

## MHA Privacy Notice

### Processing of Personal Information of MHA Colleagues

'colleagues' include: applicants, employees, volunteers, contractors, board members

Thank you for taking the time to read our privacy notice.

Methodist Homes (MHA) is a registered charity whose mission is to 'enable people to live later life well'. We recognise the trust you place in us when you share your personal information with us. We are committed to operating with openness, honesty and transparency. This privacy notice provides information about: the personal information that MHA collects about you as colleagues (employees, volunteers, contractors, board members); the ways in which your personal information may be used; and your rights.

This Privacy Notice will be updated from time to time. The latest version, and our other privacy notices, can be found on MHA's web site ([www.mha.org.uk/PrivacyPolicy](http://www.mha.org.uk/PrivacyPolicy)). If you have provided preferences for receiving general information about MHA, including fundraising, this will be covered by the 'Supporters Privacy Notice' available at the same link.

Please note that we may use additional privacy notices to supplement this notice. We will always bring any additional privacy notice to your attention.

#### 1. Who we are and contact details

MHA is the Data Controller for the personal data we process. MHA is a registered charity in England and Wales (No. 1083995) and Scotland (No. SC040155) and a Company limited by guarantee (No. 4043124). Our registered Office is: MHA, Epworth House, Stuart Street, Derby, DE1 2EQ.

If you have any questions about this privacy notice, or wish to exercise your rights, please contact MHA's Data Protection Officer using the contact details below.

- Email: [DataProtectionOfficer@mha.org.uk](mailto:DataProtectionOfficer@mha.org.uk)
- Phone: 01332 221 893
- Post: Data Protection Officer, MHA, Epworth House, Stuart Street, Derby, DE1 2EQ

#### 2. Personal Information Collection

Personal information is information that can be used to identify you or is about you. Please contact us to provide an update if your personal information changes. MHA, or a company working on behalf of MHA, may request from you and process the following Personal Information (P) and Special Categories of Personal Information (S):

- Name (P) & Home address (P)
- Phone numbers (P)
- Email address (P)
- Date of Birth (P)
- National Insurance number (P)
- Bank details (P)
- Professional registration information
- Driving License (P)
- Equal Opportunity information (S)
- Medical Information, Covid-19 vaccination status (S)
- Criminal convictions or cautions (S)
- Proof of Right to Work (P)
- Discloser and Barring Service (S)
- Pension Information (P)
- Photos (P) e.g. notice boards and badges
- CCTV recordings (P)

MHA processes Special Category data in accordance with its Appropriate Policy Document which can be found at [www.mha.org.uk/PrivacyPolicy](http://www.mha.org.uk/PrivacyPolicy).

### 3. Processing of Personal Information & Legal Basis

The Legal Basis for processing your Personal Data is either:

- **Contract** - MHA will process your Personal Information to fulfil the Contract (incl. volunteering agreement) or to take steps to enter into a contract (the legal basis)
- **Legal Obligations** – MHA has a legal obligation to process your personal data regarding your salary, National Insurance and PAYE Tax and regarding your pension.

Some of the processing may be carried out by external organisations (Data Processors) under a contract. MHA's Data Processors include:

- Human Resource processing, including MyMHA (data in the UK)
- Payroll services (data in the UK)
- Pension Contributions (data in the UK)
- Training records and Workplace (data in the USA protected by Controller to Processor Standard Contractual Clauses)

**NHS Test and Trace** is a key part of the Government's COVID-19 response. If we can rapidly detect people who have recently come into close contact with a COVID-19 case, we can take swift action to minimise transmission of the virus. This includes self-testing, whether at home or an MHA location. MHA will therefore share relevant information (name, contact information, dates, location, test results) with Test and Trace as and when required. The legal basis for the sharing of this information is it is a necessary task carried out in the **public interest**. The Department of Health & Social Care's privacy notice can be found [here](#).

**Working from home and sharing your address**: MHA has a **legitimate interest** to share your home addresses for a business requirement, e.g. to deliver or collect business related items. Sharing of your home address will be on a need to know basis and only for business related services.

**Workplace** (by Facebook) is part of MHA's internal communication strategy. Accounts are created on Workplace for all colleagues as MHA has a **legitimate interest** to encourage colleagues to communicate to promote 'One MHA'.

**Your Views**: MHA is continuously seeking to improve. To help us in our process we have a **legitimate interest** to seek feedback and opinions from our colleagues. To this end we may occasionally ask you to: complete a survey, take part in a discussion group, or give us your views in another way. If you would rather not be invited to participate please let us know and we will record your desire to opt-out.

**MHA Cares for You** a benefit service provided to all employees. MHA has a **legitimate interest** to offer benefits to employees. To allow you to sign up for this service MHA shares your name and payroll number to the Rewards Gateway to allow an account to be created. To opt-out of please contact your manager or the Data Protection Officer.

