



# SERVICES USERS AND SERVICE PROVIDERS PRIVACY AND DATA RETENTION POLICY

May 2018  
Reviewed November 2018  
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## 1. Introduction

MOHS Workplace Health (MOHS) is committed to protecting the privacy and security of your personal information and we will always treat you and your data with respect.

This privacy notice covers how we collect, use, store and disclose the data that you supply to us and your rights about data that we hold about you.

For the purposes of this notice, the data subjects include:

- services users
- service providers

### The information we collect from you

Personal individual information means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). We will collect from yourselves or your employer, store, and use only the sections of the following categories of personal information which are relative to the reason for collection:

Service users:

1. Business contact details
2. Personal unique reference data of any person attending a medical assessment or training course, such as name, title, address, telephone numbers, personal email address for report delivery, clock number, date of birth, national insurance number (only required for medical surveillance bookings)
3. Employers name and address
4. Payment details
5. Employment records (including job titles, work history, working hours)

We may also collect, store and use 'special categories' of more sensitive personal data which require a higher level of protection:

6. Where required for management referral bookings: information about your health, including any medical condition(s), health and sickness records (including supplied GP or other medical specialist records) subject to appropriate confidentiality safeguards. We may use information about your physical or mental health, or disability status to assess your working capacity on health grounds, fitness to work, and to provide appropriate workplace adjustments.
7. Visual (only) evidence of a valid passport or alternative unique photographic proof (only required for attendance of health and safety courses and drugs and alcohol testing for identification )

Service providers:

1. Business contact details
2. Payment details

### How the information is collected

We collect personal information when entering into a contract. We may sometimes collect additional information from third parties including GPs or alternative medical specialists, but only with your consent.

### When we will use your personal information

We need all the categories of information identified above primarily to allow us to perform our contract with you [\*] and to enable us to comply with legal obligations [\*\*]. In some cases, we may use your personal information to pursue legitimate interests of our own or those of third parties [\*\*\*] (provided your interests and fundamental rights do not override those interests). We will process your personal information as follows, the asterisks show the purpose for

processing:

| <b>Service users:</b>                                                                                                                                              |              |                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|---------------------|
| Purpose                                                                                                                                                            | Type of data | Legitimate interest |
| Provision of a quote                                                                                                                                               | 1,3          | ** *                |
| To enable a booking for a medical assessment, or clinical health surveillance to be made, take place and relevant information to be provided following the booking | 1,2,3,5,6,7  | ** *                |
| Referring on to or requesting a report from a GP or alternative medical specialists such as medical consultant, physiotherapist or psychotherapist                 | 1,2,3,5,6    | *** *               |
| To make a booking for a health and safety course, or site visit for the purposes of providing services                                                             | 1,3,4        | ** *                |
| To inform you of impending review dates                                                                                                                            | 1,2,3        | ** *                |
| To provide relevant health and safety updates, including offers on training courses                                                                                | 1,3          | ** *                |
| Fraud prevention ie ensuring the person attending is the person named in the booking                                                                               | 2,3,7        | ** *                |
| To ensure that payment is successfully requested and received                                                                                                      | 1,3,4        | ** *                |
| To deal with complaints                                                                                                                                            | 1,3          | ** *                |

| <b>Service Providers:</b>                           |              |                     |
|-----------------------------------------------------|--------------|---------------------|
| Purpose                                             | Type of data | Legitimate interest |
| Receiving contracted services and to ensure payment | 1, 3, 4      | ** *                |

### Failure to provide information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you.

### Sensitive personal information

'Special categories' of particularly sensitive personal information require higher levels of protection. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent
2. Where we need to carry out our legal obligations and in line with our Data Protection Policy.

It is important that the personal information we hold about you is accurate and current, so please let us know if your information changes.

### Disclosure/data sharing

We may have to share your data with third parties, including third party service providers (ie contractors and designated agents); other entities in the group; in the context of a sale of the business; or with a regulator or to otherwise comply with the law; our insurers and/or professional advisers to manage risks or legal disputes

The following third-party service providers process personal information about you for the following purposes:

- Occupational health physicians and psychotherapist: self employed specialists
- Physiomed: physio partner
- Intuitive Computer management (ICM): IT support and data cloud hosts on behalf of MOHS
- Formus Professional: designers and maintainers of the database
- CK Chartered accountants: perform the company's annual accounts audit. (Data is only viewed during the audit and not accessed off site).

- BSI and SEQOHS: auditors of the 9001 accreditation and the occupational health accreditation (Data is only viewed during the audit and not accessed off site)
- Highfield training: Accrediting body for first aid courses: Delegate name, DOB (necessary to ensure appropriate age limit achieved) title and date of course and results
- IOSH: Health and safety courses. Name, title and date of course and results

We do this where required by law; where it is necessary to administer the working relationship with you; or where we have another legitimate interest in doing so.

We require third parties to respect the security of your data and to treat it in accordance with the law.

### **Transfers of data outside of the EU**

We will not transfer the personal information we collect about you outside the EU.

### **Data retention**

Data is securely stored by MOHS for varying lengths of time, dependant on the type of data.

However specific data such as under health and safety law requires us to keep results of health surveillance for a period of 40 years.

### **Your rights**

Under certain circumstances, by law you have the right to:

- **request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it. Please contact our data processor, Helen Hooper, for a copy of this form.
- **request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **request the transfer** of your personal information to another party.

### **Right to withdraw consent**

In the limited circumstances where you may have provided your consent to the processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Please contact our Data Protection Officer (DPO) Helen Hooper.

### **Complaints and questions**

If you have any questions about this privacy notice or how we handle your personal information, please contact the person responsible for DPO, Helen Hooper. If we have breached our duty of care, we will take appropriate action.

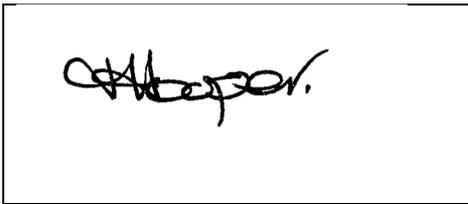
If you are not satisfied by our response you also have the right to make a complaint at any time to the Information

Commissioner's Office (ICO), the UK supervisory authority for data protection issues (**email**: casework@ico.org.uk).

**Changes to this privacy and data retention notice**

We reserve the right to update this privacy notice at any time for justifiable reasons.

For further information, please refer to our Data Protection Policy.

|        |                                                                                   |      |               |
|--------|-----------------------------------------------------------------------------------|------|---------------|
| Signed |  | Name | Helen Hooper  |
| Title  | Chief Executive                                                                   | Date | November 2020 |