



Ashlands Occupational Health Ltd

Privacy Notice

As required by: Data Protection Act 1998 (DPA) and the EU General Data Protection Regulation (EU) 2016 (GDPR)

1. The data controller is:

- a. Laura Haseldine – Occupational Health Nurse

2. The purpose or purposes for which the information will be processed are:

As noted in Article 9(2)(h) of the GDPR: Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of working capacity of the employee, medical diagnosis...or the management of health or social care systems and services on the basis of the Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3 of the GDPR.

The information we hold about you is held securely by Ashlands OH. We use the information to provide appropriate recommendations to your employer regarding your health and employment. We do not routinely disclose any medical information and will only do so with your consent if we feel it is relevant to your or others safety.

Under certain circumstances we may be legally compelled to disclose information without your consent (e.g. court order, risk of harm to others). You will be advised of the disclosure, and the rationale behind this, unless it is impractical to do so.

3. Any further information which is necessary in the specific circumstances to enable the processing to be fair.

The retention of personal data despite a request for erasure will be lawful where it is necessary for compliance with a legal obligation, or in the exercise of official authority vested in the controller, or for the establishment, exercise or defence of legal claims.

Therefore, the data Ashlands OH hold will be retained as follows:

- a. Health surveillance is held as indicated by Health and Safety Regulations, this is usually 40 years for the work undertaken by Ashlands OH.
- b. Other data retained by Ashlands OH will be destroyed seven years after you have left employment with the commissioner of the service/consultation, or seven years after the last entry in the record if no leavers date is known.

4. The information being collected is:

- a. Your personal identifiers:
 - i. name
 - ii. date of birth
 - iii. address
 - iv. contact telephone number
 - v. email address
 - vi. National Insurance number (for health surveillance, this is a Health and Safety Executive (HSE) requirement)
- b. Your relevant medical history
- c. Your current medical / health condition, including any treatment, specialist advice, follow-up planned that you have told us about

5. The information is collected by:

- a. Your manager or HR or the OH Administrator may collect personal identifiers (as listed in section 4a) data to forward to Ashlands OH, your details will be confirmed when you contact Ashlands OH.
- b. Sensitive personal information (section 4b-c) will be collected by Ashlands OH employees as needed to process your case; this will include Nurse or Doctor.
- c. Your treating doctors may provide medical reports if Ashlands OH have requested information with your consent.

6. It is collected:



- a. Via records provided by your employer
- b. Verbally during your consultation
- c. Via email
- d. OH Software
- e. Case Management Referral forms

7. It is being collected:

- a. In order for Ashlands OH to consider your health in relation to your job, or your job in relation to your health and provide recommendations to your employer to help them support you at work and to ensure they are complying with appropriate legislation (including but not limited to Health and Safety Law, Equality Act etc.).
- b. Our role is to provide you with specific health advice to help you maintain your own health or help you to return to work if you are currently absent.

8. The data will be used as follows:

- a. The data we hold will be used to enable Ashlands OH to provide recommendations regarding your health and work duties/role to you and your employer.
- b. We may provide anonymous reports regarding occupational health attendance, including: health surveillance trends or/and trends in occupational health issues. The reports will be used as deemed appropriate and may be presented to management or HR.
- c. Your record may be used in clinical audit to ensure the service complies with its legal and professional responsibilities.

9. The data will be shared with:

The information will be shared with the:

- a. Ashlands OH administrator for administration purposes.
- b. Ashlands OH nurses and/or the Ashlands OH appointed Occupational Health Physician if necessary for your case to be appropriately assessed.
- c. The outcome reports/information following your assessment/consultation will be shared with your manager or the commissioner of the service.

10. The data will be held securely by the following methods:

- a. Paper records are held in locked filing cabinets, only Ashlands OH nurses hold the keys or access code for the cabinets. If being transported, they are held securely in locked file bags/trolley as per our confidentiality policy.
- b. Electronic records are held securely, and computers/laptops/cloud servers require log-in/password to access
- c. Reports or letters containing medical or sensitive information sent via the post are sent via a tracked delivery method.
- d. Reports or letters containing medical or sensitive information sent via the email are encrypted.
- e. The OH software used is held on a secure server and requires double authentication to access.
- f. Full details included in the Ashlands OH Confidentiality Policy.

11. The effect of this on the individuals concerned will be:

The potential effect of Ashlands OH obtaining your data includes:

- a. To improve your health, or understanding of your health
- b. To understand your health and suitability to work, or rehabilitate back into work
- c. To understand any changes in your health identified via health surveillance

12. Is the intended use likely to cause individuals to object or complain?

The intended use is unlikely to cause individual to object or complain as it is ultimately for their benefit, either physically or psychologically or financially. Refer to Ashlands OH Complaints Policy.