

# Privacy Notice

## Employees, work placements and volunteers



**This Privacy notice is intended to inform all people who work with or for the organisation, including employees, volunteers and work placements, how Young Epilepsy will use their personal data.**

If you have any queries or concerns, further guidance may be accessed in the following ways:

- ☺ Susan Turner, Data Protection Officer (DPO) & Information Governance Manager.
- ☎ Ext. 286.
- ✉ [sturner@youngepilepsy.org.uk](mailto:sturner@youngepilepsy.org.uk) or [dpo@youngepilepsy.org.uk](mailto:dpo@youngepilepsy.org.uk);

## Information Governance standards

Please find below details of the standards Young Epilepsy/St Piers meets when using personal data.

### Data Protection

Young Epilepsy/St Piers endeavours to meet the highest standards when collecting and using personal information. We are committed to upholding the standards and regulations embodied in the Data Protection Act 2018 (DPA 2018) and the UK General Data Protection Regulation (UK GDPR). Personal data will therefore at all times be: -

- ✓ Processed lawfully, fairly and in a transparent manner.
- ✓ Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- ✓ Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- ✓ Accurate and, where necessary, kept up to date.
- ✓ Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; and
- ✓ Processed in a manner that ensures appropriate security.

Young Epilepsy/St Piers will furthermore: -

- ✓ Be responsible for and be able to demonstrate compliance with the DPA 2018 and the UK GDPR.

### Individual Rights

Under the DPA 2018 and the UK GDPR you have the right to:

- Be informed (the purpose of this Privacy Notice).
- Access your information.
- Rectify inaccurate or incomplete data.
- Request the erasure of your information.
- Restrict how your data is processed; and
- To object to the use of your information.

There are two additional rights with regard to automated decision making and data portability. With regard to these Young Epilepsy/St Piers will not use staff information for automated decision making or profiling and do not undertake data portability.

Should you wish to exercise any of your Rights, please contact the DPO using the contact details provided.

### Overseas transfers

Young Epilepsy uses Microsoft cloud-based software, such as Office 365. Depending on the service used, Microsoft may process and store data outside of the UK, such as in America or the European Economic Area. To safeguard this transfer of information overseas we rely on Microsoft's contractual commitments in its Data Protection Addendum, to process data only as instructed and to support UK specific safeguards.

Other than this, information will only be processed overseas if there is a specific request for us to do so. In such instances, this will be done in accordance with the DPA 2018 and the UK GDPR and under the guidance of the DPO and the IT department.

### Further information

Your information is held in a confidential manner with limited access, in accordance with the DPA 2018 and the UK GDPR. We are committed to ensuring that personal data is secure. In order to prevent unauthorised access or disclosure, data will be held on secure servers/cloud storage, and we have also put in place appropriate physical, electronic and managerial safeguards to further protect hard copy records.

Young Epilepsy/St Piers is registered with the Information Commissioner's Office (ICO) under our legal name of the National Centre for Young People with Epilepsy. Our registration number is Z5611618.

Please note that should you be unhappy about the way we implement data protection you have the right to lodge a complaint with the ICO <https://ico.org.uk/>

### **Caldicott Principles statement**

At Young Epilepsy/St Piers we apply the Caldicott Principles to health and social care data, so that every flow of identifiable confidential information is regularly justified and routinely tested against the principles developed in the Caldicott Report.

- |             |                                                            |
|-------------|------------------------------------------------------------|
| Principle 1 | Justify the purpose(s) for using confidential information. |
| Principle 2 | Only use it when absolutely necessary.                     |
| Principle 3 | Use the minimum that is required.                          |
| Principle 4 | Access should be on a strict need-to-know basis.           |

|             |                                                                                                   |
|-------------|---------------------------------------------------------------------------------------------------|
| Principle 5 | Everyone must understand his or her responsibilities.                                             |
| Principle 6 | Understand and comply with the law.                                                               |
| Principle 7 | The duty to share information can be as important as the duty to protect patient confidentiality. |
| Principle 8 | Inform patients and service users about how their confidential information is used.               |

## Data Security & Protection Toolkit

As an NHS Business Partner, Young Epilepsy/St Piers also completes the NHS' Data Security & Protection Toolkit, which enables organisations to measure and publish their performance against the National Data Guardian's ten Data Security Standards.

