

# Occupational Health Privacy Notice

## About Us

This Privacy Notice explains the nature of the personal information that the University and the Henley Business School processes for the purposes of the provision of Occupational Health Services (OH). This notice applies to staff of the University of Reading and the Henley Business School. The University and the Henley Business School (We or Us) are data controller in respect of the information that We process about you. Our contact details are: The University of Reading, Information Management & Policy Services, Whiteknights House, Shinfield Road, Whiteknights, Reading, RG6 6UR, UK. Tel: +44 (0) 118 378 8981.

This notice explains what personal information We collect, hold and share in support of these purposes and your rights in respect of the data We hold about you.

Your privacy is important to Us, so if there is anything in this privacy notice that is unclear or you do not understand, please contact Our Data Protection Officer at: [imps@reading.ac.uk](mailto:imps@reading.ac.uk)

## Data We collect about you

To manage Occupational Health operations effectively, provide services to you, and meet certain legal requirements, We need to collect, record, store, use, share, retain and destroy (this is known as 'processing') your personal data. Engagement with Occupational Health, requires Us to collect and process a number of different types of personal data.

The personal data we collect includes:

Personal data

- Full name
- Staff number

- Date of birth
- Gender
- Contact information, including: postal address, email address, telephone number
- Information about your current and previous employment, including job roles and occupational exposure
- Contact details of your GP and medical specialists

#### Special category data

- Disability information
- Ethnicity
- Physical, mental health information

We collect personal data directly from you, including via forms you return, evidence submitted and disclosures made by you including, during assessments. Along with the information you provide directly to us, we may also obtain your data from:

- Your manager or supervisor
- Human Resources
- Health & Safety Services
- Pensions department where necessary for consideration of ill-health retirement;
- External Occupational Health Physicians or other health specialists and services that we may refer you to as part of our assessment process
- Your GP or other specialists from whom you have previously had assessments by or received treatment, who we may write to with your consent.

## How We use your data

We will use your data:

- To assess your health and your fitness for work, including monitoring changes to your health
- To provide advice to your line manager, supervisor, HR and, where appropriate, H&S on your fitness for work, the impact of your health on work, the impact work on your health, and on any adjustments that would help you to do your work
- To identify any additional support, which may include liaising with internal University services such as Health & Safety or external specialists, that would help you to improve your health

Occupation Health will use anonymised data to identify health trends within the University, to enable targeted health and wellbeing strategies or for other research, audit or statistical purposes.

## **Our lawful basis for uses of your data**

Under data protection laws We must have a legitimate and lawful basis for processing your personal data. There are several lawful grounds within data protection law that apply to the different data that We are processing, and these are explained below:

Our basis for processing your data, for matters related to Occupational Health, is that it is necessary for the performance of a contract, specifically your employment contract with the University, and to allow us to comply with our legal obligations.

In respect of special category data processed by Occupational Health, the additional condition(s) for processing are that it is necessary for the purposes of occupational medicine and to comply with our obligations under employment law.

Separate to data protection requirements and in addition to the lawful basis for processing your information above, we also have a legal and ethical duty not to disclose confidential medical information to third parties, including your manager or HR, without your informed consent, unless there is a grave risk of serious harm to others or the records are the subject of a court order. This is under Common Law and relevant health professional codes of conduct including the GMC Guidance on Confidentiality, as your OH records are classed as a Clinical Record. Please note that this consent is separate to the above and does not affect our legal basis for processing your data.

## **Who We share your data with**

During the assessment the Occupational Health Advisor(OHA) will explain the assessment, the data that will be recorded, how this will be stored and what will be shared with who.

The OHA will produce a report on the assessment to be shared with your line manager or supervisor and Human Resources and you have the right to see this prior to its being released to them. The OHA will advise you of this. You will be sent a copy of the report and you will be asked to provide your consent to this being released to your line manager or supervisor and HR.

If you advise that you are withholding consent to release the report your line manager or supervisor and HR will be advised of this. Your line manager or supervisor and HR may then make decisions on the basis of the information available to them at the time.

There are circumstances where information about your fitness to work will be shared with your line manager or supervisor, and may be shared with the Health and Safety and HR teams where appropriate.

