

Privacy Notice for Employees

1. As your employer, the Humberside Group of Local Medical Committees Ltd ('the LMC') needs to keep and process information about you for normal employment purposes. We are committed to being transparent about how we collect and use that data and to meeting all our data protection obligations.

What information do we collect?

2. The information we collect and process includes:
 - your application form and references
 - documents relating to your recruitment process
 - your contract of employment and any amendments to it
 - correspondence with or about you, for example letters to you about a pay rise or, at your request, a letter to your mortgage company confirming your salary
 - information needed for payroll, benefits, pension and expenses purposes
 - contact and emergency contact details
 - records of holiday, sickness and other absence
 - information needed for equal opportunities monitoring
 - records relating to your career history
 - training records
 - records of your one to ones and appraisals
 - records of performance management meetings and processes and, where appropriate, disciplinary and grievance records.
3. You will, of course, inevitably be referred to in many company documents and records that are produced by you and your colleagues in the course of carrying out your duties and the business of the company. You should refer to the Data Protection Policy which is available on the V Drive or in paper format from the Chief Executive, Albion House, Albion Lane, Willerby, Hull, HU10 6TS.
4. Where necessary, we may keep information relating to your health, which could include reasons for absence, GP reports and notes or information provided by an Occupational Health Professional. This information will be used in order to comply with our health and safety and occupational health obligations – to consider how your health affects your ability to do your job and whether any adjustments to your job might be appropriate. We will also need this data to administer and manage statutory and company sick pay.

How do we collect information?

5. Much of the information we hold will have been provided by you, but some may come from other internal sources, such as your manager, or in some cases, external sources, such as referees.
6. In some circumstances, we may collect data from medical professionals, legal bodies and government agencies e.g. HMRC.

How do we store your data?

7. Data will be stored in a range of different places including your paper HR record, BrightHR (cloud-based software), our websites, on a range of company documents and on other IT systems (including email and Trello).
8. Where we use third party suppliers to provide us with services, data may be sent and processed outside of the UK. For example, Trello is currently provided by a company which is based in the United States. People in other countries may also need to access the data held within the tool for purposes such as technical support.
9. In particular, you should be aware that your personal data collected through the survey may be transferred outside of the United Kingdom or European Economic Area. Where this happens we will ensure that measures are in place to make sure that the data is sufficiently protected for the purposes of meeting UK legal requirements. Where data we control is processed outside of the UK but within the European Economic Area (EEA), the use of the information in those locations is protected by very similar European data protection standards to those that apply within the UK.

Why do we process personal data?

9. Humberside LMCs needs to process certain personal data about our staff for a number of administrative purposes including:
 - Managing human resources processes such as recruitment, payment of salaries and pensions, performance management, and training and development
 - Ensuring that your vehicle is safe for business use, that you are insured to use your vehicle for business purposes and that you hold a valid UK driving license
 - Ensuring that your home insurance covers you working from home, if you are required to do so
 - Providing facilities such as our IT service
 - Monitoring equal opportunities
 - Preventing and detecting unauthorised access to information, such as using photographs on SmartCards
 - Providing communications about LMC news and events such as through the LMC newsletter and other publications
 - Promoting the work of the LMC
 - Providing support to employees
 - Compliance with legal obligations such as tax law
10. We may also process sensitive personal data for a number of purposes which fall within the remit of our employee/employer relationship including:
 - Equal opportunities monitoring

- Managing human resources processes such as administering sick pay, managing absence and administering maternity leave
- Managing a safe working environment and ensuring fitness to work
- Fulfilling obligations under Equal Opportunities legislation
- Providing occupational health and other support to individuals
- Defending legal claims

What are our legal grounds for handling personal data?

To use your personal information, we will rely on one or more of the following grounds:

11. **Performance of Contract** – We need to process your information in order to fulfil the employment contract we have with you. For example, we share your data with our external payroll provider so that you can be paid your salary.
12. **Legal Obligation** – We process some of your personal data to comply with the law. For example, we may share your information with our pension provider if we are legally required to auto-enrol you into a pension scheme.
13. **Legitimate Interests** – The law states that we may process your data for the legitimate interests of the company or of a third party unless your own interests override our own. For example, we may process your data as part of administering professional learning and development or we may process details of your emergency contacts and next of kin as part of our HR records. It would also be in our legitimate interest to process data in order to defend a legal claim against the company.
14. **Consent** – In certain circumstances, we may ask for your consent to process data about you. For example, we may ask for your permission to use your photograph on our website or in other promotional materials.
15. If in the future we intend to process your personal data for a purpose other than that which it was collected we will provide you with information on that purpose and any other relevant information.

Special Categories of Data

16. As part of your employment, Humberside LMCs may process special categories of data which are defined as *“personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation”*.
17. If we process any special categories of data about you as part of your employment, we will do so under one of the following legal bases:
 - **Carrying out the obligations and exercising specific rights in the field of employment** – for example, we may collect information about an employee’s disability in order to make reasonable adjustments for them.
 - **Vital Interests** – this ground would only be used in a life-threatening situation in which the processing of sensitive data (e.g. health information about you) is necessary and you are not capable of giving your own consent.

- **Legitimate Activities** – for example, as a not-for-profit body with a trade union aim, we may process data about your membership of the BMA
- **Public Interest** – for example, we may process information about your ethnic origin or sexual orientation as part of equal opportunities monitoring.
- **Defence of legal claims** – in exceptional circumstances, we may need to process sensitive data about employees in order to respond to and defend legal claims.
- **Purposes of Preventative or Occupational Medicine** – for example, we may process health data about you as part of the assessment of your working capacity.
- **Explicit consent** – we will tell you the specific purpose and seek your agreement

Who has access to your data?

18. Your information may be shared internally within the Company. This includes members of the Senior Management Team, the Business Support Officers and the Board. They will only have access if the data is necessary for the performance of their roles.
19. We make disclosures to third parties such as our payroll provider, pension providers, IT providers, learning and training companies, accountants or auditors, external consultants and occupational health providers, bank and HMRC.
20. Such access to your personal data will only be given where there is a clear basis in law for us to do so.

How do we protect data?

21. We take the security of your data seriously. We have a Data Protection Policy in place to ensure that your data is not misused or disclosed and is not accessed except by our employees and Directors in the proper performance of their duties.

How long do we keep data?

22. Personal data will not be retained for any longer than is necessary.
23. Personal data is retained for differing periods of time, depending on the nature and content, and in some cases legislative requirements, for example, for HMRC in respect of tax issues.
24. For more information on data retention please refer to the Document Retention Schedule which is available on the V drive or by request from the Chief Executive.

Your rights

25. As a data subject, you have a number of rights. You can:
 - Access and obtain a copy of your data on request
 - Require us to change incorrect or incomplete data
 - In certain circumstances, 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 Humberside LMCs is relying on its legitimate interests as the legal ground for processing
 - Request that we transfer your data to another controller

26. If you would like to exercise any of these rights or have any concerns as to how your data is processed or would like additional information about anything within this document, please contact the Chief Executive by any of the following means:

Email: humberside.lmcgroup@nhs.net

Phone: 01482 655111

Post: The Humberside Group of Local Medical Committees Ltd, Albion House,
Albion Lane, Willerby, Hull, HU10 6TS

27. If you believe that the organisation has not complied with your data protection rights, you can complain to the Information Commissioner's Office (ICO). Further information about reporting a concern can be found at: <https://ico.org.uk/concerns/>. The ICO can also be contacted:

By phone: 0303 123 1113

In writing: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow,
SK9 5AF

Implementation date: October 2022

Last Review date:

Next Review date: October 2024 (unless required sooner)