

Privacy notice - Self-employed, bank and agency employees

General Data Protection
Regulations (GDPR)



At Care UK, we are proud to be England's largest independent provider of NHS services, delivering more than 70 different healthcare services throughout the UK.

Anyone from outside Care UK that works with us can rest assured that we value your privacy and want you to understand the choices and control you have over your information with Care UK. We have created this GDPR Privacy notice to help explain those choices and give you that control.

Introduction

This statement explains how Care UK handles and uses the personal data that we collect about self-employed, bank and agency members of staff.

Care UK needs to keep and process information about you in the normal course of the work that you do for us. The information we hold and process will be used for our management and administrative use only.

We are committed to protecting your personal information and to being transparent about what information we process and hold. Providing accessible information to all members of staff about how we use personal information is a key element of the Data Protection Regulations and the General Data Protection Regulation (Regulation (EU) 2016/679). The most common way to provide this information is in a privacy notice.

Care UK understands its obligations to you to help you understand how and why we process your personal data. This notice tells you about these uses and should be read in conjunction with the Care UK data protection policies.

Contact us

Care UK Ltd is registered as a data controller with the Information Commissioner's Office registration number: [A8260356](#)

If you have any queries regarding this privacy notice you should contact your line manager in the first instance. If they are unable to answer your query they may wish to escalate to a member of the HR team.

Their escalation point is the Care UK Data Protection Officer.

For Health Care this is:

[Data Protection Officer](#)

[Hawker House](#)

[5-6 Napier Court, Napier Road](#)

[Reading, Berkshire](#)

[RG1 8BW](#)

[Email : DPO@careuk.com](mailto:DPO@careuk.com)



The purpose and lawful basis of the processing

We will keep and use personal data to enable us to run the business and manage our relationship with you effectively, lawfully and appropriately, during the recruitment process, whilst you are working for us, at the time when your work with us ends and after you have left.

This includes using your information to enable us to comply with the contract for service/bank/agency agreement, to comply with any legal requirements, pursue the legitimate interests of the Company and protect our legal position in the event of any legal proceedings.

If you do not provide this data, we may be unable in some circumstances to comply with our obligations and we will tell you about the implications of that decision.

We are required to hold your personal data for various legal and business purposes, without which we would be unable to comply with our contractual obligations to you and our legal obligations as an organisation.

Lawful basis for processing

We use the following lawful basis for processing your personal data in relation to the work that you do for us:

Article 6(1)(e) "...for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller"

Purpose of processing personal information

We follow good Human Resources practice and will:

- Provide you with a contract for service/bank agreement detailing the terms and conditions of your services
- Let you know what we are going to record about you - at the start of, as well as during your time working for us
- Show you what we have recorded about you, if you ask

Information sharing

We may sometimes need to process your data to pursue our legitimate business interests, for example in preventing fraud, cooperating with law enforcement agencies, courts and other statutory bodies who may request your data to fulfil a statutory requirement or in the course of investigating potential crimes.

The nature of our legitimate interests in processing your data is to ensure we uphold the duty of confidentiality we owe to our patients and customers and our contractual partners such as the NHS and Local Authorities.

Categories of personal data

Much of the information we hold will primarily have been provided by you and by third parties such as recruitment agencies, when applying for work with Care UK, supplemented by information generated in the course of your work at Care UK.

Some may come from other internal sources, such as the individual who oversees activity in relation to your contract for service/bank/agency agreement, or in some cases, external sources, such as referees.

The types of data we will hold and process for you include:

- your name
- your contact details
- unique personal identifiers and biographical information (e.g. date of birth)
- photographs of you
- personal data provided by you for a specific purpose or purposes (for example, disability, marital status)

- information related to the prevention and detection of crime and the safety of staff including, but not limited to, CCTV recording and IT network activities.

Also:

- financial information gathered for the purposes of administering your fees/PAYE and contract for service/bank/agency agreement with us
- your right to work in the UK; copies of passports, visas, DBS Checks and other documents required to ensure compliance with Home Office requirements
- details of your education, qualifications previous work placements, publications and any associated matters

The types of information we hold include:

- your application form, CV, details of your career and references
- your contact details
- your contract for service/bank/agency agreement with us and any amendments to it
- correspondence with or about you
- information needed for fee payment/PAYE purposes
- next of kin - contact and emergency contact details
- rota records
- information needed for equal opportunities monitoring policy
- records relating to your work history at Care UK



Sensitive personal data

The information we obtain from you and then process and store (for example, you may give us information by filling in forms on our website, intranet or by corresponding with us by post, telephone, email or otherwise) may include:

- your religious affiliation
- your sexual orientation
- your ethnic background
- your nationality
- your marital status
- occupational health records

How your personal data is used

Your data is used by us for a number of business purposes including :

- internal reporting and record keeping
- administrative purposes (e.g. in order to process payment of fees/PAYE)
- to contact you to offer rota opportunities
- to contact you with updates relevant to your contract for services/bank/or agency assignments
- responding to data access requests you make
- giving access to company resources such as IT Network, key card access to premises
- issuing references at your request.
- contacting you, your next of kin, or other relevant contact in case of an emergency

You may be referred to in many company documents and records that are produced by you and your colleagues in the course of carrying out the services/your bank or agency assignments and the business of the company.

