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Introduction

Primary Healthcare Derby Ltd are committed to ensuring compliance with all relevant and applicable data protection laws and regulations. We recognise and accept our responsibility to manage personal data in line with the UK General Data Protection Regulation (UK GDPR), Data Protection Act 2018 (DPA 2018) and other relevant and applicable legislation in relation to the collecting and using of personal data.

This Privacy Statement describes our policies and procedures on the collection, use and disclosure of your information when you work for or with us. It also outlines your Information Rights and how the law protects you.

Across each of the services we provide, we are dedicated to maintaining the confidentiality and rights to privacy of all our patients, service users, employees, contractors, and other individuals we engage with.

We take our responsibilities in relation to data protection and information rights seriously and maintain robust processes for safeguarding the personal information we hold in order to carry out our services and provide easy access to the information rights of individuals.

Contact Details

Primary Healthcare Derby Ltd is the data controller for all personal information being processed, unless otherwise stated. If you wish to contact us, this can be done by emailing our Information Governance Lead at ddicb.primaryhealthcarederbyIG@nhs.net

You can contact our Data Protection team by emailing dpo@dataprivacysimplified.co.uk should you have any queries in relation to this privacy policy, wish to speak to our Data Protection Officer directly or access your information rights.

The UK GDPR requires every organisation that processes personal information to be registered with the Information Commissioner's Office (ICO). Our registration number is ZB335814 and you can find us on the Information Commissioner's register and searching for us by using our registration number.

Personal Data That We Process

The type of information we collect includes:

- your personal details including your name, address, date of birth, email address, phone numbers
- your photograph
- gender
- marital status
- dependants, next of kin and their contact numbers
- medical or health information including whether or not you have a disability
- information used for equal opportunities monitoring about your sexual orientation, religion or belief and ethnic origin
- information included on your CV including references, education history and employment history
- documentation relating to your right to work in the UK
- driving licence
- bank details
- tax codes
- National Insurance number
- current and previous job titles, job descriptions, pay grades, pension entitlement, hours of work and other terms and conditions relating to your employment/engagement with us
- letters of concern, formal warnings and other documentation with regard to any disciplinary proceedings or, in the case of workers, confirmation of other discussions about your conduct
- internal performance information including measurements against targets, formal warnings and related documentation with regard to capability procedures, appraisal forms or, in the case of workers, confirmation of other discussions about your performance
- leave records including annual leave, family leave, sickness absence etc
- details of your criminal record
- training details
- CCTV footage
- building entry card records.

We use your personal data for the following purposes:

- in order to perform the employment contract that we are party to
 - in order to carry out legally required duties
 - in order for us to carry out our legitimate interests
 - to protect your interests and
 - where something is done in the public interest
 - where we have obtained your consent.
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All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data. For example, we need to collect your personal data in order to:

- carry out the contract that we have entered into with you and
- ensure you are paid.

We also need to collect your data to ensure we are complying with legal requirements such as:

- ensuring tax and National Insurance is paid
- carrying out checks in relation to your right to work in the UK and
- making reasonable adjustments for disabled individuals.

We also collect data so that we can carry out activities which are in the legitimate interests of the Organisation. We have set these out below:

- making decisions about who to offer initial employment/engagement to, and subsequent internal appointments, promotions etc
- making decisions about salary and other benefits
- providing contractual benefits to you
- maintaining comprehensive up to date personnel records about you to ensure, amongst other things, effective correspondence can be achieved and appropriate contact points in the event of an emergency are maintained
- if you are an employee, effectively monitoring both your conduct and your performance and to undertake procedures with regard to both of these if the need arises
- if you are an employee, offering a method of recourse for you against decisions made about you via a grievance procedure
- assessing training needs
- implementing an effective sickness absence management system including monitoring the amount of leave and subsequent actions to be taken including the making of reasonable adjustments
- gaining expert medical opinion when making decisions about your fitness for work
- managing statutory leave and pay systems such as maternity leave and pay etc
- business planning and restructuring exercises
- dealing with legal claims made against us
- preventing fraud
- ensuring our administrative and IT systems are secure and robust against unauthorised access

What is the legal basis for processing your personal data?

- Processing is necessary for carrying out legal obligations in relation to employment

Processing is carried out by a not-for-profit organisation:

- The processing relates only to members or former members (or those who have regular contact with it in connection with those purposes); and
 - the processing relates only to employees or former employees (or those who have regular contact with it in connection with those purposes); and
 - there is no disclosure to a third party without consent.
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Cookies

What cookies are

Cookies are simple text files that are stored on your computer or mobile device by a website's server. Each cookie is unique to your web browser. It will contain some anonymous information such as a unique identifier, website's domain name, and some digits and numbers.

Consent

We need your consent in order to use these cookies and consent is sought as soon as you visit our website. Should you reject cookies that are necessary to run the website, you may not be able to use it. There is no obligation to accept non-essential cookies.

What types of cookies we use?

Necessary cookies allow us to offer you the best possible experience when accessing and navigating through our website and using its features. For example, these cookies let us recognise that you have created an account and have logged into that account.

Optional Cookies

Functionality cookies let us operate the site in accordance with the choices you make. For example, we will recognise your username and remember how you customised the site during future visits.

How to delete cookies or change preferences

If you want to restrict or block the cookies that are set by our website, you can do so through your browser setting. Alternatively, you can visit www.internetcookies.com, which contains comprehensive information on how to do this on a wide variety of browsers and devices. You will find general information about cookies and details on how to delete cookies from your device.

