

PRIVACY NOTICE

The purpose of this privacy notice

St John's Hospital Trustee Limited is committed to protecting the privacy and security of your personal information (referred to as **personal data**) and is required by data protection law, in particular, the UK General Data Protection Regulation (**UK GDPR**), to provide you with this privacy notice.

This notice applies to current and former employees, workers and contractors. It does not form part of any contract of employment, contract of service or contract to provide services.

Read and retain this notice so that you understand how we collect, store and use your personal data during and after your working relationship with us and so that you are aware of your rights under data protection law. A copy of the notice is also available in the Policies and Procedures folder on MS Teams.

We may update this notice at any time. If we do, we will provide those currently employed, or engaged as a worker or contractor, with an updated copy, summarising the changes where relevant. We may also notify you in other ways from time to time about the processing of your personal data.

You should ensure that you are familiar with our Data Protection Policy, which can also be viewed in the Policies and Procedures folder on MS Teams.

Who we collect your personal data from

We collect personal data about employees, workers and contractors through our recruitment processes, either directly from candidates or sometimes from third parties such as recruitment agencies, head-hunters, background check providers and referees.

We may sometimes collect additional data from third parties including former employers, credit reference agencies and HMRC.

We may also collect personal data from the trustees or managers of pension arrangements operated by us.

We will collect additional personal data during the course of your work for us. Where necessary, we will provide a further privacy notice to you about the source of that data and what we are doing with it.

The types of personal data we hold about you

Personal data means any information about an individual from which that person can be identified. It does not include information from which the person's identity has been removed (anonymous data).

There are certain types of personal data that reveal more sensitive personal details, such as health information or criminal convictions. Special category data and criminal offence data are treated with additional care and are addressed separately in this notice.

If any of the following information changes, update your details on our HR Information System so that we can ensure that all the information we hold about you is accurate and up to date.

We **will** collect, store and use the following categories of **personal data** about you:

- **Identity data:** first name, last name, any previous names, marital status, title, date of birth and gender.
- **Contact data:** addresses, telephone numbers, personal email addresses and emergency contact information.
- **Family data:** dependants and next of kin.
- **Recruitment data:** copies of right to work documentation, copy passport or other photo ID, copy proof of address documentation (for example, bank statement or utility bill), copy driving licence, references and information included in a CV or cover letter or as part of the application process.
- **Employment status check data:** results of HMRC employment status check and details of your interest in and connection with the intermediary through which your services are supplied. Please note that this will only be applicable if you are providing third-party services to the organisation as a Contractor.
- **Financial and tax data:** National Insurance number, bank account details, payroll records and tax status information, salary, pension and benefits information, compensation history and conflict of interest or gift declarations.
- **Employment data:** start date (and, if different, start date of continuous employment), location of employment or workplace, leaving date and reason for leaving, employment records (including contracts, photographs, job titles, work history, working hours, working arrangements (office-based, hybrid, remote), holidays and other types of leave, training records and professional memberships), performance information and disciplinary and grievance information.
- **Monitoring data:** CCTV footage, information obtained through electronic means (for example, building access records) and information about your use of our information and communications systems.

We **may** collect, store and use the following **special category data**:

- **Race, religion, beliefs and sexual orientation:** information about your race or ethnicity, religious or philosophical beliefs, sexual orientation and political opinions. This information will only be collected with your consent.
- **Trade union membership**
- **Health and medical:** information about and connected with your health, any medical condition or disability, including:
 - sickness absence records;
 - accident at work records;

- tailored adjustment records; and
- correspondence with and information provided to and received from our occupational health service and other medical health professionals.

We **may** collect, store and use **criminal offence data** about you. This is information about criminal convictions and offences, including information relating to the alleged commission of offences, proceedings for an offence committed (or alleged to have been committed) and the disposal of those proceedings, including sentencing.

