of their data being used for this purpose.

At this time, we do not share any data for planning or research purposes for which the national data opt-out would apply. We review all of the confidential patient information we process on an annual basis to see if this is used for research and planning purposes. If it is, then individuals can decide to stop their information being shared for this purpose.

You can find out more information at <https://www.nhs.uk/your-nhs-data-matters/>.

2. When National data opt-out doesn't apply

We are applying the national data opt-out because we are using confidential patient information for purposes beyond individual care.

The information collected about you when you use health and care services can also be used and provided to other organisations for purposes beyond your individual care, for instance to help with:

- ☐ improving the quality and standards of care provided
- ☐ research into the development of new treatments
- ☐ preventing illness and diseases
- ☐ monitoring safety
- ☐ planning services

This may only take place when there is a clear legal basis to use this information. All these uses help to provide better health and care for you, your family and future generations. Confidential patient information about your health and care is only used like this when allowed by law.

Most of the time, the data used for research and planning is anonymised, so that you cannot be identified and your confidential patient information is not accessed.

You have a choice about whether you want your confidential patient information to be used in this way. If you are happy with this use of information you do not need to do anything. If you do choose to opt out your confidential patient information will still be used to support your individual care.

To find out more or to register your choice to opt out, please visit www.nhs.uk/your-nhs-data-matters.

You can change your mind about your choice at any time.

Security of your data

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

How we decide how long to retain your data

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Your rights

You have the right to:

- Request access to, and a copy of, your personal information
- Request correction of the personal information that we hold about you
- 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. You also have the right to object where we are processing your personal information for direct marketing purposes.

If you believe we have not complied with your rights, you can complain to the Information Commissioner.

If you do not provide personal data, it is likely to be impossible for Somerville House to enter into, or to continue with, an employment relationship with you.

Automated decision-making

Somerville House may make use of electronic automated decision-making systems. We would only do so in the following circumstances:

- Where we have notified you of the decision and given you 21 days to request reconsideration
- Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights
- In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights

Employment decisions are not based solely on automated decision-making.

Changes to this Privacy Notice

Somerville House reserves the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.