

## MPS Care Group Privacy Notice

### Processing of Personal Information of Staff

**(including: employees, volunteers, contractors, board members, agency staff)**

This privacy notice provides information about the personal information that MPS Care collects about you in relation to your Contract of Employment or Agreement (referred to as the 'Contract'), the ways in which your personal information may be used and your rights. By providing us with your personal information you will be agreeing to your information being used in the ways described in this notice.

#### 1. Personal Information Collection

Personal information is information that can be used to identify you or is about you. MPS may request from you and process the following Personal Information (P) and Special Categories of Personal Information (S):

|                                 |  |
|---------------------------------|--|
| • Name (P)                      | • Equal Opportunity information (S) (this will only be used in anonymized reports) |
| • Home Address (P)              | • Fingerprint (S) (this will only be used for time and attendance systems)         |
| • Phone Numbers (P)             | • Any criminal convictions or cautions (S) (spent or unspent)                      |
| • Email address (P)             | • Proof of Right to Work (P) (e.g. copy of passport or birth certificate)          |
| • Date of birth (P)             | • Professional Registration information (P)<br>• e.g. PIN                          |
| • National Insurance Number (P) | • Drivers License  |
| • Bank details                  | • Disclosure and Barring Service (P)   |

#### 2. MPS may also process:

Employment information (P)

Pension information (P)

Photos and videos of care records or for use in the home

CCTV records where applicable

### 3. How we will use information about you

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- a. Where we need to perform the contract we have entered into with you.
- b. Where we need to comply with a legal obligation.
- c. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

- d. Where we need to protect your interests (or someone else's interests).
- e. Where it is needed in the public interest [or for official purposes].

### 4. Situations in which we will use your personal information

We need all the categories of information in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below:

- Making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UK.
- Checking you DBS status
- Paying you and, if you are an employee, deducting tax and National Insurance contributions.
- Liaising with your pension provider.
- Administering the contract we have entered into with you.
- Business management and planning, including accounting and auditing.
- Conducting performance reviews, managing performance and determining performance requirements.
- Making decisions about salary reviews and compensation.

- Assessing qualifications for a particular job or task, including decisions about promotions.
- Gathering evidence for possible grievance or disciplinary hearings.
- Making decisions about your continued employment or engagement.
- Making arrangements for the termination of our working relationship.
- Education, training and development requirements.
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work.
- Ascertaining your fitness to work.
- Managing sickness absence.
- Complying with health and safety obligations.
- To prevent fraud.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- To conduct data analytics studies to review and better understand employee retention and attrition rates.
- Equal opportunities monitoring.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

## **5. If you fail to provide personal information**

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

## **6. Information Sharing**

MPS Care and its external agents will not share the Personal Information provided for the Contract:

- With any other department within MPS Care, except to meet a requirement of the Contract, e.g. to create a computer network account.

- With any external parties except to meet the requirements of the Contract.
- MPS Care will not sell or swap your data with any third parties. We will not share your information with any third party for marketing purposes.

## 7. Transfers to other countries

MPS Care will not transfer your Personal Information outside of the European Economic Area.

## 8. Securing your information

MPS Care takes our duty to protect your personal information and confidentiality seriously. We are committed to taking all reasonable measures to ensure the confidentiality and security of personal data for which we are responsible. This includes precautions to prevent the loss, misuse or alteration of your personal information.

MPS Care uses computer systems and physical security to ensure that access to your personal information is only allowed on a need to know basis.

## 9. Retention of Personal Information

Your Personal Information required for the agreement will be retained as follows:

| Staff Record   | Retention Time  |
|--|---|
| Staff records / details of Terms and Conditions                              | 6 years after leaving   |
| 1:1's Appraisal records / objectives / performance reviews or targets agreed | 6 years after leaving   |
| Disciplinary, formal capability and absence records                          | 6 years after leaving but is deemed inactive after period specified from date of disciplinary or formal hearing |
| Pay and benefits information (Inland Revenue requirements)                   | 6 years after leaving   |
| Development / training needs and records of completed activities             | 6 years after leaving   |
| Summary of staff records   | Until the age of 70 if no longer employed   |
| CCTV recordings  | 30 days   |

## 10. Your Rights in relation to your Personal Information

- a. The right to be informed – covered in the Privacy notice

- b. The right to access – you have the right to make a Subject Access Request asking for information about, or copies of, the information we hold and the way it is used
- c. The right to rectification – as soon as you become aware that some information is incorrect let the home manager know or inform the Data Protection Officer
- d. The right to erasure – request the deletion or removal of personal information where there is no compelling reason for its continued processing
- e. The right to restrict processing – you can request that we stop any processing if the information we are processing is incorrect
- f. The right to data portability – you can request the personal information provided by yourself, be exported in to a universal format so it can be imported into another system
- g. The right to object – to processing relating to marketing and profiling
- h. The right not to be subject to automated decision-making including profiling
- i. The right to lodge a complaint with the Information Commissioner’s Office.

## 11. Contact

The Data Protection Officer can be contacted via:

Email: [enquiries@mpscare.co.uk](mailto:enquiries@mpscare.co.uk)

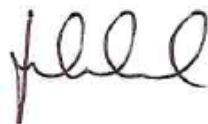
Phone: 01773 546736

Post: MPS Care Group, 6/7 Key Point Office Village, Nix’s Hill, Alfreton, Derbyshire DE55 7FQ.

## Review

This policy should be reviewed on an annual basis.

Signed:



Date:

January 2019

Policy review date:

January 2020

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