All organisations that have access to NHS patient data and systems must use this toolkit to provide assurance that they are practising good data security, and that personal information is handled correctly.

## Amendments and supplements

We may update this privacy notice from time-to-time by posting a new version on the intranet. You should occasionally check these pages to ensure you are aware of the changes. For more information about how the privacy notice is changed please contact the DPO using the details provided.

Please note that there may also be supplementary privacy notices, such as the Employee Covid Privacy Notice, which operated during the pandemic. These too will be available on the intranet.

# Privacy Notice

Please find below details of the information we keep and how we use it.

## Information kept by Young Epilepsy/St Piers.

Young Epilepsy/St Piers maintains the following records related to staff, which may include personal and special category data.

### HR and Learning & Development records

These records will include but are not limited to: your contract of employment and any amendments to it; correspondence with or about you; information needed for Payroll; contact and emergency contact details; absence records; training records such as appraisals and course information; staff rotas; and, where appropriate, disciplinary, safeguarding and grievance records. Where necessary, we may also keep information relating to your health, which could include reasons for your absence and reports/notes provided by your GP or the Occupational Health provider.

### Payroll records

These records may include, but are not limited to: bank details, National Insurance Number; tax codes information; salary information; payslips; and tax documents such as P60s, P45s etc.

### Recruitment records

During the recruitment process, Young Epilepsy/St Piers will process information about prospective employees as part of the normal recruitment and selection process. These records will include but are not limited to: application forms; shortlisting and interview documents; references; pre-employment health forms; references; and any correspondence between you and Young Epilepsy/St Piers. Once you join the organisation these records will form part of your main HR record.

### Health and safety records

We will collect, store and use your data if you have been involved in an adverse event, such as accidents, incidents and ill-health.

### Supervision records

Supervision records are a professional requirement for some job roles, for example, for residential staff, therapists, psychologists and nurses. These records will include any information that may be discussed at the supervision meeting.

### Departmental/organisational records

Departmental records, such as of meetings with staff either as a team or on an individual basis and organisational records, such as usage of swipe cards and other digital devices.

### Staff survey results

Many of the staff surveys are anonymous, but in some cases, a record may be kept of responders. If this is the case, then the survey will make this clear.

### CCTV recordings

We have a small number of CCTV cameras on campus. These may be for security purposes or for the monitoring of students. All CCTV usage is approved by the relevant Exec Lead and operates in accordance with the Code of Practice from the Information Commissioner's Office. Where there is CCTV there will usually be signage indicating its use.

### Insurance information

Young Epilepsy/St Piers is required to keep some staff information in order to meet the requirements of our insurers. The insurance may be to cover an employee to drive a company vehicle or to cover personal injury or other claims made against Young Epilepsy/St Piers. In order to be insured to drive a vehicle a copy of your driving licence will be kept, and this will be used with your National Insurance number to make an annual check on your driving conviction codes. If you have a number of convictions, we may stop you driving for Young Epilepsy/St Piers. In order to meet other insurance requirements, we may keep witness statements, medical information and other relevant records.

### Photographs and filming

Whilst working at Young Epilepsy/St Piers you may have your photograph taken or be filmed. These images may be used in corporate materials or for press/publicity purposes.

They may be used in hard copy publications (such as newspapers/magazines), be broadcast, recorded on DVDs for viewing by professionals and wider public audiences or be placed on the internet (on web pages or on social media, such as YouTube, Facebook etc.). The images may be used to promote Young Epilepsy/St Piers or to promote another organisation involved in a particular activity, such as a sponsor or organisation running a specific event. The images may also be used internally, such as in organisational newsletters, as part of a photo library or on our internal social media, such as Viva Engage.