How we use your personal data

We will only use your personal data when we have a lawful basis to do so. Our lawful basis for each purpose for which we use your personal data is set out below. Most commonly, we will use your personal data in reliance on:

- **Contract performance.** Where we need to process your personal data to perform the contract we have entered into with you.
- **Legitimate interests.** Where we need to use your personal data for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests. We consider any potential impact on you and your rights when determining whether we can process your personal data for our legitimate interests. You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting our Data Protection Officer.
- **Legal obligation.** Where we need to use your personal data to comply with a legal or regulatory obligation.

Less commonly, we may need to process your personal data in emergency situations when it is in your **vital interests** or those of another person.

Purpose/Use	Type Of Data	Lawful Basis	Applies To
1. STARTING WORK			
HR records: setting up your record in the HR Department	Identity data Contact data Family data Recruitment data Employment status check data Financial and tax data Employment data	Contract performance Legal obligation	Employees Workers

Purpose/Use	Type Of Data	Lawful Basis	Applies To
Right to work: confirming entitlement to work in the UK	Identity data Contact data Recruitment data Employment data	Contract performance Legal obligation	Employees Workers Contractors (all)
Employment status: determining whether your engagement is deemed employment for the purposes of Chapter 10 of Part 2 of the Income Tax (Earnings and Pensions) Act 2003 and providing you with a status determination statement in accordance with the applicable provisions of that Act	Identity data Contact data Employment status check data	Contract performance Legal obligation	Workers Contractors (Self-Employed)
2. MANAGING YOUR CONTRACTUAL ENTITLEMENTS (PAY, PENSIONS, OTHER BENEFITS AND LEAVE)			
Pay: paying you and, where required, deducting tax and National Insurance contributions (NICs)	Identity data Contact data Employment status check data Financial and tax data Employment data	Contract performance Legal obligation	Employees Workers Contractors (all)
Salary and compensation: making decisions in salary reviews and in relation to other forms of compensation	Identity data Contact data Financial and tax data Employment data Monitoring data	Contract performance Legal obligation	Employees Workers
Pension enrolment: enrolling you in our pension scheme	Identity data Contact data Family data Employment status check data Financial and tax data	Contract performance Legal obligation	Employees Workers

Purpose/Use	Type Of Data	Lawful Basis	Applies To
	Employment data		
Pension arrangements: liaising with the trustees or managers of any pension scheme	Identity data Contact data Family data Recruitment data Employment status check data Financial and tax data Employment data Monitoring data	Contract performance Legal obligation	Employees Workers
Benefits: providing and administering the following benefits to you including, where necessary, liaising with the benefit providers: Health Insurance, Cycle to Work Scheme, Technology Scheme, Employee Assistance Programme, Life Assurance, Travel Loan Scheme.	Identity data Contact data Family data Employment status check data Financial and tax data Employment data Monitoring data	Contract performance Legal obligation	Employees
Annual leave: administering your annual leave entitlement and your entitlement to any other forms of leave whether provided by law or under the terms of your contract with us.	Identity data Contact data Recruitment data Employment status check data Financial and tax data Employment data Monitoring data	Contract performance Legal obligation	Employees Workers
3. MANAGING OUR WORKING RELATIONSHIP WITH YOU			
Contract, policies and procedures: administering the contract we have entered into with you and the policies and procedures	Identity data Contact data Family data Recruitment data	Contract performance Legal obligation	Employees Workers Contractors (all)

Purpose/Use	Type Of Data	Lawful Basis	Applies To
as they apply to you from time to time.	Employment status check data Financial and tax data Employment data Monitoring data		
Qualifications and skills: assessing qualifications and skills for a particular job or task, including decisions about promotions	Identity data Contact data Recruitment data Employment status check data Financial and tax data Employment data Monitoring data	Contract performance Legal obligation	Employees Workers
Education, training and development requirements	Identity data Contact data Recruitment data Employment data Monitoring data	Contract performance Legal obligation	Employees Workers
Performance: conducting performance reviews, managing performance and determining performance requirements	Identity data Contact data Recruitment data Employment status check data Financial and tax data Employment data Monitoring data	Contract performance Legal obligation	Employees Workers Contractors (all)
Grievance and disciplinary: investigating and conducting proceedings in relation to grievance or disciplinary issues raised by or concerning you	Identity data Contact data Family data Recruitment data Employment status check data Financial and tax data Employment data	Contract performance Legal obligation	Employees Workers Contractors (all)

