

INTER-COUNTY NURSING & CARE SERVICES LTD

PRIVACY NOTICE FOR STAFF

We ask that you read this privacy notice carefully as it contains important information on who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and other organisations in the event you have a complaint. Please see the section on 'Your rights' for more information.

WHAT IS A PRIVACY NOTICE?

A 'privacy notice' is a statement issued by an organisation which explains how personal and confidential information about staff is collected, used and shared. This privacy notice is issued by Inter-County Nursing & Care Services Ltd in relation to the information we collect about staff as part of our responsibilities as an employer and is part of our commitment to ensure that we process your personal information/data fairly and lawfully. For the purposes of this privacy notice, 'staff' includes applicants, employees, other workers (including agency staff), volunteers, trainees and those carrying out work experience. There is a separate privacy notice available for information we collect as a care provider about clients and other individuals that may use our services.

WHY WE HAVE ISSUED THIS PRIVACY NOTICE TO YOU

By issuing this privacy notice, we demonstrate our commitment to openness and accountability. We recognise the importance of protecting personal and confidential information in all that we do, and take care to meet our legal and other duties, including compliance with the following:

- General Data Protection Regulations 2018
- Care Quality Commission (Registration) Regulations 2009
- Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
- Accessible Information Standards

WHO WE ARE AND WHAT WE DO

Inter-County Nursing & Care Services Ltd (Inter-County) is a privately owned company providing domiciliary care and support services to people aged 18 and over in West Sussex and Dorset. We also provide staffing support to organisations such as Care Homes, Nursing Homes and NHS hospitals.

Our service is managed from three offices, located in the following areas: Chichester, Rustington and Christchurch. We employ over 100 staff covering a wide range of expertise and skills. The administration of payroll, invoicing and finance is managed from our Head Office, based in Milton Keynes.

We are registered with and regulated by:

- The Information Commissioner's Office (<https://ico.org.uk/>)
- Care Quality Commission (<http://www.cqc.org.uk/>)

In order to manage regulated services, our managers are also required to be registered with the Care Quality Commission

YOUR PERSONAL INFORMATION

Personal information means any information about you from which you can be identified, but it does not include information where your identity has been removed (anonymous data). As the 'controller' of personal information, we are responsible for how that data is managed. The [General Data Protection Regulation](#) ("GDPR"), which applies in the United Kingdom and across the European Union, sets out our obligations to you and your rights in respect of how we manage your personal information.

As the 'controller' of your personal information, we will ensure that the personal information we hold about you is:

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 any 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.

If you have any questions about this privacy notice or would like further explanation as to how your personal information is managed, please send an email to info@inter-county.co.uk, write to the Data Control Officer, The Old Court House, 20 Simpson Road, Milton Keynes, MK2 2DD or call 01908 379148.

HOW WE COLLECT YOUR INFORMATION

Your information could be collected in a number of different ways. This could be directly from you - in person, over the telephone or on a form you have completed, such as a job application, contractual documentation or timesheet.

Details might also come from an external source such as your current or previous employers, the Disclosure and Barring Service, or government bodies like HM Revenue and Customs, the Department for Work and Pensions, or the UK Visas and Immigration.

THE INFORMATION WE COLLECT

The information that we collect about you may include details such as:

- Name, address, telephone, email, date of birth and next of kin/emergency contacts
- Recruitment and employment checks (i.e. professional membership, references, proof of identification and right to work in the UK, etc)
- Bank account and salary/wages, as well as pension, tax and national insurance details
- Personal demographics, including gender, race, ethnic origin, sexual orientation, religious or other beliefs, and whether you have a disability or require any additional support or adjustments for your employment
- Medical information relevant to your employment, including physical health, mental health and absence history
- Information relating to your health and safety at work, and any incidents or accidents
- Professional registration and qualifications, education and training history
- Information relating to employee relations (i.e. disciplinary proceedings, grievances and complaints, tribunal claims, etc)

Depending on the position you hold with us, we may also collect information in relation to any current or previous criminal offences.

HOW WE USE YOUR PERSONAL INFORMATION

We will only process your personal data where we have your consent or where the processing can be legally justified under UK law. These include circumstances where the processing is necessary for the performance of staff contracts with us or for compliance with any legal obligations which applies to us as your employer.

This includes, but is not limited to:

- Staff administration (inc. payroll and pensions)
- Training and development
- Information and database administration
- Business management and planning
- Accounting and auditing
- Criminal prosecution and prevention
- Quality monitoring (such as staff surveys)

We will ask your permission to use personal data on any social media or marketing platforms and will obtain your written consent before doing so.

We will not sell or trade your personal information with any other third party.

WHO WE SHARE YOUR INFORMATION WITH

To support you in your employment and to enable us to meet our legal responsibilities as an employer, sometimes we will need to share your information with others.

Unless there is a valid reason permitted by law, or there are exceptional circumstances (such as a likely risk to the safety of you or others), we will not disclose any information to third parties which can be used to identify you without your consent. We will ensure that only relevant information is shared, and this is done in a secure way which complies with the law.

We use a limited number of external organisations to support the administration of the service, including payroll, pensions and IT services. These companies are based within the European Economic Area and all services are provided under specific contractual terms, which are compliant with UK data protection legislation.

