SLW LIMITED

SYCAMORE CARE CENTRE

**PRIVACY NOTICE**

Introduction

This notice explains how we use personal information about you which we collect in the course of your employment with us, in accordance with the General Data Protection Regulation (GDPR).

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

The Data Protection Principles

As your employer, we are a data controller as defined by the GDPR. This means that we are responsible for deciding how we hold and use personal information about you.

The GDPR requires that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you, and not used in a way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely- password protected and locked cabinet.

The Kind of Information We Hold About You

Personal data means any information about an individual which allows that individual to be identified.

We collect, store and use the following categories of personal data;

* Personal contact details such as name, title, addresses, telephone numbers and personal email addresses
* Dates of birth
* Gender
* Marital status and dependents
* Next of kin and emergency contact information
* National Insurance Numbers
* Bank account details, payroll records and tax status information
* Salary, annual leave, pension and benefits information
* Location of employment or workplace
* Copy driving licences
* 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 job titles, work history, working hours, training records and membership of professional bodies
* Performance information
* Disciplinary and grievance information
* Information about your use of our IT and communication systems
* Photographs

Special Categories of Information

We may also collect, store and use the following special categories of more sensitive personal information:

* Information about your race or ethnicity
* Trade union membership
* Information about your health, including any medical condition, health and sickness records.
* Genetic information and biometric data
* Information about criminal convictions and offences.

How We Use Particularly Sensitive Information

Special categories of particularly sensitive information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information as follows;

* In limited circumstances, with your explicit written consent.
* Where we need to carry out our legal obligations and in line with our data protection policy.
* Where it is needed in the public interest, such as for equal opportunities monitoring, or in relation to our occupational pension scheme, and in line with our data protection policy.
* Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

Our Obligations as an Employer with Respect to Sensitive Information.

We will use to your particularly sensitive personal information in the following ways;

* We will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.
* We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits.
* We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring or reporting.

How is your Personal Information Collected?

We typically collect personal information about employees, workers and contractors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider.

Do we Need your Consent?

We do not need your consent if we use personal information, including special categories of personal information, to carry out our legal obligations or to exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your employment contract that you have to consent to any request that we make.

Information About Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our legal obligations and in accordance with the GDPR. However, criminal convictions records are not held by Sycamore Care Centre.

Data Sharing

Do We Share Data with Third Parties?

We may have to share your data with third parties, including third-party service providers, i.e. Accounts Department.

We require third parties to respect the security of your data and treat it in accordance with the law. If we do share data, you are entitled to expect that third party to apply a similar level of protection in respect of your personal information.

Why Might you Share my Personal Information with Third Parties?

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.

Which Third Party Service Providers Process my Personal Information?

‘Third parties’ includes our outsourcing departments, contractors and agents who may carry out services on our behalf, i.e. Reah and McBride Accountants such as payroll, pension administration (People’s Pension), benefits provision and administration and IT services.

How Secure is my Information with Third Party Service Providers?

All our third party service providers are required to take appropriate security measures to protect your personal information. We do not allow our third party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

What about other Third Parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law, i.e. care Quality Commission, Clinical Commissioning Group, local Authority.

Processing of Information Obtained from a Third Party

As you are aware it is a requirement by our Regulators Care Quality Commission and Clinical Commissioning Group to obtain employment reference/s from a third Party, i.e. previous/ current employer prior to commencing employment.

Data required for this purpose is:

* Employee name
* Employment Dates
* Sickness/ Absence
* Disciplinary actions
* Performance
* Reason for leaving

All data obtained will be used only for the purpose of pre-employment checks and will be store according to company’s Confidentiality policy.

If you have any questions about this privacy notice, please contact Florence Wright- Company Secretary and Veronica Tosheva – Administrator.

Data Security

We have put in place measures to protect the security of your information. Details of these measures are available in the Employee Handbook.

Third parties will only process your personal information on our instructions. We will ensure that they agree to treat your information as confidential and keep it secure.

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 and disclosed. In addition, we limit access to your personal information to those employees, contractors and other third parties who have a business need to know. They will only process your information on our instructions and they are subject to a duty of confidentiality. Details of those measures may be obtained from [the Registered Manager- Helen Featherstone and/or Admin.

Data Retention

How long will we keep your information?

We will only retain your personal information for as long as necessary to fulfil the purposes we collect it for, including for the purposes of satisfying any legal, insurance, accounting or reporting requirements. [Details of retention periods for different aspects of your personal information are available in our retention policy and the employee handbook. To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk or 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, insurance and compliance requirements.

In some circumstances, we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker or contractor of the company we will retain and securely destroy your personal information in accordance with our data retention policy and Data Protect Act (GDPR), if we no longer have a legitimate reason for retaining it.

Rights of Access, Correction, Erasure and Restriction

Your Duty to Inform us of Changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Your rights in connection with personal information.

Under certain circumstances, by law you have the right to:

* **Request access** to your personal information (commonly known as a data subject access request). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
* **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
* **Request erasure** of your personal information. This enables you to ask us to delete or remove your personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing.
* **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.

If you want to review, verify or correct or request erasure of your personal information, object to the processing of your personal data or request that we transfer a copy of your personal information to another party, please contact Helen Featherstone (Registered Manager) in writing.

No Fee is Usually Required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we May Need from You.

We may need to request specific information from you to help us confirm your identity and ensure you right to access the information (or to exercise any of your other rights). This is another appropriate security to measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to Withdraw Consent

In the limited circumstances where you 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 contact Helen Featherstone - Registered Manager in writing. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agree to, unless we have another legitimate basis for doing so in law.

Data Breaches

We are required under the GDPR to notify you without undue delay of any data breach which is likely to result in a high risk to your rights and freedoms.

Your Right to Complain

If you have a complaint about the way in which your data has been handled please contact Helen Featherstone- Registered Manager. You also have the right, in certain circumstances, to report concerns about data management to the Information Commissioner’s Office and information is available at www.ico.org.uk.

Changes to this Privacy Notice

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

If you have any questions about this privacy notice, please contact Florence Wright- Company Secretary and Veronica Tosheva – Administrator.

**ACKNOWLEDGEMENT OF RECEIPT**

I………………………………………………………………………(employee/worker/contractor name) acknowledge that on

……………………(date), I received a copy of SLW Ltd – Sycamore Care Centre’s Privacy Notice for employees, workers and contractors and that I have read and understood it.

Signature…………………………………..

Name…………………………………………