



## **Data Privacy Notice for prospective and in post Employees and Volunteers**

Cornwall Hospice Care is committed to safeguarding the privacy of your information. By “your information” we mean any information about you, which you or third parties provide to us. This includes the information collected or provided during your recruitment process as well as that routinely added to your personnel file held within the Human Resources (HR) or Volunteer Services Team.

Our Privacy Principals, set out below, explain how your information will be treated.

Please note that the Data Controller is Cornwall Hospice Care and that a data subject for the purpose of this document is any actual or prospective employee or volunteer about whom Cornwall Hospice Care has collected personal information i.e. information that would allow you to be identified.

### **The Cornwall Hospice Care:**

**Caldicott Guardian** is Gina Starnes (Director of Clinical Services)

**Senior Information Risk Owner (SIRO)** is Graham Clark (Finance Director)

**Data Protection Officer** is Graham Clark (Finance Director)

### **Collection of Information**

- We will only collect and use your information where we have lawful grounds and legitimate business reasons to do so.
- We will be transparent in our dealings with you, and will tell you about how we will collect and use your information, normally this will be because you have given it to us.
- If we have collected your information for a particular purpose we will not use it for anything else unless you have been informed and where relevant your permission obtained.

- We will not ask for more information than we need for the purposes for which we are collecting it.

The legal basis for collecting and using your information will usually be one of the following:

Legal grounds for processing your information	Example
Necessary for compliance with the Charity's <b>legal obligations</b>	To allow processing for tax or reporting purposes (for example, gender pay reporting), or to ensure employment rights are honoured (for example Health and Safety rights).
Necessary for <b>performance of a contract</b>	To allow the Charity to fulfil contractual obligations such as paying employees.
Necessary for the purpose of the data controller or third party's <b>legitimate interests</b>	To employ people to carry out the organisation's business, to allow a workplace investigation to take place to respond to an employment/volunteer dispute, or to improve workforce performance.
Employee/volunteer <b>consent</b>	To allow one-off staff/volunteer surveys

### Maintenance of information

- We will update our records when you inform us that your details have changed
- Candidates for employment or volunteering who choose to apply may access their profile, correct and update their details, or withdraw their details at any time.
- We will continue to review and assess the quality of our information.
- We will implement and adhere to information retention policies relating to your information and will ensure that your information is securely disposed of at the end of the appropriate retention period
- Normally, unsuccessful applications are only retained for a period of twelve months. In certain circumstances where applications have been refused, such as conviction for financial fraud, we may retain application information for up to six years
- Personnel records of employees and volunteers may be kept for 6 years after a staff member or volunteer has ceased working for or with the Charity.
- Superannuation records may be maintained for 10 years.

### Security of your information

The Charity maintains a combination of paper and electronic records and in all probability information about you will be maintained in both paper and electronic filing systems. Paper records are stored in locked cabinets in offices that are locked when not occupied. Electronic files are processed and stored within the Charity's IT network which includes 'Cloud' storage. All electronic storage is either local or within the European Economic Area and subject to the controls in the General Data protection Regulations (GDPR) and the Data Protection Act 2018.

Access to your information is restricted on a strict need to know basis.

At the end of your information's retention period it will be securely destroyed as confidential waste or securely deleted from electronic systems.

### **Your rights in relation to your data;**

**the right to access;** you may make a 'Subject Access Request' in order to view or obtain a copy of the information the Charity holds about you. Such a request should be made in writing to your head of department, HR or the Data Protection Officer. Where the person wishing to make a subject access request is unable to do so in writing alternative arrangements can be made. Please contact the HR team if this applies to you. Please see the 'Subject Access Request Policy' for additional information.

**the right to rectify;** Data subjects have the right to correct inaccurate personal data and the right to complete incomplete personal data

**the right to require erasure of data;** Often referred to as the right to be forgotten, data subjects have the right to request the erasure of personal data held about them in certain circumstances (for example, if they decide to withdraw their consent to the processing or if the data is no longer necessary for the purpose for which it was collected).

**the right to data portability;** Data subjects have the right to receive a copy of their personal data held by a data controller in a commonly used and machine-readable format, the right to transmit their personal data to another data controller, and the right to have their personal data transmitted directly from one data controller to another. This is a new right under the GDPR.

**the ability to withdraw consent or to object to processing;** where the legal basis for processing your data is that you have given consent, you are free to change your mind and withdraw your consent at any time and this will be respected. In some circumstances this may mean the Charity is not able to provide the services to or for you that it would wish to do, and;

**the right to lodge a complaint to the ICO**, we would hope that you would give the Charity the opportunity to be able to resolve any complaint. However you have the right to complain to the Information Commissioners Office should you wish to. The Information Commissioners Office can be found on the web at <https://ico.org.uk/> .

### **Our Commitment to You**

- We will observe the rights granted to you under applicable privacy and data protection laws and will ensure that queries relating to privacy issues are promptly and transparently dealt with
- We will train our staff on their privacy obligations
- We will ensure we have appropriate physical and technological security measures to protect your information regardless of where it is held
- We will ensure that when we outsource any processes we ensure the supplier has appropriate security measures in place and will contractually require them to comply with these Privacy Principles.
- We will only use the information you provide to us for specific purposes and it will not be used for marketing purposes

### **Questions?**

If you have any questions or concerns regarding your information privacy while working or volunteering with Cornwall Hospice Care please direct them to us through the HR team who can be contacted directly on 01726 65711 or [communications@cornwallhospice.co.uk](mailto:communications@cornwallhospice.co.uk)

Or the Information Governance team at [InfoGov@cornwallhospice.co.uk](mailto:InfoGov@cornwallhospice.co.uk)