Sometimes we are required by law to disclose or report certain information, which may include details which identify you. For example, sending statutory information to government organisations such as HM Revenue and Customs, or releasing information to the police or counter fraud. Where mandatory disclosure is necessary, only the minimum amount of information is released.

There may also be occasions when the Company is reviewed by an independent auditor, which could involve reviewing randomly selected staff information to ensure we are legally compliant. You have the right to refuse (or withdraw) consent to information sharing at any time. However, this may not be possible if the sharing is a mandatory or legal requirement imposed on the Company. Any restrictions, and the possible consequences of withholding your consent, will be fully explained to you as the situation arises.

Only organisations with a legitimate requirement will have access to your information and only under strict controls and rules. We will not sell your information for any purpose, and will not provide third parties with your information for the purpose of marketing or sales.

HOW LONG YOUR PERSONAL INFORMATION WILL BE KEPT

We will hold personal information about you as required by law, using the following retention periods:

- We will hold personal information on your Staff File as required by law and related industry guidance:
 - Employment records & duty rosters: 7 years
 - Timesheets: 2 years
 - Training records: 10 years after training or 7 years after staff member leaves
 - Salaries and superannuation records: 10 years

- We will hold the personal information kept within our feedback and quality assurance procedures for 12 years so that we can identify trends and patterns in our service
- We will hold photographic collections of service locations, events and activities for no more than 20 years, so that we can maintain a historical legacy of the running and operation of the business
- We will hold personal information relating to incidents, events or occurrences that require notification to the Care Quality Commission for 20 years if the incident is serious or 10 years if the incident is not serious
- We will hold personal information relating to Records of Notifiable Diseases for 6 years
- We will hold personal information relating to communications (such as email and internal records log) for 8 years
- We will hold personal information relating to complaints for 10 years

REASONS WE CAN COLLECT AND USE YOUR PERSONAL INFORMATION

We rely on the following grounds within the GDPR:

- Article 6(1)(b) – processing is necessary for the performance of our contracts to provide individuals with care and support services
- Article 6(1)(c) – processing is necessary for us to demonstrate compliance with our regulatory framework and the law
- Article 9(2)(h) – processing is necessary for the provision of social care or the management of social care systems and services

as the lawful basis on which we collect and use your personal data and special category data (such as your health).

YOUR RIGHTS

Under the terms of the Data Protection Act 1998 and the General Data Protection Regulations 2018, you have the right to request access to the information that we hold about you.

Under the [GDPR](#) you have a number of important rights free of charge. In summary, those include rights to:

- fair processing of information and transparency over how we use your personal information;
- access to your personal information and to certain other supplementary information that this Privacy Notice is already designed to address;
- require us to correct any mistakes in your information which we hold;
- require the erasure (i.e. deletion) of personal information concerning you, in certain situations. Please note that we will not be able to delete any of your

personal information which we believe is necessary for us to comply with our contractual or legal obligations.;

- receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations;
- object at any time to processing of personal information concerning you for direct marketing;
- object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you;
- object in certain other situations to our continued processing of your personal information;
- otherwise restrict our processing of your personal information in certain circumstances;
- claim compensation for damages caused by our breach of any data protection laws;

For further information on each of those rights, including the circumstances in which they apply, see the [Guidance from the UK Information Commissioner's Office \(ICO\) on individuals' rights under the General Data Protection Regulation](#).

KEEPING YOUR PERSONAL INFORMATION SECURE

We have appropriate security measures in place, including the use of encryption technologies, to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

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

If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit www.getsafeonline.org. Get Safe Online is supported by HM Government and leading businesses.

TRANSFER OF INFORMATION OUTSIDE OF THE EEA

Countries outside of the European Economic Area (EEA) do not have the same data protection laws as the United Kingdom and EEA and as a result, access to our website or social media functions such as Facebook, Twitter or Instagram is not limited to the EEA. Any use of your personal data such as photographs, videos or sound recordings will be subject to appropriate or suitable relevant safeguards that are designed to help safeguard your privacy rights and give you remedies in the unlikely event of a misuse

of your personal information (as permitted under Article 49 of the [GDPR](#)). We will not otherwise transfer your personal data outside of the United Kingdom or to any organisation (or subordinate bodies) governed by public international law or which is set up under any agreement between two or more countries.

If you would like further information please contact us (see 'How to contact us' below).

HOW TO CONTACT US

If you would like to exercise any of your rights, please:

- email us at info@inter-county.co.uk, call us on 01908 379148 or write to the Company's Data Protection Officer at Inter-County Nursing & Care Services Ltd, The Old Court House, 20 Simpson Road, Milton Keynes, MK2 2DD
- let us have enough information to identify you (eg your name and address),
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and
- let us know the information to which your request relates, including any account or reference numbers, if you have them

You can also find details of our registration with the Information Commissioner online here: www.ico.org.uk/esdwebpages/search.

Our ICO registration number is Z6318171

HOW TO COMPLAIN

We hope that we can resolve any query or concern you raise about our use of your information.

The [GDPR](#) also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or telephone: 0303 123 1113.

CHANGES TO THIS PRIVACY NOTICE

This privacy notice was published on 14 May 2018.

We may change this privacy notice from time to time, when we do we will inform you via letter