

## **Privacy Notice for Occupational Health Clients.**

Dartford and Gravesham NHS Trust Occupational Health has a Service Level Agreement with numerous outside organisations.

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 and Occupational Health Department are 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 Occupational Health Department collect?**

We collect and process personal data, sensitive personal data and medical 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 pre-employment questionnaires; obtained from your passport or other identity documents such as your driving licence; from forms completed by you; from correspondence; or through, meetings or other assessments.

In some cases, we may collect this data about you from third parties, from correspondence with your GP or consultant. Clients do not have to consent to allow the third party to provide the information we ask for but it may affect the information we have to support you in employment role.

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;
- details of your qualifications, and employment history, including job roles, with previous employers and with the Trust;
- details of your schedule (days of work and working hours) and attendance at work;
- details of periods of leave taken by you, including, sickness absence, family leave and sabbaticals, and the reasons for the leave;
- 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, health

This information will be stored in a occupational Health paper or electronic record, and will be destroyed according to NHS digital information or COSSH requirements.

## **Why do we process personal data?**

We need to process data to meet the employer's obligations under your employment contract, after the end of the employment contract and to ensure that the employing company is complying with its legal obligations.

Processing data allows the Employer to:

- run recruitment processes;

- comply with health and safety laws;
- enable the employer with workforce management purposes;
- to allow employees to 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,
- to allow effective workforce management,
- maintain and promote equality in the workplace;

### **Who do we share your information with?**

Your information will be stored in an occupational Health electronic system or your paper notes. Access to this data is limited to the occupational health team; however with written consent from the employee some information is available to line managers and HR on request

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 occupational health department at Dartford and Gravesham NHS Trust, we will ask for your specific written 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 Occupational Health 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

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