In most cases, the student or the activity will be the focus of the image/photograph. However, if the focus is to be you and you do not want your photograph/image to be used, please make this clear to the photographer or person filming, who will either stop taking the photograph/image or ask you to remove yourself from its range. If you do not do this, then your presence in a photograph will be taken as implied consent, even if you have previously said you do not want your image used.

Please note that this is purely a personal decision for you. Whilst Young Epilepsy/St Piers will always appreciate your help, you are under no obligation to appear in photos or other images.

Your photo may also become part of a communication tool used by a student, so that they may refer to the staff who work with them and may be shared with parents, to illustrate an activity their young person has undertaken, such as through Class Dojo. If you do not want this, please speak with the relevant line manager.

### **What this information is used for.**

Employee data is primarily used to enable us to run the organisation and manage our relationship with you effectively, lawfully and appropriately whilst you are working for us and after you have left the organisation.

Other purposes may include:

- Management and administration.
- To enable you to fulfil your job role.
- As part of the normal recruitment and selection process.
- To comply with our legal obligations, (i.e., Health & Safety, Occupational Health etc).
- For security purposes.
- To benefit the student, such as when photos are included on communication tools or shared with parents.

With regards to photographs and images these may also be used for publicity purposes.

### **Source of the personal data**

You will have provided much of the information we hold, but some may come from other internal sources, such as your colleagues or manager, and, in some cases, external sources such as referees.

## Sharing information.

Young Epilepsy/St Piers does not routinely share employee information except as outlined below.

### Routine sharing

- Internal access - within the organisation, appropriate individuals will be able to access your records. For example, line managers have oversight of all training undertaken by their staff teams and members of the HR team will be able to access your record for administrative purposes.
- Pension providers – if you have a pension then your information will be shared with your provider.
- Supervisions – these records will only be available to the employee and the supervisor, but some information discussed and recorded in the supervision records may be further disclosed if there is a legal or organisational obligation, for example, all safeguarding concerns must be reported or as part of internal investigation process.
- External organisations – we may use third parties to provide a particular service, such as our Occupational Health provider, training providers and/or tools/programmes to assist with your work. Where your job requires this, we will only provide your work details to the third party, and they may also retain information about your use of their services, such as subsequent information you have shared with them, training completion dates/scores and any work generated through their use. Each of these will have their own Privacy Notices to explain how they will process your personal data.
- Insurers - staff information will be shared with our insurers should an issue arise, or an insurance claim be made. In the case of damage to a vehicle we will inform the insurers who the driver was. Similarly, if a personal injury or any other insurance claim is made then we will provide our insurers and/or those authorised to act on their behalf with the necessary information to investigate or respond to the claim.
- Funding and placements - staff information may be disclosed externally to obtain funding for training or placements such as apprenticeships. For example, to obtain funding for staff qualifications we may provide some common data about our workforce, such as: dates of birth; gender; nationality; salary; qualifications; contracted hours of work; number of absence days; details of induction training; main job role; and internal ID No.
- Parents – If you are photographed undertaking an activity with a student, this may be shared with parents, such as through Class Dojo or a communications device.

### Inspections/Audits

St Piers is subject to a number of audit requirements and regulatory standards, such as the CQC, Ofsted, HMRC etc. and may therefore allow its records to be inspected as part of those processes, to ensure that St Piers is meeting the necessary standards.

Inspectors/auditors will be given access to records but only provided with copies in exceptional circumstances, for example, if a safeguarding concern is identified or it is necessary for audit completion.

### Legal obligations

We are also legally obliged to share certain information and, in such cases, will not seek your consent to do so. For example, all safeguarding concerns must be disclosed to the relevant organisations and individuals, such as the Local Authority, the young person's Social Worker and possibly the police. Similarly, we are also obliged to provide HMRC with your income details and must inform the Health & Safety Executive of reportable incidents and accidents.