International Transfers

We do not normally transfer data outside the European Economic Area (EEA). Where there is a specific service need for data to be transferred to the EEA through a third party, we will ensure that we and they put appropriate safeguards in place and adhere to all relevant legislations and regulations. Where information is transferred outside of the UK but within the EEA, we will abide by EU GDPR as well as UK GDPR.

Information Sharing

We will only share information with other care services or professionals to support the provision of our care/support and therefore under UK GDPR they are considered data processors. We have data processing agreements in place with any party whom we share information with, to ensure compliance with the data protection laws and regulations.

We will only share information where we have a legal basis to do so or you consent, depending on which applies.

You are able to opt-out of the use of your information for research and planning purposes by emailing ddicb.primaryhealthcarederbyIG@nhs.net and requesting that we apply the national data opt-out to the electronic health record that we hold for you. This will not prevent this record being shared for the purpose of direct patient care.

We use the following applications/software/systems for hosting, storing, and processing your data, depending on the service or contract we have with you:

Microsoft 365 for the NHS
Bright HR
Bluestream
uCheck
Xero
Paycircle

Security

Primary Healthcare Derby Ltd takes the privacy and security of individuals and their personal information very seriously and take every reasonable measure and precaution to protect and secure the personal data that we process. We have robust information security policies and procedures in place to protect personal information from unauthorised access, alteration, disclosure or destruction and have several layers of security measures in place.

All our information systems are implemented with robust information security safeguards to protect the confidentiality, integrity, and availability of personal information.

All staff are legally bound to respect client/patient/stakeholder confidentiality and receive yearly training to ensure they are aware of, and up to date with, their responsibilities surrounding information governance standards. Any breach of patient confidentiality is treated very seriously and could result in disciplinary action for the member of staff involved, including dismissal.

Where we provide links to websites of other organisations, this privacy notice does not cover how that organisation processes personal information. We encourage you to read the privacy notices on the other websites you visit.

Retention

We and our system providers will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

Where we are commissioned by public authorities, we respect their processes with regards to record retention. Due to working within various professional services, we need to be mindful of guidance from professional bodies and adhere to their relevant retention policies and schedules. Our retention schedule is based on guidance found in the [NHSE Records Management Code of Practice 2023](#)

Your Rights

Under data protection law you have certain rights that you can exercise in regard to your personal data, these are outlined below. These are not absolute rights and may be subject to exemptions. At the end of this section we have added a link to the ICO website where you can find out more information about exemptions and information rights.

In order to make an information rights request, please contact ddicb.primaryhealthcarederbylg@nhs.net

You have:

1. The right to be informed

The right to be informed encompasses the obligation to provide clear and concise 'fair processing information', which we do through our privacy notice. It emphasises the need for transparency over how we use personal data. We therefore publish our Privacy Notice on our public webpage and aim to make it easily accessible.

2. The right of access

You have the right to access and request a copy of the information we hold about you, both on paper and electronically unless the information or part thereof is considered to have the potential to cause mental or physical harm to the individual or someone else.

3. The right to rectification

You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete. Individuals can use their right to rectification to request sections of their records are amended or removed. Additionally, this right can be exercised if the individual believes information has been omitted and requires inclusion on their record. This is not an absolute right and pertinently, it must be recognised that clinical opinion is subjective and thus we reserve the right to refute any request deemed inappropriate.

4. The right to erasure

You have the right to request that organisations erase personal data about you that they hold. This is not an absolute right however, and depending on the legal basis that applies, an organisation may have overriding legitimate grounds to continue to process the data such as if you are a patient and your request is in relation to your health record. We cannot delete health records or information within a record unless they require rectifying.

5. The right to restrict processing

You have the right to request that we restrict processing of personal data about you that we hold. You can ask us to do this for example where you contest the accuracy of the data. We will restrict processing of your personal data whilst we consider its accuracy or the legitimate grounds for processing the personal data in question.

6. The right to data portability

You have the right to obtain and reuse their personal data for their own purposes across different services. It allows them to move copy or transfer personal data easily from one IT environment to another in a safe and secure way, without hindrance to usability.

7. The right to object

You have the right to object to:
processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling);
direct marketing (including profiling); and
processing for purposes of scientific/historical research and statistics.

8. Rights in relation to automated decision making and profiling.

The UK GDPR applies to all automated individual decision-making and profiling. Article 22 of the UK GDPR has additional rules to protect individuals if and organisation is carrying out solely automated decision-making that has legal or similarly significant effects on them. The processing is defined as follows:

Automated individual decision-making (deciding solely by automated means without any human involvement). Examples include an online decision to award a loan; or a recruitment aptitude test that uses pre-programmed algorithms and criteria. Automated individual decision-making does not have to involve profiling, although it often will do.

Profiling (automated processing of personal data to evaluate certain things about an individual) and includes any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

There are exemptions to some of your rights. To find out more please visit the ICO website

(<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/right-of-access/what-other-exemptions-are-there/>) .

How To Complain

If you have any concerns about our use of your personal information, you can make a complaint to us via our Information Governance Lead by emailing ddicb.primaryhealthcarederbyIG@nhs.net

You also have the right to complain to the ICO if you are unhappy with how we use or have used your data.

The ICO's address:

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

Helpline number: 0303 123 1113

Website: <https://ico.org.uk>

This privacy statement was reviewed on 01/08/2025. We review our privacy statement annually or as and when relevant and applicable legislation and guidance changes.