Purpose/Use	Type Of Data	Lawful Basis	Applies To
	Monitoring data		
Working arrangements: making decisions about your working arrangements and your continued employment or engagement	Identity data Contact data Family data Recruitment data Employment status check data Financial and tax data Employment data Monitoring data	Contract performance Legal obligation	Employees Workers Contractors (all)
Termination: making arrangements for the termination of our working relationship	Identity data Contact data Financial and tax data Employment data Monitoring data	Contract performance Legal obligation	Employees Workers Contractors (all)
Legal disputes: dealing with any legal disputes we have with you	Identity data Contact data Recruitment data Employment status check data Financial and tax data Employment data Monitoring data	Contract performance Legal obligation	Employees Workers Contractors (all)
4. MONITORING			
Purpose/Use	Type of data	Lawful basis	Applies to
Network and information security: ensuring network and information security, including prevention of unauthorised access to our computer and electronic communications systems and prevention of malicious software distribution	Identity data Contact data Employment data Monitoring data	Contract performance. Legal obligation. Our legitimate interests in maintaining the security, confidentiality, integrity and availability of our information systems and protecting organisational data.	Employees Workers Contractors (all)

Purpose/Use	Type Of Data	Lawful Basis	Applies To
Communication systems: monitoring use of our information and communication systems to ensure compliance with our IT policies	Identity data Contact data Employment data Monitoring data	Contract performance. Legal obligation. Our legitimate interests in ensuring compliance with our IT and communications policies, protecting organisational systems and investigating suspected misuse.	Employees Workers Contractors (all)
Physical access: monitoring and controlling access to office premises	Identity data Contact data Employment data Monitoring data	Contract performance. Legal obligation. Our legitimate interests in protecting staff, visitors, residents, property and confidential information by monitoring and controlling access to office premises.	Employees Workers Contractors (all)
5. WIDER WORKFORCE MANAGEMENT			
Business management and planning: including accounting and auditing	Identity data Contact data Recruitment data Financial and tax data Employment data Monitoring data	Contract performance Legal obligation	Employees Workers Contractors (all)
Reorganisations, sales, mergers and acquisitions	Identity data Contact data Recruitment data Financial and tax data Employment data Monitoring data	Contract performance Legal obligation	Employees Workers Contractors (all)

Purpose/Use	Type Of Data	Lawful Basis	Applies To
Data analytics: conducting data analytics studies to review and better understand employee retention and attrition rates	Identity data Contact data Recruitment data Financial and tax data Employment data Monitoring data	Contract performance Legal obligation	Employees Workers Contractors (all)
Health and safety: compliance with health and safety obligations	Identity data Contact data Employment data Monitoring data	Contract performance Legal obligation	Employees Workers Contractors (all)
Workplace incidents: dealing with workplace accidents and emergencies	Identity data Contact data Employment data Monitoring data	Contract performance Legal obligation	Employees Workers Contractors (all)
Fraud or crime prevention	Identity data Contact data Family data Recruitment data Employment status check data Financial and tax data Employment data Monitoring data	Contract performance. Legal obligation. Our legitimate interests in preventing, detecting and investigating fraud, theft, misuse of resources and other unlawful activity.	Employees Workers Contractors (all)
Legal disputes: dealing with legal disputes involving other employees, workers and contractors or clients, customers and suppliers	Identity data Contact data Employment data Monitoring data	Contract performance Legal obligation	

How we use your special category data

We only use your special category data when, in addition to having a lawful basis that is required to process personal data (referred to previously in this notice), there is an additional ground that permits us to do so. Those additional grounds include:

- **Employment law.** When using your special category data is necessary for carrying out rights and obligations in connection with employment law.
- **Legal claims.** When using your special category data is necessary for establishing, exercising or defending legal claims.
- **Substantial public interest.** When using your special category data is necessary to undertake matters deemed to be of substantial public interest. These include equal opportunities monitoring, preventing or detecting unlawful acts, protecting the public against dishonesty, compliance with regulatory requirements in relation to unlawful acts, provision of confidential counselling and in relation to our occupational pension scheme.
- **Assessment of working capacity.** When using your special category data is necessary for the assessment of your working capacity by a health professional.
- **Vital interests (incapacity).** When using your special category data is necessary to protect your vital interests, or someone else's vital interests, in circumstances in which you may be physically or legally incapable of giving consent.

