

Privacy notice – Health, Wellbeing and Attendance Team for the Absence Reporting and Triage Service

Who we are?

Derby City Council is the local government unitary authority for Derby City. Our address is The Council House, Corporation Street, Derby, DE1 2FS. You can contact our Data Protection Officer on 01332 640763 or by email at data.protection@derby.gov.uk

How do we collect information from you?

We collect information from you when you visit www.derby.gov.uk; also when you contact us in writing, speak to us on the phone, by email or any other type of electronic communication, or talk to us face to face.

What types of information do we collect from you?

We collect different categories of information about you, depending on the service you want from us and/or the reason why we need to process information relating to you. This could be personal information (for example your name and address), or other more sensitive data that we would only collect and use in very particular circumstances that are set out in law.

Details of information obtained internally, or from third parties?

The information we use to operate the absence reporting and triage service comes from:

- Human Resources through recruitment information filled in on our on-line job applications
- Human Resources from appointment details supplied by successful applicants as part of initial employment processes
- FirstCare when individual employees call them to report, update or close sickness absences.

How is your information used?

- The Council share personal data with First Care in accordance with contract of employment. The attendance management policy details this processing. The policy has received corporative approval and collective agreement from the trade unions, as such this is now an implied term within the contract of employment
- In accordance with the Council's legal obligations the attendance management process involves employees liaising directly with First Care and sharing special categories of data such as health data. It is essential to the Council's operation as an employer, to be able to effectively monitor employee attendance. The attendance management policy seeks to ensure that the Council adheres to its obligations under the health & safety laws, in a fair and consistent way to ensure compliance with the legislative requirements of the Equality Act 2010.

Your information will be used where the processing is necessary for the purposes of:

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- preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health
- carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment. In accordance with employment and health & safety laws

In accordance with the Council's contractual obligations, legitimate interests and legal obligations we may use your information to:

- set up confidential, secure employee records with FirstCare. This enables them to verify callers' identities and employment with the Council before agreeing unique security questions with them
- notify line managers when employees call FirstCare to report sickness absence to ensure duty of care obligations are met for staff members and service cover can be arranged in a timely way to protect service users and clients
- monitor employees' health and wellbeing to enable the Council's legal obligations under health and safety legislation to be met
- monitor absence management processes to make sure a consistent and fair approach is applied across the Council
- develop corporate and local interventions to protect employees and improve health, safety and wellbeing.
- In accordance with the Council's obligations under: the Employment Act 1996 & 2008, the Equality Act 2010 and the Health and Safety at Work Act 1974
- In the process of any prospective legal proceedings or legal proceedings.

Research and Statistics

Anonymised and pseudonymised data may be used for research & statistical purposes. Any data collected may be used for research and statistical purposes that are relevant and compatible with the purpose that the data was collected for.

Who has access to your information?

We may share your information with the following third parties for the reasons detailed;

- FirstCare on a limited basis to enable the absence reporting and triage services to operate
- Human Resources to enable absence records to be updated on MiPeople and correct salary payments to be made in line with Council policy
- Line managers and their nominated deputies to enable absence management processes to be followed, such as duty of care calls, return to work interviews and attendance management meetings
- Line managers and their nominated deputies to enable service cover to be organised in a timely way
- Line managers to enable them to fulfil risk assessment and risk management responsibilities under health and safety legislation.
- Internal support services, such as the Health and Safety Team, Health and Wellbeing Counselling Service, Occupational Health and Human Resources Casework Advisers to

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enable information, advice and protective interventions to be put in place to protect employees' health and wellbeing.

- Statutory agencies, such as the Police, National Fraud Authority – We may share your information with statutory agencies in line with our legal obligations and/or in completion of our public tasks.

Full access to information on FirstCare is strictly limited to members of the Health, Wellbeing and Attendance Team, HR, Occupational Health and a restricted number of staff who administer the system for the company.

We will not sell or rent your information to third parties. We will not share your information with third parties for marketing purposes.

What are your rights in relation the personal data we process?

Access – you can request copies of any of your personal information that is held by the Council.

Rectification – you can ask us to correct any incorrect information.

Deletion – you can ask us to delete your personal information. The Council can refuse to delete information if we have a lawful reason to keep this.

Portability – you can ask us to transfer your personal data to different services or to you.

Right to object or restrict processing – you have the right to object to how your data is being used and how it is going to be used in the future.

Right to prevent automatic decisions – you have the right to challenge a decision that affects you that has been made automatically without human intervention, for example an online form with an instant decision.

How long will we keep your information for?

We keep and dispose of all records in line with our record retention schedule; information about this is at <https://www.derby.gov.uk/retention-schedule/>. We will comply with Data Protection legislation.

What security precautions in place to protect the loss, misuse or alteration of your information?

We are strongly committed to data security and will take reasonable and appropriate steps to protect your personal information from unauthorised access, loss, misuse, alteration or corruption. We have put in place physical, electronic, and managerial procedures to safeguard the information you provide to us. However, we cannot guarantee the security of any information you transmit to us. We recommend that you take every precaution to protect your personal information.

Keeping your data up to date

We want to ensure any information we hold is accurate. You can help us by promptly informing us of any changes to the information we hold about you.

Details of any automated decision processes

None of our processes include automated decision-making.

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Under 13

If you are accessing online services and are under the age of 13, please get your parent/guardian's permission beforehand whenever you provide us with personal information.

Cookies

What are Cookies and why are they used?

Cookies are small text files which identify your computer to our servers. They are used to improve the user experience. View what cookies we use and how you can manage them at <https://www.derby.gov.uk/site-info/about-cookies/>.

Complaints

If you would like to make a complaint regarding the use of your personal data you can contact our Data Protection Officer;

By Post: Information Governance

The Council House,
Corporation Street,
Derby, DE1 2FS

By phone: 01332 640763

By email: data.protection@derby.gov.uk

For independent advice about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO):

By Post: Information Commissioner's Office

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

By phone: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

Alternatively, visit ico.org.uk or email casework@ico.org.uk.

