

Privacy Notice for Trust applicants, current employees, bank staff and volunteers

Dartford and Gravesham NHS Trust has staff based at a number of sites which include Darent Valley Hospital, Elm Court, Queen Mary's Hospital Sidcup, Medway Maritime Hospital

This privacy notice explains how we use any personal information we collect about you when you apply for a job vacancy, work for, volunteer for or take a work placement at Dartford and Gravesham NHS Trust.

The Trust is committed to being transparent about how we collect and use that data and to meeting our data protection obligations. Any concerns about the data we hold should be directed in the first instance to the Data Protection Officer for the Trust who is:

Janice Gunn
Dartford and Gravesham NHS Trust
Darent Valley Hospital
Darenth Wood Road
Dartford, Kent
DA2 8DA
Email: janice.gunn@nhs.net

What information does the Human Resources (HR) and Payroll Department collect?

We collect and process personal data and sensitive personal data relating to job applicants, employees, volunteers and students to manage the employment relationship. We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations.

We collect and process this information about you in a variety of ways. For example, data might be collected through application forms, CVs or resumes; obtained from your passport or other identity documents such as your driving licence; from forms completed by you; from correspondence with you; or through interviews, meetings or other assessments.

In some cases, we may collect this data about you from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law.

Applicants do not have to provide the information we ask for but it may affect the progress of your application if you do not.

The information we collect includes:

- your name, address and contact details, including email address and telephone number, date of birth and gender, National Insurance Number;
- the terms and conditions of your employment;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the Trust;
- information about your remuneration, including entitlement to benefits such as pensions;
- details of your bank account and national insurance number;
- information about your marital status, next of kin, dependents and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- information about your criminal record;
- details of your schedule (days of work and working hours) and attendance at work;
- details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- appraisals, performance improvement plans and related correspondence;

- information about medical or health conditions, including whether or not you have a disability for which the trust needs to make reasonable adjustments;
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief;
- photo for identification badges and smart cards.

This information will be stored in a range of different places, including in your personnel file, in the Trust's HR management systems and in other IT systems (including the Trust's email system).

Why do we process personal data?

We need to process data to enter into an employment contract, to meet the Trust's obligations under your employment contract, after the end of the employment contract and to ensure that the Trust is complying with its legal obligations.

Processing data allows the Trust to:

- run recruitment processes;
- fulfill the requirement to check your entitlement to work in the UK;
- carry out a disclosure and barring check if appropriate;
- pay you;
- administer benefits and pensions;
- deduct tax;
- comply with health and safety laws;
- maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
- operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
- operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the trust complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- ensure effective general HR and business administration;
- provide references on request for current or former employees;
- respond to and defend against legal claims;
- maintain and promote equality in the workplace;
- issue id badges;
- give appropriate access to systems;
- monitor equal opportunities.

Who do we share your information with?

Your information will be stored in a range of different places, including in your personnel file, in the Trust's HR management systems and in other IT systems (including the Trust's email system). Access to this data is limited to the relevant sections of the HR department and some information is available to line managers on request. We may share your information with other organisations to fulfil our obligations as detailed above.

Your information will not be shared for marketing purposes and will not be stored outside of the European Economic Area. If you wish us to send your data outside of the EEA, for example a reference, we will ask for your specific consent.

We use third party systems (systems not owned by the Trust) to provide elements of our service for staff and/or to help us deliver the contract of employment, this includes Electronic Staff Records, Care Identity Service, Capita Plc (DBS), eOPAS (Occupational Health system).

Electronic Staff Record

On commencement of employment with the Trust, your personal data will be uploaded to the Electronic Staff Record (ESR). ESR is a workforce solution for the NHS which is used by the Trust to effectively manage the workforce leading to improved efficiency and improved patient safety.

Streamlining is the process by which certain personal data is transferred from one NHS organisation to another when your employment transfers. NHS organisations have a legitimate interest in processing your data in this way in establishing the employment of a suitable workforce. The streamlining programme is a data sharing arrangement which is aimed at improving efficiencies within the NHS both to make costs savings for Trusts but also to save you time when your employment transfers.

Personal data will therefore be transferred under the NHS streamlining programme if your employment transfers to another NHS organisation. The data that is transferred for streamlining purposes include immunisation and vaccination details, training records and DBS certificate number.

Your Rights

Under the Data Protection Act 1998, you have certain rights concerning the information we hold about you. These include having incorrect information corrected and asking us to stop using your information

All requests should be put in writing to the Workforce Information Department at the address shown below. There are exceptions to these rights but where possible we will comply with your request, however this may prevent us from fulfilling our contract with you.

More information can be found on <https://ico.org.uk/for-the-public/is-my-information-being-handled-correctly/>. If you believe that the Trust has not complied with your data protection rights you can complain to the Information Commissioner.

Access to records

Under the Data Protection Act 1998 a person may request access to information (with some exemptions) that is held about them by an organisation. You can find out what information we hold on you by making a 'Subject Access Request' in writing to the Workforce Information team.

Contact

If you have any questions or concerns regarding the information we hold on you, the use of your information or would like to discuss further then please contact the Information Governance Team.

What are we governed by

The key pieces of legislation/guidance we are governed by are:

Data Protection Act 1998
Human Rights Act 1998 (Article 8)
Freedom of Information Act 2000
Health and Social Care Act 2012, 2015
Public Records Act 1958
Copyright Design and Patents Act 1988
The Re-Use of Public Sector Information Regulations 2015
Computer Misuse Act 1990
The Common Law Duty of Confidentiality
International Organisation for Standardisation (ISO) – Information Security Management Standards (ISMS)
Information Security Management – NHS Code of Practice
Records Management – Code of Practice for Health and Social Care 2016
Accessible Information Standards (AIS)
General Data Protection Regulation (GDPR) – post 25th May 2018