**ROWINA HEALTHCARE SERVICES (RHS)**

**DATA PROTECTION POLICY**

**INTRODUCTION**

The General Data Protection Act (GDPR) came into effect from 25 May 2018.

Rowina Healthcare Services (RHS), which employs less than 25 people at any one time, does not currently fall within the range of employers subjected to the Act. It is, nonetheless, supportive of it and has developed its own Data Protection policy, broadly mirroring the principals of the GDPR Act as set out below:

**DATA PROTECTION OFFICER**

RHS has an assigned Data Protection Officer (DPO) who is, not only responsible for the overall storage and safe keeping of all data held at RHS but, is also the only person within the RHS enterprise authorised to obtain and release data on its behalf.

The DPO is tasked with maintaining a register detailing the date and type of information / data provided, to whom and for what purpose each and every time it is released it to an external concern.

All such occurrences registered within an intervening period are reported by the DPO to and minuted by the Board as part of the RHS monthly Board meetings. A paper listing the same occurrences is also provided for each Board member, whether or not they are able to attend a meeting.

The DPO can be contacted at 19 Taylors Close, YAPTON, Arundel BN18 0FN.

**OBTAINING PERSONAL DATA**

Personal data is requested of each person seeking employment with RHS. A copy of the current RHS employment Application form can be obtained from the RHS website *www.rowinahcs.co.uk*

A job applicant should be made fully aware of the purpose of RHS needing the information they are providing and how it will be used. RHS must have taken steps to ensure that information has been given consensually.

All information will be held either electronically or on paper or both.

**USING PERSONAL DATA**

RHS will process personal data in the course of managing and performing the contract with an employee, including updating records and tracing their whereabouts to contact them about the contract or matters relating to it. e.g. Pension rights, Holiday Pay.

RHS may process personal data for its own legitimate purposes including: Good Governance, accounting, analysis and developing statistics, managing and auditing the business operation. RHS may process personal data for the interest of other organisations. This might include: RHS Care Home Clients, RHS Pay Roll providers, References and RHS Auditors.

RHS will process personal data in order to comply with a legal obligation. This will include RHS compliance with regulatory requirements and related disclosures, for the establishment or defence of legal rights, for the prevention, detection or investigation of crime and to verify an applicant’s identity.

RHS will process personal data where an employee requests that it is disclosed to specified people or organisations.

**SHARING PERSONAL DATA**

Subject to data protection law, RHS may share personal data with: subcontractors and other persons who help RHS provide its services, companies and other persons providing RHS with services, RHS legal and other professional advisors, Government bodies and agencies and Courts.

RHS may also share personal data in an emergency where it is vital to protect an employee(s)’ interests or where it is to protect the security and integrity of its business operations or, in such times when RHS might be restructured, sold or merged with another company.

**RETENTION PERIODS**

Personal data held in respect of employees will be retained for the length of each employees’ tenure with RHS and then, subject legal and regulatory requirements, for as long as it might be necessary to deal with any subsequent queries or claims raised by an employee. Therefore, the period of retention could be indefinite.

However, under the Data Protection laws, everyone has the right to ask that data/ information held about them be erased (“the right to be forgotten”). In which case, on written request, RHS will immediately identify and arrange for such data to be deleted and, where in physical form, destroyed.

**EMPLOYEE RIGHTS UNDER DATA PROTECTION LAW**

RHS will always adhere to the current and most up to date laws applicable to data protection and will ensure that employees or prospective employees are made aware, when completing the RHS Job Application form, of their rights under the law. These include:

* The **right to be informed** about RHS processing of their personal data,
* The right to have their personal data **corrected if it’s inaccurate**

 and to **have incomplete personal data completed**,

* The right **to object** to the processing of their personal data,
* The right **to restrict processing** of their personal data
* The right **to request access** to their personal data and information about how RHS process it,
* The right to **move, copy or transfer** their personal data (“data portability”)

RHS aims to provide a satisfactory outcome to all data protection queries but, advises, again through its application form, of an applicant’s right to complain to the Information Commissioner’s Office which, has enforcement powers and can investigate compliance with data protection law*.ico.org.uk*