### References

There is an automatic opt in, which allows Young Epilepsy/St Piers to respond to any employment or tenancy/mortgage reference requests, it receives for you. If you do not want us to provide these references, please update your details accordingly on the iTrent 'employee self-service' function. Should you wish to alter your preferences after you leave, please write to the HR team.

### Data Processors

We use data processors; this is an organisation responsible for processing personal data on behalf of Young Epilepsy/St Piers. It does so under strict instruction from us and our contract ensures that the standards required by Young Epilepsy/St Piers, the DPA 2018 and the UK GDPR are upheld at all times.

An example of a data processor is the company that provides the programme upon which staff HR records are kept and maintained. Another example is a company that provides a support service for Young Epilepsy/St Piers, who will require limited staff information in order to provide that service.

The growth in cloud technology means that it is likely that the use of data processors will become more common. If you wish to know who our current data processors are please contact the Data Protection Officer.

### Use of Artificial Intelligence (AI) technology

AI offers the opportunity for Young Epilepsy to enhance support and efficiency. This may include, but is not limited to, using AI, such as CoPilot, to transcribe meetings, summarise documents/notes and draft communications and documents. All AI generated work is reviewed and approved by staff who must ensure that it meets our own standards.

To minimise risks AI technology can only be used by staff if it: complies with UK GDPR and the DPA 2018; and has been assessed and approved using our AI Data Protection Impact Assessment. Personal data will not be shared with AI technology that uses data to train and learn, unless there is specific agreement to do so.

### Virtual assistant technology devices

These devices, better known as Alexa, Echo, SIRI, Google Assistant etc., may be used on campus. Where they are in use, a privacy checklist and a Data Protection Impact Assessment will have been completed and the privacy settings will be set as high as is possible. These measures will include making employees aware of where such a device may be in use (either by being told or the display of a sign), disabling the recording function and unplugging devices when a confidential discussion is being undertaken near its location.

### Complaints/Reviews

Records may also be accessed by other staff or third parties, when a complaint or other issue is being reviewed or investigated.

### Anonymisation

Some of the information we hold on our staff may be anonymised, so that we can share the results more widely. You will not be identifiable in these records.

### Release of records you may have contributed to.

You need to be aware that everything you write as an employee may and can be released, including emails. It is therefore essential that everything you write is always appropriate and professional. These records may be released as part of an Access Request or in response to a request from another professional working with the student or staff member, who is the subject of this information. We will endeavour to notify you of such a release of records, but reserve the right to release these records if we believe it is appropriate and right to do so.

### Student activities

Our primary campus focus is on developing the skills and abilities of our students. This can often involve the students undertaking enterprise activities, such as setting up 'companies' to sell products they have made or undertaking other work activities, such as offering their services to do chores, woodworking etc. Students have access to Young Epilepsy/St Piers' email and can therefore send emails to staff notifying you of their latest initiative. If you do not wish to receive such emails please inform the Data Protection Officer, who will ensure that such contact ceases.

### Employee emails

As stated in the Staff Handbook we cannot guarantee your privacy when using our email system. We reserve the right to access your work emails at any time, including when you are on leave or have left the organisation. This may be done to obtain organisational information contained in those emails or as part of an investigation.

### Student communication tools

These devices and the information on them follow the student off campus and accompany a student when they leave St Piers and may therefore be viewed by many people. Our current system is Grid Thinksmartbox, who act as a data controller, this link provides more information about how they use data: [Privacy Policy - Smartbox](#). If you do not want your photo used in this way, please speak to the relevant member of staff who manages this tool for the student.

## **Records retention**

*Please refer to the HR Retention Schedule for further details on retention periods.*

### HR and Learning & Development records on current and former staff

All HR records are retained for seven years after employment ends. Young Epilepsy/St Piers will after this time, keep a summary record either for seven years after employment ends or until an employee's 75<sup>th</sup> birthday, whichever is longer. Contact staff rotas will be

kept for 75 years, in accordance with a legal opinion requiring student records to be retained until a student's 75<sup>th</sup> birthday, non-contact staff rotas need only be retained for seven years.

