

# NursingDirect

POLICY NUMBER: **13**

POLICY TITLE: **DATA PROTECTION AND SUBJECT ACCESS POLICY**

WHO MUST ABIDE BY THIS POLICY? **ALL INDIVIDUALS THAT ACCESS DISCLOSURE INFORMATION**



# DATA PROTECTION AND SUBJECT ACCESS POLICY

## THE PURPOSE OF THIS POLICY

- To provide our staff, clients and temporary workers with mechanisms that will ensure the protection of their data
- To ensure that temporary workers follow the necessary rules in terms of data protection.

## WRITTEN MATERIALS

All written materials must be treated carefully; materials no longer of use should be destroyed. Such materials include, print screens, handwritten notes of a person's name and telephone number, anything whatsoever from a candidate file including copies of CV's, any training or knowledge materials such as presentation handouts/ weekly statistics/call logs etc.

Desks should not have confidential information left out on display where someone walking past the desk could view such information.

For ease of disposal for all confidential material a paper shredder is provided within our office environment. If access to a shredder is not available, the material should be cut up or torn to the smallest size possible.

Use of computers should also be treated with confidentiality and you should ensure when you leave your desk the monitor is switched off or a screensaver, with password, is set to activate after 5 minutes of no activity.

## VERBAL COMMUNICATION

All conversations related to Nursing Direct or any of its staff, temporary workers, clients, finances, strategic plans or any other knowledge you have as a result of working in the employment business, and conducted inside or outside the organization should be of a professional nature and not disclose any information not already held within the public domain.

Should you receive a call enquiring about any details held you must first validate who the caller is and assure yourself that you are talking to the correct person. In order to do this you must ask at least three questions which only the caller would be able to answer easily. These questions include personal information such as date of birth, place of birth, postcode, mobile number or other information such as PIN number or last time they worked with us (you must remember to ask if they have worked for another branch recruit to confirm this). The same equally applies to client information.

## PERSONAL DATA

Nursing Direct will hold computer records and personnel files relating to the temporary worker. These will include the temporary workers employment application, reference, bank details, performance appraisals, holiday and sickness records, remuneration details and other records (which may include data relating to the temporary workers health and data held for monitoring purposes). Nursing Direct requires such personal data for personnel, administration and management purposes and to comply with its obligations regarding the keeping of records. The temporary workers right of access to this data is as prescribed by law.

In terms of the temporary workers contract, Nursing Direct may process personal data of an temporary worker relating for personnel, administration and management purposes (including data relating to the Temporary Workers health and data held for monitoring purposes) and may, when necessary for those purposes, make such data available to its advisors, to parties providing products and/or services to Nursing Direct (including, without limitation, IT systems suppliers, pension benefits and payroll administrators), to regulatory authorities, to any potential purchasers of the Company or its business (on a confidential basis) and as required by law. Nursing Direct may transfer such data to and from Group Companies.

Nursing Direct may, in terms of the Temporary workers contract, handle, process and divulge (whether in the UK, the European Union or elsewhere) such information as may be necessary for the Company or its agents to perform its business or duties.

## CONFIDENTIALITY POLICY

The Temporary Workers will in the course of his/her employment have access to and be entrusted with trade secrets and information in respect of the business, administration and financing of Nursing Direct and its dealings, transactions and affairs and its clients, staff and temporary workers and similar information concerning its clients, staff and temporary workers, whether or not contained in the databases of Nursing Direct or any Group Company all of which information is or may be confidential.

The temporary worker may not (except in the proper course of his/her duties or unless ordered to do so by a court of competent jurisdiction) during or at any time after the temporary workers assignments divulge to any person whatever or otherwise make use of any confidential information and he/she shall use his/her best endeavours to prevent the improper use, disclosure or communication of confidential information.

Confidential information will be deemed to extend to all confidential technical and commercial information including, but not limited to the contents of reports, specifications, quotations, formulae, computer records, client lists, price schedules, clients lists, clients and the like.

These restriction above shall not apply in respect of any information which is or has become in the public domain (otherwise than by a breach by the Temporary Worker of this clause) or which he/she is required to disclose by court or competent authority or which by virtue of the temporary workers assignments are part of his/her own skill and knowledge.

## SUBJECT ACCESS

Data subjects have a general right of access to their own personal data if it is held and processed in an automated system or in a relevant manual filing system that is structured in relation to individuals.

The amount of personal data we have about a person and how we process it depends on the nature of the relationship with us. We may therefore hold some documents or other records that refer to people by name but that are not classed as accessible personal data because they are not held in a relevant filing system.

Subject access requests must be made in writing, with enough information to find the data requested and proof that you are the data subject. We need two proofs of identity like a copy of a birth certificate, passport, driving licence, council tax bill or a letter to you from us or from a government department. At least one item must include a photograph or a signature.

You can request access to your personal data by telephoning 0330 555 5000 or by emailing your request to [research@nursdoc.com](mailto:research@nursdoc.com)

A subject access request will be processed after receipt of a crossed cheque (or other suitable form of payment) for £10, made payable to Nursing Direct Ltd.

Once we have all the information we need to deal with a request, including the fee, we will respond within 40 days confirming:

- a description of the personal data
- why the data is held
- who else the data might have been given to
- a copy of the data
- an explanation of any technical terms or abbreviations
- any information about the original source of the data

There are some exemptions to the right of subject access. For example, we can withhold data that refers to other people who have not consented to disclosure or might cause serious harm to you or anyone else.

You only have the right to access your own personal data. You do not have the right to access personal data about other members of your family or your friends unless you have written proof of your authority to act on their behalf. Even if you meet this requirement we may need to ask you for more information before replying or refuse your request because of our duty to keep personal data confidential.

Under the Data Protection Act, we must try to keep personal data accurate and up to date. If you think that your personal data is inaccurate, you can write explaining why and asking us to correct it. We will reply within 21 days to let you know what we have done about your request.

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