**Photos and Videos for Promoting MHA:** MHA may use photos or videos for:

- Publicity, fundraising and advertising materials, including printed publications
- Presentation and exhibition materials
- Websites, social media channels and digital communications
- News media and their associated websites and social media channels including print, television and radio

**Personal Photos:** MHA will ask for your **consent** to use photos or videos, in which you are a focal point, taken by colleagues, professionals or third party agencies on behalf of MHA. MHA may contact you as the 5 year retention period comes to an end to ask for consent to continue using the photos or video.

**Group or Event Photos:** MHA may take photos during activities or events which include multiple people, where you are not the primary focus. The legal basis for taking these photos is **legitimate interest**. During such activities or events you will be informed where the photos or filming will take place allowing you to move in or out of camera shot.

**Skills for Care:** MHA uploads pseudonymised data to the Adult Social Care Workforce Data Set – you can't be identified. The data is combined with that of other social care providers to help the Department for Health and Social Care (DHSC), local authorities and the Care Quality Commission (CQC) to plan, fund and monitor the sector. MHA has a **legitimate interest** to share this data so that funding for training can be received.

#### 4. Information Sharing

MHA and its Data Processors will not share the Personal Information provided for the Contract:

- With any other department within MHA unless it is necessary to achieve the purpose for which the data was provided.
- With any external parties except to meet the requirements of the Contract.

MHA may share a minimal amount of your Personal Information with:

- MHA's insurance company in relation to claims or possible claims.
- When legally required to do so, including regulatory compliance.

MHA may be required to disclose your Covid-19 vaccination status to the Care Quality Commission (CQC), the Local Authority or NHS (with whom we have a contract) or other empowered body to ensure that MHA is complying with the "The Health and Social Care Act 2008 (Regulated Activities) (Amendment) (Coronavirus) Regulations 2021".

MHA will not sell or swap your data with any third parties. We will not share your information with any third party for marketing purposes.

## 5. Transfers to other countries

MHA will transfer your name, work location and payroll number to the USA to process your training records and to manage your Facebook Workplace account. The services in the USA are protected by Standard Contractual Clauses.

MHA will not transfer your Personal Information outside of the UK or the EEA.

## 6. Securing your information

MHA takes our duty to protect your personal information and confidentiality seriously.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. Access to your personal information is only allowed on a need to know basis. Those with access will only process your personal information as instructed and are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal information breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 7. Retention of Personal Information

MHA will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal requirements. At the end of the retention period your information will either be securely and confidentially destroyed or anonymized. Anonymization is the process of removing personal information from the data so that it is not possible to identify individuals from the data.

Colleague's Record	Retention Time
Application Records (CV, application form, etc)	6 months for unsuccessful applicants 6 years after leaving for successful applicants
Terms and conditions, agreements	6 years after leaving
Personal File: 1:1's, Appraisals, disciplinary records, absence records, Pay & benefits information, training records	6 years after leaving
Summary of employee record	Until the age of 70 if no longer employed
CCTV Recordings	30 days
Access to MHA Cares for You and information shared with The Rewards Gateway	During your employment unless you opt-out of the service.
Photos, videos and quotes	5 years
Your views, surveys, etc	3 years
Covid-19 Vaccination status	Until the Secretary of State deems that recording the information is no longer required.

If you request to receive no further information from us your data will be stored on a suppression list to ensure that we do not contact you in future.

## 8. Your Rights in relation to your Personal Information

Under the Data Protection legislation you have the following rights:

- **the right to be informed** – covered by this Privacy Notice;
- **the right of access** – you have the right to make a Subject Access Request asking for information about, or copies of, the information we hold and the way it is used;
- **the right to rectification** – as soon as you become aware that some information is incorrect let your line manager know or inform the Data Protection Officer;
- **the right to erasure** – request the deletion or removal of personal information where there is no compelling reason for its continued processing;
- **the right to restrict processing** – you can request the we stop any processing if the information we are processing is incorrect;
- **the right to data portability** – you can request the personal information provided by yourself, be exported in to a universal format so it can be imported into another system;
- **the right to object** – to processing relating to marketing and profiling;
- **the right not to be subject to automated decision-making** including profiling.

To exercise any of these rights please contact the person to whom you provided your personal data or MHA's Data Protection Officer (contact details in section 1).

If you are unhappy with the way that MHA has processed your personal data you can raise a complaint with the Information Commissioner's Office (<http://ico.org.uk>). We would appreciate it if you could please let us know if you contact the ICO. If you feel able to contact us before you contact the ICO, we will take your concerns seriously and we promise to work with you to resolve any issues that you have (noting that we will tell you if you should refer the issue to the ICO and that we may also need to tell the ICO).