RACE OR ETHNICITY, RELIGIOUS OR PHILOSOPHICAL BELIEFS, SEXUAL ORIENTATION, POLITICAL OPINIONS		
Purpose/Use	Lawful basis	Additional ground
Equalities reporting	Contract performance	Employment law
	Legal obligation	Legal claims
Disciplinary and grievances issues	Contract performance	Employment law
	Legal obligation	Legal claims
Legal disputes	Contract performance	Employment law
	Legal obligation	Legal claims

TRADE UNION MEMBERSHIP		
Purpose/Use	Lawful basis	Additional ground
Payment of trade union subscriptions	Contract performance	Employment law
	Legal obligation	Legal claims
Communications: with your trade union, its officials and representatives	Contract performance	Employment law
	Legal obligation	Legal claims

TRADE UNION MEMBERSHIP		
Purpose/Use	Lawful basis	Additional ground
Exercise of your rights: as a trade union member or trade union representative	Contract performance Legal obligation	Employment law Legal claims
Disciplinary and grievances issues	Contract performance Legal obligation	Employment law Legal claims
Legal disputes	Contract performance Legal obligation	Employment law Legal claims

HEALTH AND MEDICAL INFORMATION		
Purpose/Use	Lawful basis	Additional ground
Assessment of fitness to work	Contract performance Legal obligation	Employment law Legal claims Assessment of working capacity Vital interests (incapacity)
Sickness absence management	Contract performance Legal obligation	Employment law Legal claims Assessment of working capacity Vital interests (incapacity)
In relation to reasonable adjustments	Contract performance Legal obligation	Employment law Legal claims Assessment of working capacity Vital interests (incapacity)
Benefit administration: to administer benefits relating to your health, medical condition or disability including	Contract performance Legal obligation	Employment law Legal claims

HEALTH AND MEDICAL INFORMATION		
Purpose/Use	Lawful basis	Additional ground
contractual and statutory sick pay and permanent health insurance.		Assessment of working capacity Vital interests (incapacity)
Health and safety: to ensure health and safety at work	Contract performance Legal obligation	Employment law Legal claims Assessment of working capacity Vital interests (incapacity)
Well-being: to protect your physical, mental or emotional well-being or that of another person	Contract performance Legal obligation	Employment law Legal claims Assessment of working capacity Vital interests (incapacity)
Health-related departures: if you leave employment for health-related reasons, to make any applications for pensions and permanent health insurance	Contract performance Legal obligation	Employment law Legal claims Assessment of working capacity Vital interests (incapacity)
Ill-health pension entitlement: to determine any entitlement to an ill-health pension under a pension arrangement operated by us	Contract performance Legal obligation	Employment law Legal claims Assessment of working capacity Vital interests (incapacity)
Pension entitlement: to determine any entitlement under pension plan operated by us where your reason for leaving is determined to be ill health, injury or disability	Contract performance Legal obligation	Employment law Legal claims Assessment of working capacity Vital interests (incapacity)

HEALTH AND MEDICAL INFORMATION		
Purpose/Use	Lawful basis	Additional ground
Disciplinary and grievances issues	Contract performance Legal obligation	Employment law Legal claims Assessment of working capacity Vital interests (incapacity)
Legal disputes	Contract performance Legal obligation	Employment law Legal claims Assessment of working capacity Vital interests (incapacity)

How we use your criminal offence data

You will have been given information about whether any criminal records checks were required for your role [through our candidate privacy notice] when you applied to work for us. If any further checks are required, for example, due to a change in the law or a change in your role, we will advise you.

