

Privacy Notice – For Staff Purposes

This privacy notice tells you what to expect us to do with your personal information when you work for us.

• **Contact details**

Chiswick Family Practice (Unit A)_E85130
Kelton House
Corbet Gardens
Acton. W3 8TF

Telephone : 0208 995 6707

• **What information we collect, use, and why**

Staff recruitment, administration and management

We collect or use the following personal information as part of staff recruitment, administration and management:

- Contact details (eg name, address, telephone number or personal email address)
- Date of birth
- National Insurance number
- Gender
- Copies of passports or other photo ID
- Copies of proof of address documents (eg bank statements or bills)
- Next of kin or emergency contact details
- Employment history (eg job application, employment references or secondary employment)
- Education history (eg qualifications)
- Right to work information
- Details of any criminal convictions (eg DBS checks)
- Security clearance details (eg basic checks and higher security clearance)
- Performance records (eg reviews, disciplinary records, complaints or disciplinary action)
- Monitoring employees' IT use
- CCTV footage or other recordings

We also collect or use the following special category information for staff recruitment, administration and management. This information is subject to additional protection due to its sensitive nature:

- Racial or ethnic origin
- Health information

Salaries and pensions

We collect or use the following personal information as part of managing salaries and pensions:

- Job role and employment contract (eg start and leave dates, salary, changes to employment contract or working patterns)
- Expense, overtime or other payments claimed
- Leave (eg annual leave, sick leave or special leave)
- Maternity, paternity, shared parental and adoption leave and pay
- Pension details
- Bank account details
- Payroll records
- Tax status

We also collect or use the following special category information for managing salaries and pensions. This information is subject to additional protection due to its sensitive nature:

- Racial or ethnic origin
- Health information

• Lawful bases and data protection rights

Under UK data protection law, we must have a “lawful basis” for collecting and using your personal information. There is a list of possible [lawful bases](#) in the UK GDPR. You can find out more about lawful bases on the ICO’s website.

There are six lawful bases:

- Consent;
- Contract;
- Legal obligation;
- Vital interests;
- Public task; and
- Legitimate interests.

None of the lawful bases are ‘better’ or more important than any of the others. You must identify the most appropriate one for what you’re doing with people’s information. You may have a different lawful basis for each of your different reasons or purposes.

Whichever lawful basis you choose, your collection and use of people’s information needs to be proportionate and necessary to achieve your specified purpose. You must be able to justify what you’re doing, and why.

Consent

Consent is appropriate when you can offer people real choice and control over how you use their information.

If you’re relying on consent, it must be

- Freely given (and usually not as a precondition of a service)
- Specific and informed
- Indicated by a positive action to opt in (which means you can't use pre-ticked boxes or other types of default consent)
- Separate from your terms and conditions wherever possible
- Easy for the person to withdraw at any time and kept under review and refreshed if anything changes

Contract

This would be appropriate when you need to collect or use a person's information to deliver a contractual service to them, or because they've asked you to do something before entering into a contract. For example, if a prospective client asks for a quote for your services, you'll need to handle a certain amount of their information to provide this.

Legal Obligation

This would be the most appropriate lawful basis if you're required to collect or use personal information in order to comply with the law. For example, there may be specific legislation in place that directs you to process personal information, like a requirement to report a serious accident at work under health and safety legislation.

Vital Interests

You can rely on vital interests if you need to use or share personal information to protect someone's life. For example, giving relevant information to the ambulance crew who are helping someone who is unconscious.

Public Task

This lawful basis is used by public authorities or organisations carrying out specific tasks in the public interest. This lawful basis may be appropriate if you work on behalf of a public authority.

Legitimate Interests

This is where using personal information is in the legitimate interests of yourself, an individual or a third party and can include commercial interests or wider benefits for society. You must be able to justify this.

To rely on this lawful basis you must:

- identify a legitimate interest;
- show the collection and use of personal information is necessary to achieve this; and
- balance your own or someone else's interests against the person's interests, rights and freedoms..

This lawful basis is likely to be most appropriate when you use personal information in ways that people would reasonably expect, and the privacy impact is minimal. For example, you hold contact details for an employee's next of kin because it's in your employee's legitimate interest for you to let someone know if they are taken ill whilst at work.

There may also be times when you have a compelling justification for your use of someone's information even though there's a higher impact on that person. You can rely on legitimate interests here, but you must make sure you can demonstrate that any impact is justified.

There's no single lawful basis that's better or more lawful than any of the others. It's up to the company, organisation or sole trader responsible (known as a "controller") to choose which is most appropriate for what they're doing with data.

Which lawful basis we rely on may affect your data protection rights which are set out in below. You can find out more about your data protection rights and the exemptions which may apply on the ICO's website:

- Your right of access - You have the right to ask us for copies of your personal information. You can request other information such as details about where we get personal information from and who we share personal information with. There are some exemptions which means you may not receive all the information you ask for. Read more about the right of access.
- Your right to rectification - You have the right to ask us to correct or delete personal information you think is inaccurate or incomplete. Read more about the right to rectification.
- Your right to erasure - You have the right to ask us to delete your personal information. Read more about the right to erasure.
- Your right to restriction of processing - You have the right to ask us to limit how we can use your personal information.
- Your right to object to processing - You have the right to object to the processing of your personal data. Read more about the right to object to processing.
- Your right to data portability - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you.
- • Your right to withdraw consent – When we use consent as our lawful basis you have the right to withdraw your consent at any time. Read more about the right to withdraw consent.

If you make a request, we must respond to you without undue delay and in any event within one month.

To make a data protection rights request, please contact us using the contact details at the top of this privacy notice.

Our lawful bases for the collection and use of your data

Our lawful bases for collecting or using personal information as part of **staff recruitment, administration and management are:**

- Consent - we have permission from you after we gave you all the relevant information. All of your data protection rights may apply, except the right to object. To be clear, you do have the right to withdraw your consent at any time.
- Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.

Our lawful bases for collecting or using personal information as part of **managing salaries and pensions are:**

- Consent - we have permission from you after we gave you all the relevant information. All of your data protection rights may apply, except the right to object. To be clear, you do have the right to withdraw your consent at any time.
- Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.

• Where we get personal information from

We collect your information from the following places:

- Directly from you
- Referees (external or internal)

- Security clearance providers
- Occupational Health and other health providers
- Pension administrators or government departments (eg HMRC and DWP)
- Staff benefit providers
- CCTV footage or other recordings

• How long we keep information

We adhere to the NHS retention schedule: [20240111-NHSE-Records-RetentionSchedule.pdf](#). For more information on how long we store your personal information or the criteria we use to determine this please contact us using the details provided above.

• Who we share information with

In some circumstances, we may share information with the following organisations:

- Training suppliers
- HMRC
- Employee benefit schemes
- Health and benefit suppliers

Data processors

We use the following data processors for the following reasons:

Fairway Training Ltd: This data processor does the following activities for us: Fairway Training Ltd processes our payroll information.

NHS Pensions: This data processor does the following activities for us: They process our pension information

• How to complain

If you have any concerns about our use of your personal data, you can make a complaint to us using the contact details at the top of this privacy notice.

If you remain unhappy with how we've used your data after raising a complaint with us, you can also complain to the ICO.

The ICO's address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone number: 0303 123 1113

Website: <https://www.ico.org.uk/make-a-complaint>