

Privacy Notice for Candidates & Employees

As of 25 May 2018 the Data Protection Act 1998 will be replaced by the European General Data Protection Regulation 2016 (GDPR). GDPR contains stringent transparency requirements to support people being properly informed of the use of their personal information and of their rights, before or at the time their information is collected.

Employment Records

Cheshire and Wirral Partnership NHS Foundation Trust (CWP) collects stores and processes personal information about prospective, current and former staff (including volunteers, trainees and those carrying out work experience).

The trust also holds personal information on the national NHS Electronic Staff Record (ESR) for staff employed by third-parties

What types of personal data do we handle?

In order to carry out our activities and obligations as an employer we handle data in relation to:

- Personal demographics (including gender, race, ethnicity, sexual orientation, religion, age, marital status)
- Contact details such as names, addresses, telephone numbers and emergency contact(s)
- Employment records (including professional membership, references, proof of eligibility to work in the UK, security checks, ID document types and reference numbers)
- ID/Smartcard photographs
- Bank details (and detailed pay information)
- Pension details
- Medical information including physical or mental health condition (Occupational Health information)
- Records of absence (sickness, annual leave, special leave etc.). We also store information in Attendance Line that includes personal notes, letters and fit notes on employees episodes of absence
- Information relating to health and safety
- Trade union membership
- Offences (including alleged offences), criminal proceedings, outcomes and sentences
- Employment Tribunal applications, complaints, accidents, and incident details

What is the purpose of processing data?

- Staff administration and management (including payroll and performance)
- Pensions administration
- Business management and planning
- Accounting and auditing
- Accounts and records
- Crime prevention and prosecution of offenders
- Education
- Health administration and services
- Information and databank administration
- Sharing and matching of personal information for national fraud initiative

Sharing your information

There are a number of reasons why we share information. This can be due to:

- Our obligations to comply with legislation
- Our duty to comply any Court Orders which may be imposed

Any disclosures of personal data are always made on case-by-case basis, using the minimum personal data necessary for the specific purpose and circumstances and with the appropriate security controls in place. Information is only shared with those agencies and bodies who have a "need to know" or where you have consented to the disclosure of your personal data to such persons.

Use of Third Party Companies

To enable effective staff administration we may share your information with external companies to process your data on our behalf in order to comply with our obligations as an employer.

Employee Records; Contracts Administration (NHS Business Services Authority)

The information which you provide during the course of your employment (including the recruitment process) will be shared with the NHS Business Services Authority for maintaining your employment records, held on ESR.

The trust maintains an electronic file containing all documents related to your recruitment. In addition, it should be noted that the move to electronic records is gradual, with many older paper employee records also held in a secure location.

All staff are responsible for ensuring that the information held on ESR in relation to their personal data is always up to date. There are many guides available via the trust's intranet on how to update and maintain their records, with additional support being available via the People Information team.

Prevention and Detection of Crime and Fraud

We may use the information we hold about you to detect and prevent crime or fraud. We may also share this information with other bodies that inspect and manage public funds.

We will not routinely disclose any information about you without your express permission. However, there are circumstances where we must or can share information about you owing to a legal/statutory obligation.

Individuals Rights

Data Protection laws give individuals rights in respect of the personal information that we hold about you. These are:

1. To be informed why, where and how we use your information.
2. To ask for access to your information.
3. To ask for your information to be corrected if it is inaccurate or incomplete.
4. To ask for your information to be deleted or removed where there is no need for us to continue processing it.
5. To ask us to restrict the use of your information.
6. To ask us to copy or transfer your information from one IT system to another in a safe and secure way, without impacting the quality of the information.
7. To object to how your information is used.
8. To challenge any decisions made without human intervention (automated decision making)

Please view the [Corporate Records Policy](#) for further details on this. Should you have any further queries on the uses of your information, please contact our Data Protection Officer Tel: **01244 397384**.

Should you wish to lodge a complaint about the use of your information, please contact the Data Protection Officer on the above number.

If you are still unhappy with the outcome of your enquiry you can write to: The Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF Telephone: **01625 545700**.