



Dolphin Homes Privacy Notice – Staff and Candidates

This is Dolphin Homes Privacy Notice.

As part of the services we offer, we are required to process personal data about our staff, supported people and in some instances, the friends or relatives of supported people. Processing can mean collecting, recording, organizing, storing, sharing or destroying data.

We are committed to being transparent about why we need your personal data and what we do with it. This information is set out in this privacy notice. It also explains your rights when it comes to your data.

If you have any concerns please contact us:

Tel: 02392 475219

Email: enquiries@dolphinhomes.co.uk

Address: A3-A4 Endeavour Business Park, Penner Road, Havant, PO9 1QN

Data Protection Officer (DPO): Nick Heather, Managing Director.

Senior Information Risk Owner (SIRO): Darren Moody, Finance Director

Caldicott Guardian: Anneke Lane-Campbell, Operations Director

What data do we have?

So that we can provide a safe and professional service, we need to keep certain records about you. We may record the following types of data:

- Your basic details and contact information e.g. your name, address, date of birth and next of kin;
- Your financial details e.g. details so that we can pay you, insurance, pension and tax details;
- Your training records.

We also record the following data which is classified as “special category”;

- Health and social care data about you, which might include both your physical and mental health data – we will only collect this if it is necessary for us to know as your employer, e.g. fit notes or in order for you to claim statutory maternity/paternity pay;
- We may also, with your permission, record data about your race, ethnic origin, sexual orientation or religion.



As part of your application you will be required to undergo a Disclosure and Barring Service (DBS) check. We do not keep a copy of this data once we've seen it. However, we do need to keep a record of the following information:

- Date of DBS
- DBS reference number
- A yes or no answer to if there were convictions on the DBS (we do not record or keep any data about what the convictions were).

This information is held securely with limited access to HR, senior managers and your manager.

Why do we have this data?

We require this data so that we can contact you, pay you and make sure you receive the training and support you need to perform your job. We are also obligated under the Health and Social Care Act to maintain records about staff. By law, we need to have a lawful basis for processing your personal data.

We process your data because:

- We have a legal obligation under UK employment law;
- We are required to do so in our performance of a public task;
- We have a legitimate interest in processing your data – for example, we provide data about your training to Skills for Care's Adult Workforce Data Set, this allows Skills for Care to produce reports about workforce planning.
- We are required to provide data to our regulator, the Care Quality Commission (CQC), as part of our public interest obligations.

We process your special category data because

- It is necessary for us to process requests for sick pay or maternity pay.

We request your criminal records data it is because we have a legal obligation to do this due to the type of work you do. This is set out in the Data Protection Act 2018 and the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. We do not keep a record of your criminal records information (if any). We do record that we have checked this.

We may also process your data with your consent. If we need to ask for your permission, we will offer you a clear choice and ask that you confirm to us that you consent. We will also explain clearly to you what we need the data for and how you can withdraw your consent.

We may process your personal data where necessary for handling complaints, grievances or data protection concerns.



Where do we process your data?

As your employer we need specific data. This is collected from or shared with:

1. You or your legal representative(s);
2. Third parties.

We do this face to face, via phone, via email, via post, via application forms, via apps.

Third parties are organisations we have a legal reason to share your data with. These include:

- Her Majesty's Revenue and Customs (HMRC);
- Our pension and healthcare schemes;
- Payroll;
- Organisations we have a legal obligation to share information with i.e. for safeguarding, the CQC;
- The police or other law enforcement agencies if we have to by law or court order.
- The DBS Service
- The Home Office
- Other organisations conducting regulated audits in line with UK regulations governing Health and Social Care employers and Working rights.
- Internal HR, management and governance teams involved in complaint or investigation processes

How do we store your personal information?

Your information is held securely in our rostering software, training platforms, Microsoft files and in paper formats which are held securely where you work or at head office.

We hold data about you including copies of correspondence, securely within our software systems, access is granted only to those with authorisation.

Different types of record have different minimum retention periods. Our Record Retention Schedule explains what these retention periods are. If you would like a copy please let us know. Our record retention schedule is based on the NHS Records Management Code of Practice guidance which also applies to Adult Social Care and our business requirements.

Once this retention period comes to an end we conduct an appraisal of your information. There are three outcomes as a result of that appraisal (we follow the NHS Records Management Policy guidance around what to do with documents/data at the end of the retention period):

1. Securely dispose of your information.

Destruction of paper records: This is carried out under contract with an approved off site company authorised by our DPO, Nick Heather.

Destruction of digital records: This is a permanent action that means the data cannot be recovered or reversed. All providers of software where we store your data (Microsoft and Access) adhere to the ICO guidance to ensure that information cannot be retrieved once it has been removed. Some systems do not allow for permanent deletion, however we ensure that the record is removed from daily use and marked in such a way that it is recognised as dormant or archived and cannot be accessed.

2. Continued retention, archived (we will demonstrate and document justification).

There are occasions when information cannot be destroyed or disposed of, for example:

- If it is subject to a form of access request, for example, Subject Access Request (SAR), FOIA request.
- If it is required for notified legal proceedings, for example, a court order, or where there is reasonable prospect of legal proceedings commencing.
- If it is required for a coroner's inquest.
- If it is of interest to a public inquiry.

Anything that requires continued retention will be moved to our Secure Place of Deposit. This is out of general circulation and only accessible by the DPO, Caldicott Guardian and SIRO. All archived data is logged and reviewed every two years to ensure we do not hold data longer than required.

3. Other actions

Where appropriate we will anonymise or remove identifying factors from data that is stored in our Secure Place of Deposit.

How we handle data protection complaints

Dolphin Homes operates a formal process for handling complaints relating to personal data.

Complaints will be:

- Managed in a structured and timely way
- Recorded and monitored to ensure compliance
- Investigated and responded to without undue delay

You can raise a complaint using the contact details provided in this notice.

Your rights

The data that we keep about you is your data and we ensure that we keep it confidential and that it is used appropriately. You have the following rights when it comes to your data:

- You have the right to request a copy of all the data we keep about you. Generally, we will not charge for this service;
- You have the right to ask us to correct any data about you which you believe to be inaccurate or incomplete. You can also request that we restrict all processing of your data while we consider your rectification request;
- You have the right to ask that we erase any of your personal data which is no longer necessary for the purpose we originally collected it for. We are happy to provide a copy of our Record Retention Schedule with you if you would like more information.
- You may also request that we restrict processing if we no longer require your personal data for the purpose we originally collect it for, but you do not wish for it to be erased.
- You can ask for your data to be erased if we have asked for your consent to process your data. You can withdraw your consent at any time – please contact us to do so.
- If we are processing your data as part of our legitimate interests as a Care Provider Organisation in order to complete a task in the public interest, you have the right to object to that processing. We will restrict all processing of this data while we look into your objection.

You may need to provide adequate information for our staff to be able to identify you, for example, a passport or drivers licence. This is to make sure that data is not shared with the wrong person inappropriately. We will always respond to your request as soon as possible and at the latest within one month.

If you have a concern or complaint about how we use your personal data, you have the right to raise this with Dolphin Homes in the first instance. You can do this by contacting us using the details above.

We will acknowledge your complaint and investigate it in line with our data protection complaints procedure.

If you are not satisfied with the outcome of your complaint, or you prefer, you have the right to complain to the Information Commissioner's Office (ICO)

Information Commissioner's Office
Wycliffe House



Water Lane

Wilmslow

Cheshire

SK9 5AF

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