#### Payroll records

These records are retained in accordance with HMRC Guidance, which is currently for six years after the end of the financial year they relate to.

#### Recruitment records

This information is held for a period of 6 months. If the prospective employee is successful in securing a role, the records will pass to the HR Department and will be held under the conditions detailed above for employees.

#### Health & Safety records

Health & Safety records will either be kept in accordance with the H&S retention periods specified in the Corporate Governance retention schedule or in accordance with the retention periods specified in the HR retention schedule, whichever is longer.

#### Supervision records

Supervision records are kept throughout the member of staff's employment and will be securely destroyed once the employee leaves Young Epilepsy/St Piers.

#### Departmental records

These will not be kept after an issue, which is the basis for the records ceases to exist.

#### Staff survey results

After six months, any survey results that contain staff information will either be destroyed or anonymised.

#### CCTV recordings

Live feed CCTV is not retained by the organisation. CCTV recordings are usually kept for seven days, unless an incident has been highlighted, in which case the CCTV will be kept until the incident is resolved. If you have any queries about CCTV usage or retention, please contact the manager with responsibility for the area in which it is being used or the Data Protection Officer.

#### Insurance

Records needed for insurance purposes will be kept in accordance with the requirements of our insurers. If the records relate to an insurance claim against Young Epilepsy/St Piers, then they will be kept until the claim has been settled.

#### Photographs and filming

We endeavour not to use a photograph/image more than five years old in new publications or corporate material. Photos/images on our websites, social media etc are routinely reviewed and removed when no longer relevant. Photos on communication tools will follow the student when they leave St Piers.

#### **Lawful basis**

The DPA 2018 and the UK GDPR require us to have a lawful basis for processing your data and these are outlined below.

#### Consent/Explicit consent.

Having outlined how we will use, keep and otherwise process your data we would ask you to consent to this using the form below. Any information staff provide to the organisation is processed on the basis that its provision indicates consent.

#### Employment, social security and social protection law

This supports Young Epilepsy/St Piers checking employees' right to work in the UK, ensuring the health safety and welfare of employees, maintaining statutory sick pay and maternity pay and deducting union subscriptions from payroll. It also allows us to use special category data to measure the ethnic diversity and equal opportunities of our staff cohort.

#### The legitimate interests of Young Epilepsy/St Piers.

It is in Young Epilepsy/St Piers' legitimate interests to process employee data for administrative and management purposes. This may include allowing your line manager access to part of your HR records in order to monitor your training and other employment activities. It is also in the legitimate interests to use personal data to measure the absence levels, gender pay gaps etc. It has been balanced against the individual's interests, rights and freedoms, so there is minimal impact on privacy.

#### Contract

As part of your employment contract, you will have agreed to supply us with specified information, and we will use this in the manner explained. This may include fulfilling contractual provisions such as paying you or recording your sickness absence.

#### Medical purposes.

For example for, preventive or occupational health, a working capacity assessment, medical diagnosis or the provision of health or social care.

#### Legal claims and obligations

Where the processing is necessary to establish, defend or exercise legal claims or where ordered by a court or tribunal.

#### Public Interest

Where the processing meets one of the 23 conditions set out in Schedule One, paragraphs 6-28 of the DPA 2018

#### Public health

Where the processing is necessary for public health monitoring and statistics; or responding to new threats to public health, such as epidemics/pandemics.

#### Historic value

Young Epilepsy/St Piers is an important and specialist charity that dates back over 100 years, so some records, are permanently preserved for their historic value. For example, if your photo is on one of our publications, then that document may be permanently retained.

*If you require further information on the above, please contact the HR team.*

## Acknowledgement/consent

### Acknowledgement

Please consider the following statement and tick the box you agree with.

☐

**Yes**, I understand how my personal data will be kept, used and shared (as detailed above) and, where relevant, consent to this.

☐

I do not agree with the above statement and have the following concerns/queries:

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Date)