

GDPR Privacy Statement

The Health Works for Cornwall programme is contract managed by Cornwall Council. This programme is funded through the Department of Work and Pensions (DWP) on behalf of the European Social Fund and is Cornwall Council Match Funded.

Health Works for Cornwall is committed to protecting the privacy and security of your personal information. We are required under the data protection legislation to notify you of the information contained in this privacy notice. This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR).

This notice applies to current and former employees, workers and contractors. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice from time to time.

It is important that you read this notice, together with the DWP Participant Privacy Notice when we are collecting or processing personal information about you, so that you are aware and understand how we are using your personal information.

Data Controller and Data Processor

The UK GDPR draws a distinction between a 'controller' and a 'processor' in order to recognise that not all organisations involved in the processing of personal data have the same degree of responsibility. The UK GDPR defines these terms:

'controller' means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.

'processor' means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

For the purposes of the General Data Protection Regulation (GDPR), the DWP is the data controller in respect to information processed which relates to all participation in the European Social Fund. The Health Works for Cornwall acting as ESF grant beneficiary organisations are data processors in respect to information processed which relates to participants in the operations and projects funded by the European Social Fund.

DWP is **not** the controller for any other / additional data collected by Health Works for Cornwall that is not essential for delivering the ESF programme, or for any personal data that would normally be collected anyway by Health Works for Cornwall.



PERSONAL INFORMATION WHICH MAY BE COLLECTED FROM YOU:

We may collect, store and use the following categories of personal information from you:

- Personal contact details such as name, title, address, telephone numbers and personal email addresses
- Date of birth
- Personal data for the application of a birth certificate
- Gender
- Bank statement as proof of address; the details will be redacted
- Salary, annual leave, pension, bonus payments and benefits information, contract of employment, wage slips, hours worked and payroll number
- Start date
- Employer contact details, location of employment or workplace
- Driving Licence or Driving Licence reference number, passport or passport number or birth certificate or birth certificate number may be recorded as evidence of identity
- Further personal forms of ID may be taken such as Utility Bill, Council Tax statement, rent statement, HMRC letter, Benefit Letter and other similar documents that identify you
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process)
- Employment records (including job titles, work history, working hours, training records and professional memberships)
- Performance information
- Disciplinary and grievance information
- Information about your use of our information and communication systems
- Photographs

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity
- Information about your health, including any medical condition, health and sickness records
- Information about criminal convictions and offences

HOW WE COLLECT PERSONAL INFORMATION:

We typically collect personal information about you from a referral, telephone conversation, consultation through outreach work, email and from Health Works for Cornwall referral system.

HOW WE MAY USE YOUR PERSONAL INFORMATION:

We will only use your personal information where we are permitted to do so by law. This includes:

- Where we need to perform a support programme we have agreed to undertake with you
- Where we need to comply with a legal obligation
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests





We may use your personal information in the following circumstances:

- Making a decision about your programme support which might include:
 - Benefits
 - Back to work
 - Housing
 - Debt and money management
 - Education, training
 - Home and family
 - Health, wellbeing and life skills
 - Dealing with addiction and anger management
 - Social and community engagement advice
- Support you in any interaction with social services
- Checking you are legally entitled to work in the UK
- Provide self-employment advice and support
- Assessing qualifications for a particular job or task
- Gathering evidence for possible grievance or disciplinary hearings including those related to benefits
- Education, training and development requirements
- Ascertaining your fitness to work
- Complying with health and safety obligations
- To prevent fraud
- To conduct data analytics studies in support of our contractual obligations. These will involve data collected but would normally be anonymised.
- Equal opportunities monitoring

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION:

“Special categories” of particularly sensitive personal information requires higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information.

We may process special categories of personal information in the following circumstances:

- In limited circumstance, with your explicit written consent
- Where we need to carry out our legal obligations and in line with our data protection policy
- Where it is needed in the public interest, such as for equal opportunities monitoring, and in line with our data protection policy

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.



We will use your particularly sensitive personal information in the following ways:

- We will use information about your physical or mental health, or disability status, to ensure health and safety in the workplace, to assess your fitness to work and to provide appropriate workplace adjustments
- We will use information about your race or national or ethnic origin or sexuality to ensure meaningful equal opportunity monitoring and reporting

WHO WE WILL SHARE YOUR PERSONAL INFORMATION WITH:

We may share your personal information with third parties 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. "Third parties" include third-party service from Cornwall Council, DWP and European Social Fund. With your further consent we may refer your data to third parties to enable you to access the support you have agreed to.

The personal information which we collect from you will not be transferred to, or stored at, a destination outside the European Economic Area (EEA).

HOW WE SECURE YOUR PERSONAL DATA:

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. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions, and they are subject to a duty of confidentiality.

HOW LONG WE WILL STORE YOUR PERSONAL DATA FOR:

We will only retain your personal information for as long as necessary in line with our disposal and retention policies to fulfil the purposes we collected it for and to meet the contractual conditions we operate under.

The Health Works for Cornwall programme is funded with the help of European Social Fund and therefore we hold your data until 31 December 2035.

Any information that we hold on you will be deleted within two months should we not engage with you.

YOUR RIGHTS IN RELATION TO PERSONAL DATA:

It is important that the personal information we hold about you is accurate and up to date. Please keep us informed in your personal information changes during your working relationship with us.

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

- Request access to your personal information (commonly known as "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.



European Union

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- 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 the 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 stop processing personal information where we are relying on a legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground.
- 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.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we do not transfer a copy of your personal information to another party, please contact the Data Protection Representatives; Pete Cokell/ Marc Allen/Gemma Mewton at Cornwall Council, County Hall, Truro, TR1 3AY Tel: 01872 326424 Email: dpo@cornwall.gov.uk.

You will not have to pay a fee to access your personal information (or to exercise any of your other legal rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with your request in such circumstances, and in all cases, where we are permitted to do so by law.

We may need to request specific information from you in order to confirm your identity and ensure your right to access the information or exercise any of your other rights. This is another appropriate security measure which we use to ensure that your personal information is not disclosed to any person who has no right to receive it.

RIGHT TO WITHDRAW CONSENT:

Where you may have provided your consent to the collection 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. To withdraw your consent, please contact the Data Protection Representatives as previously detailed. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

AMENDMENTS TO THIS PRIVACY NOTICE:

We reserve the right to update this privacy notice at any time and will notify you where we make any substantial changes. We may also notify you in other ways from time to time about the processing of your personal information.

