



Privacy Notice of A Caring Company Ltd relating to Recruitment and Employees

We ask that you read this privacy notice carefully as it contains important information on who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and other organisations in the event you have a complaint. Please see the section on **'Your rights'** for more information.

Introduction

We are A Caring Company Ltd. In order that we can provide care and support services to the people we support we collect and use certain personal information about you, our employees.

Personal information means any information about you from which you can be identified, but it does not include information where your identity has been removed (anonymous data).

As the 'controller' of personal information, we are responsible for how that data is managed. The Data Protection Act 2018 and the UK General Data Protection Regulations ("UK Data Protection Legislation), which applies in the United Kingdom and across the European Union, sets out our obligations to you and your rights in respect of how we manage your personal information.

As the 'controller' of your personal information, we will ensure that the personal information we hold about you is:

1. used lawfully, fairly and in a transparent way.
2. collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. relevant to the purposes we have told you about and limited only to those purposes.
4. accurate and kept up to date.
5. kept only as long as necessary for the purposes we have told you about.
6. kept securely.

If you have any questions about this privacy notice or would like further explanation as to how your personal information is managed, please send an email to mail@acaringcompany.org, write to A Caring Company Ltd, 10a High Street, Toddington LU5 6BY or call 01525 877088.

Please note when we refer to:

- A **"public body"** we mean any organisation in the United Kingdom which delivers, commissions or reviews a public service and includes (but is not limited to) the Ombudsman, local authorities, councils, unitary authorities, clinical commissioning groups, health and social care trusts, the National Health Service as well as their arm's length bodies and regulators.
- A **"social or health care professional"** we mean any person who provides direct services, acts as consultant or is involved in the commission of your healthcare or social care services, including (but not limited to) your General Practitioner (GP), dental staff, pharmacists, nurses and health visitors, clinical psychologists, dieticians, physiotherapists, occupational therapists, hospital staff, social workers and other care and support related professionals.



The personal information we collect and use in relation to people who are employed by us

Information collected by us

When you apply to work for us or are employed by us we collect the following personal information when you provide it to us:

- your name, home address, date of birth and contact details (including your telephone number, email address and emergency contact details (i.e. name, relationship and home and mobile numbers);
- any medical, physical or mental conditions relating to fitness to work and welfare;
- your gender, ethnicity and religion (if relevant to your working practices);
- your vehicle and driving licence information;
- proof of your identity, proof of your address and proof of your national insurance number;
- information relating to Disclosure and Barring Service checks;
- your photograph for identification purposes;
- information relating to work performance, disciplinary and grievance procedures;
- details relating to payroll and the processing of wages, including bank account details.

Information collected from other sources

We may at times with your consent also obtain personal information from other sources such as:

- your medical, physical or mental conditions in relation to fitness to work from any appropriate external social or health care professionals (including your GP)

How we use your personal information

We use your personal information to:

- ensure that we provide the regulated service of personal care in accordance with the regulations relating to provision of suitable staff for this purpose. Your personal information will not be disclosed or shared for any other purpose without your express consent.

Who we share your personal information with

We will share personal information with law enforcement or other authorities if required by law. This includes information required by public bodies to evidence our compliance with the applicable regulatory framework. We are also required to share personal information with external social or health care professionals, including public bodies and local safeguarding groups (in some circumstances) to ensure your safety.

Where we provide information for statistical purposes, the information is aggregated and provided anonymously so that there is no privacy risk involved in its use.

We only share the personal information relating to Employees with their consent on a “need to know” basis, observing strict protocols for doing so.

We will not share, sell or trade your personal information with any other third party.



Whether information has to be provided by you, and if so why

It is necessary for the above-stated information to be provided by you in order that we can ascertain and evidence your suitability for working with vulnerable service user groups. Without the provision of this information, we would not be able to offer you employment.

How long your personal information will be kept

- We will hold the personal information kept within your staff file for 6 years after you were last employed by us. Prior to staff files being destroyed, a staff summary will be prepared and held until your 75th birthday or 6 years after leaving, whichever is longer. This summary will detail: name, previous names, addresses used during your employment, DOB, position held, employment dates, pension information, any work related injuries and professional qualifications and training. Rota information containing your name is retained for 6 years after the close of the financial year to which it relates. This is in line with Information Governance Alliance guidance on records management (Records Management Code of Practice for Health and Social Care, IGA 2021).
- This ensures compliance with HMRC regulations to keep data relating with payroll for 3 years from the end of the tax year when employment ceased.

The personal information we hold

Reasons we can collect and use your personal information

We rely on the following grounds within UK Data Protection Legislation as the lawful basis on which we collect and use your personal data and special category data (such as your health).

- Information processing is necessary for the performance of our **contracts** to provide individuals with care and support services
- Information processing is necessary for us to demonstrate compliance with our **regulatory framework** and the law
- Information processing is necessary for the **provision of social care** or the management of social care systems and services

Your rights

Under the UK Data Protection Legislation you have a number of important rights free of charge. In summary, those include rights to:

- fair processing of information and transparency over how we use your use personal information;
- access to your personal information and to certain other supplementary information that this Privacy Notice is already designed to address;



- require us to correct any mistakes in your information which we hold;
- require the erasure (i.e. deletion) of personal information concerning you, in certain situations. **Please note we may not be able to delete personal information which we believe is necessary for us to comply with our contractual, regulatory or legal obligations required to provide a regulated activity to service users.**
- receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations;
- object at any time to processing of personal information concerning you for direct marketing;
- object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you;
- object in certain other situations to our continued processing of your personal information;
- otherwise restrict our processing of your personal information in certain circumstances;
- claim compensation for damages caused by our breach of any data protection laws.

For further information on each of those rights, including the circumstances in which they apply, see the Guidance from the UK Information Commissioner's Office (ICO) on individuals' rights under the General Data Protection Regulation.

How to contact us

If you would like to exercise any of those rights, please:

Email mail@acaringcompny.org or write to A Caring Company Ltd, 10a High Street, Toddington, Bedfordshire LU5 6BY or phone 01525 877088

- let us have enough information to identify you (eg your name and address),
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and
- let us know the information to which your request relates.

Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

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



How to complain

We hope that we can resolve any query or concern you raise about our use of your information. Please contact us by email on mail@acaringcompany.org or phone on 01525 877088.

If you remain unhappy with how we've used your data after raising a complaint with us, you can also complain to the Information Commissioner's Office (ICO).

The ICO's address:

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

Helpline number: 0303 123 1113

Website: <https://www.ico.org.uk/make-a-complaint>

Changes to this privacy notice

This privacy notice was reviewed and published on 1 July 2024.

We may change this privacy notice from time to time, when we do we will inform you.

Do you need extra help?

If you would like this notice in another format (for example: large print) please contact us (see 'How to contact us' above).