We will advise you about who we plan to share the report, and assessment information, with and provide you with a copy of the information prior to sharing, we will ask you for your consent to share it with relevant staff, including: your line manager, supervisor, HR and where appropriate Health and Safety. However, as explained in the 'Our lawful basis for uses of your data' section, in some circumstances, if withholding information could impact your health and / or safety, or the health and / or safety of others, information will be shared even where you do not provide your agreement, we will inform you if we need to do this.

We may also share information with other health professionals, such as specialists and GPs, to whom you are referred where you have consented to a referral. We will discuss with you the data we plan to share and will provide you with a copy of this.

## **Retention of your data**

Records held by Occupational Health will be retained for the duration of your employment with the University, and then for 6 years following your leaving date. Records related to significant ill health may be retained for up to 10 years following your leaving date.

In addition, Health Surveillance data (medical records from respiratory/spirometry, audiometry, HAVS and other health surveillance programmes) will be stored for 40 years from the date of the last entry. This is a requirement to comply with the Health and Safety Control of Hazardous Substances at Work, 2000 ('COSHH') legislation.

## **How We protect your data**

Your personal information is stored securely within the University and our staff are trained about the secure handling of personal information. We may also use third party providers to support the delivery of our services, such as externally hosted software or cloud providers. Where we do this, We have measures and terms in place with those providers to ensure that they also protect your data.

# Keeping your information up to date

The accuracy of your information is important to us. You can update your information, including your address and contact details, at any time by updating your details in Employee Self Service (ESS), and notifying the Occupational Health department of this change.

## Your rights

Under data protection law you have the right to:

- Withdraw your consent where that is the legal basis of our processing
- Access your personal data that We process
- Rectify inaccuracies in personal data that We hold about you
- Request erasure of your personal information, that is your details to be removed from systems that We use to process your personal data
- Restrict the processing in certain ways
- Obtain a copy of your data in a commonly used electronic form; and
- Object to certain processing of your personal data by us

Please see the ICO website for further information on the above rights:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulationgdpr/individual-rights/>

If you would like to exercise your rights, or have any concerns regarding how We have handled your personal information please contact our Data Protection Office at [imps@reading.ac.uk](mailto:imps@reading.ac.uk)

Some rights are dependent on the lawful basis for processing your information. If We have legitimate grounds to not carry out your wishes, these will be explained to you in response to your request.

You also have the right to complain to the [Information Commissioner's Office](#).

# Accessing your personal information

Individuals have the right to access their personal data and this includes records held by the Occupational Health department. Informal requests should be made to the Occupational Health department directly. Any individual wishing to access their personal data under the provisions of the General Data Protection Regulation and Data Protection Act 2018 should make a Subject Access Request (SAR). The individual should clearly describe the information they are requesting access to and submit this to the IMPS Office, for information on how to contact the IMPS Office, see subsection 'How to contact us'.

Your request will be processed by a very limited number of staff within the IMPS team, under the supervision of the University Data Protection Officer, who will be required to view all the data you request, including personnel, financial and occupational health records. The Occupational Health department will provide the IMPS Office with a copy of all relevant information, as required. By submitting a Subject Access Request you are accepting that the IMPS Office will need to request and view the data about you in order to assess what can be disclosed. Information of third parties, including staff in some circumstances may be withheld. All data will be handled securely and in the strictest confidence. If you have any concerns please contact IMPS in the first instance.

## Questions about this notice

If there is anything in this notice that you are unclear about, please contact our Data Protection Officer, on the contact details provided below, under subheading 'How To Contact Us', who shall be happy to answer any queries you may have concerning this privacy notice or the way in which We process your personal data.

Complaints can be referred to the Information Commissioners Office, the independent body who oversee Data Protection compliance in the UK. Contact: <https://ico.org.uk/make-a-complaint/>

## Changes to this notice

We keep our privacy notice under regular review to ensure best practice and compliance with the law. This privacy notice was last updated on 28/09/2022

We may change this privacy notice from time to time. If We make significant changes in the way

We treat your personal information We will make this clear on our website and may seek to notify you directly.

## **How to contact Us**

If you have any questions about this notice, our University Data Protection Officer can be contacted at:

University of Reading

Information Management & Policy Services

Whiteknights House

Shinfield Road

Whiteknights

Reading

RG6 6UR

UK

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