We monitor computer and telephone/mobile telephone use, as detailed in such policies as the Computer Use and Expenses policy and related applicable policies, available on the intranet.

We may also keep records of your hours of work by way of our rota systems.

If you have concerns or queries about any of these purposes, or how we communicate with you, please contact us at the address given below. We will always respect a request by you to stop processing your personal data.

Our partner organisations

We may transfer information about you to other group companies and third party partners for purposes connected with your work at Care UK or the management of the company's business.

These include the following:

- Disclosure and Barring Service
- Professional validation bodies
- Professional registration bodies
- Employment agencies

We will only ever share your information for the purposes of managing your contract for service/bank/agency agreement and only when we are satisfied that our partners or suppliers have sufficient measures in place to protect your information in the same way that we do.

Other than as mentioned above, we will only disclose information about you to third parties if we are legally obliged to do so e.g. HMRC or where we need to comply with our contractual duties to you, for instance, when we provide references about you to another organisation.

Before sharing information we always ensure that any 3rd parties have provided security assurances and our contracts with them always ensure the duty of confidentiality.

Transfers and safeguard of your information to other countries

Your personal and sensitive data will only be stored and processed within the European Economic Area (EEA). Your data will only be processed by our staff based within the UK and not beyond the EEA region.

Retention periods

We will keep your personal data only as long as is necessary for the purpose(s) for which it was collected, and in accordance with the statutory retention periods. Data will be securely destroyed when no longer required.

Whilst at all times compliant with legislation and acting reasonably we reserve the right to judge what information we must continue to hold to be able to fulfil our contract of service/bank/agency agreement with you.

Your rights

You have guaranteed rights under the EU General Data Protection Regulations (GDPR). We will uphold your rights at all times. These rights are:

The right to be informed

The right to be informed via Privacy Notices such as this one.

The right to access

The right to free access to any personal information Care UK holds about you. To request a copy of this information you must send your request in writing to HR DATA ACCESS REQUEST, addressed to the Human Resources Department or to your line Manager.

This is free of charge and you are entitled to receive a copy of your personal data within 30 calendar days of our receipt of your subject access request, starting from the point at which we have verified your identity.

The right of rectification

If you believe your details are incorrect, we are required to correct inaccurate or incomplete data within one month.

The right to erasure

Ordinarily under GDPR you have the right to have your personal data erased and to prevent processing,

You may exercise your right to have your personal data erased in a number of circumstances (e.g. if the data is no longer necessary in relation to the purpose for which it was created or you withdraw your consent).

Where possible we will comply with all such requests, though some details are part of the Care UK's permanent records (e.g. historical salary, expenses paid) which cannot reasonably be deleted.

Data we hold for statutory purposes such as Tax and Pensions cannot be deleted by law and we will comply with statutory retention periods for such data.

The right to restrict processing

You have the right to suppress processing. We can retain just enough information about you to ensure that the restriction is respected in future.

You can tell us that we can keep your data but must stop processing it, including preventing future mailings and communications.

If applicable and possible we will inform any third parties to whom your data has been disclosed of your requirement.

The right to data portability

We can provide you with your personal data in a structured, commonly used, machine readable form when you request your data. However as your data is likely to be across various manual records and IT systems, we will do our best to provide information in a portable format.

The right to object

You can object to your personal data being used for profiling, direct marketing or research purposes.

The right to automated decision making

You have rights in relation to automated decision making and profiling, to reduce the risk that a potentially damaging decision is taken without human intervention.

We do have limited automated processing of data conducted by Medigold in relation to approving work health assessments.

However, where further analysis of a health condition is required decisions related to next steps are always made by Medigold clinicians.

The right to withdraw consent

Where we are processing data based on your consent, you have the right to withdraw that consent at any time.

The right to lodge a complaint

Should you have any concerns about how your information is managed by Care UK, please contact the Data Protection Officer for your division.

For Health Care this is:

Data Protection Officer, Hawker House, 5-6 Napier Court Napier Road, Reading, Berkshire. RG1 8BW

Email : DPO@careuk.com

If you are still unhappy following a review by the Data Protection Officer, you can escalate your complaint to our Senior Information Risk Owner (SIRO), Barry Nee.

If you are still unhappy following a review by our SIRO, you can then complain to the Information Commissioners Office (ICO) via their website (www.ico.gov.uk).

Where your personal data comes from

We may review public data about you, but only to ensure compliance with our policies. An example of this is our social media policy.

Provision of personal data

The provision of your personal data for work purposes is part of the UK statutory requirements and other applicable UK legislation

Automated decision making

We do use automated decision making (including profiling) in limited circumstances including: automated processing of data conducted by Medigold in relation to approving work health assessments.

However where further analysis of a health condition is required decisions related to next steps are always made by Medigold clinicians.

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