We only use your criminal offence data when, in addition to one of the grounds that is required to process personal data (referred to previously in this notice), there is a further ground that permits us to do so. The further grounds on which we may make use of criminal offence data include:

- **Employment.** When processing criminal offence data is necessary to perform or exercise obligations or rights which are imposed or conferred by law either on us or on you in connection with employment.
- **Legal rights.** When processing criminal offence data is necessary for the purpose of, or in connection with, any legal proceedings (including prospective legal proceedings), for the purpose of obtaining legal advice, or is otherwise necessary for the purposes of establishing, exercising or defending legal rights.
- **Deemed substantial public interest.** When processing criminal offence data is deemed to be of substantial public interest because it concerns preventing or detecting unlawful acts, protecting the public against dishonesty [or because it concerns compliance with regulatory requirements in relation to unlawful acts].

Purpose/Use	Lawful basis	Additional ground
Necessary for your role	Contract performance	Employment law

	Legal obligation	Legal claims Deemed substantial public interest
Criminal offences during employment: where criminal offence data is brought to our attention during the course of your work for us (for example, if you are charged with a criminal offence) whether relating to events at or outside work	Contract performance Legal obligation	Employment law Legal claims Deemed substantial public interest
Disciplinary and grievances issues	Contract performance Legal obligation	Employment law Legal claims Deemed substantial public interest
Legal disputes	Contract performance Legal obligation	Employment law Legal claims Deemed substantial public interest

Automated decision-making

Automated decision-making is the process of making decisions by automated means without any human involvement.

We do not make decisions about you based solely on automated processing that would have legal, or similarly significant, effects for you. We will notify you if this position changes.

Data sharing

In certain circumstances, we need to share your personal data with third parties, including partners and service providers.

Any disclosures or data sharing will be done in accordance with the law or relevant contractual arrangements. All third parties are required to take appropriate security measures to protect your personal data. We only permit them to process your personal data for specified purposes and in accordance with our instructions. They are not allowed to use your personal data for their own purposes.

We will share your personal data with service providers (including contractors and designated agents) who carry out the following functions: HR & Employment legal services, payroll, pension administration, benefits provision and administration, and IT services.

We will share personal data regarding your participation in any pension arrangement operated by us with the trustees or scheme managers of the arrangement in connection with the administration of the arrangements.

We may need to share your personal data with third parties as part of any merger, acquisition, sale or restructure of our business.

We may need to share your personal information with a regulator to comply with the law. This may include making returns to HMRC.

Cross-border data transfers

We will not transfer your personal information outside the UK.

Data security

We have implemented appropriate security measures to protect your personal information against accidental loss and unauthorised access, use, alteration or disclosure. Details of these measures are available from our DPO.

We impose controls for access to employee data based on business requirements and in accordance with the relevant lawful bases for processing. Any party with access rights will only process your personal information in accordance with applicable data security policies and procedures, relevant employee obligations or third-party contractual terms.

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

Data retention

We will only retain your personal information in accordance with applicable laws, regulatory requirements or for as long as necessary to fulfil the purposes for which we collected it, as set out in our Data Retention Policy.

In some circumstances, you can ask us to delete your personal information. This is considered in the next section.

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 any applicable legal requirements.

Your rights in relation to your personal information

You have the following rights under data protection laws:

- **Request access** to your personal information (commonly known as making a data subject access request). We will provide you with copies of your personal information and other information, such as where we got the information from and who we have shared it with.
- **Request rectification** 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 personal information where there is no good reason for us continuing to process it.
- **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.
- **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. You also have the right to object where we are processing your personal information for direct marketing purposes.

If you want to exercise these rights, contact our DPO in writing at data.protection@stjohnsbath.org.uk.

No fee usually required

Ordinarily you will not have to pay a fee to exercise any of these rights. However, we may charge a reasonable fee if your request is manifestly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

Questions or complaints

If you have any questions or concerns about this privacy notice or how we handle your personal information, or if you wish to exercise any of the rights it refers to, contact our DPO who has been appointed to oversee compliance with this privacy notice and whose contact email address is: data.protection@stjohnsbath.org.uk. You have the right to make a complaint at any time to the Information Commissioner's Office (**ICO**). The ICO's contact details are available on from the ICO's website <https://ico.org.uk/make-a-complaint/>.

The ICO's address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>