



Privacy Notice

What information do you collect and why?

Prestige OH Ltd process and holds data for the purpose of providing an Occupational Health Service. Records may be electronic, on paper or a mixture of both, and we use a combination of working practices to ensure that your information is kept confidential and secure. All Prestige OH staff have a legal and contractual responsibility to respect the confidentiality of information. Confidential information is restricted to only those who have a reasonable need to access it.

The GDPR grants individuals eight rights regarding their personal data. These are:

- The right to be informed: Individuals have the right to know how their personal data is collected, used, shared, and stored by organisations.
- The right of access: Individuals have the right to request a copy of their personal data that is held by an organisation.
- The right to rectification: Individuals have the right to ask an organisation to correct any inaccurate or incomplete personal data about them.
- The right to erasure: Individuals have the right to ask an organisation to delete their personal data in certain circumstances, such as when the data is no longer necessary, the consent is withdrawn, or the processing is unlawful.
- The right to restrict processing: Individuals have the right to ask an organisation to limit the use of their personal data in certain situations, such as when the accuracy, lawfulness, or necessity of the data is contested.
- The right to data portability: Individuals have the right to receive their personal data in a structured, commonly used, and machine-readable format, and to transfer it to another organisation without hindrance. This right only applies when the processing is based on consent or a contract, and when it is carried out by automated means..
- The right to object: Individuals have the right to object to the processing of their personal data for certain purposes, such as direct marketing, profiling, or public interest. The organisation must stop the processing unless it can demonstrate compelling legitimate grounds or legal obligations.
- The rights related to automated decision-making and profiling: Individuals have the right to not be subject to a decision based solely on automated processing, including profiling, that produces legal or significant effects on them. They also have the right to obtain human intervention, express their point of view, and challenge the decision.

We collect personal information from you through your contact with us, including by phone and by email, by post, by filling in application or other forms, through social media or direct contact through meeting with our healthcare staff. We also might collect information from other people and organisations such as Employer's.

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The information we collect about you can be categorised into two areas:

Standard Personal Information

- Contact information about you such as name, address, date of birth, email address and your current GP.
- Your employer
- Gender and date of birth
- Any contacts we have had with you such as appointments, telephone calls, written correspondence, complaints or incidents.
- Special Category Information
- Notes and reports about your physical and mental health and wellbeing including, where necessary, diagnosis, care and treatment.
- Details about your screenings, examinations, results and care
- Relevant information from other health professionals

We process your personal information for several legitimate interests from managing our relationship with you, through to helping us improve our services.

What is the purpose of processing this information and is it legal?

Legitimate interest is one of the legal reasons why we process your personal information. Taking into account your interests, rights and freedoms, legitimate interests which allow us to process your personal information include:

- to manage our relationship with you, our business and third parties who provide products or services for us
- to provide occupational health services on behalf of a third party i.e. your employer or other occupational health provider
- to keep our records up to date
- if your service is being provided by your employer, to provide anonymised (information that cannot identify you as an individual) feedback to your employer so they can assess the health and wellbeing of their workforce
- for research and analysis so that we can monitor and improve our products and services
- to monitor how well we are meeting our clinical and business performance expectation

Additionally, we process special category personal data under the provision 9(2H) of the [UK](#) GDPR namely;

- processing is necessary for the purposes of preventive or occupational medicine; for the assessment of the working capacity of the employee; medical diagnosis; the provision of health or social care or treatment; the management of health or social care systems and services. This is on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3 Article 9 of the UK GDPR
- When we process this special category personal data this is done so under both an ethical duty under the Clinicians registered body and common law principles of confidentiality in accordance with the Access to Medical Reports Act (1988) which also applies to reports for insurance purposes, Access to Health Records Act (1990) which also applies to processing of information for deceased patients, Article 8 of the European Convention on Human Rights and the Human Rights Act (1998). The Clinicians Registered Body Code, best practice guidance

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and the Access to Medical Reports Act, as well as the Data Protection Act (2018) will be the defining guidance and legislation in the processing and storage of information gained for occupational health purposes.

We only disclose information about you for the following reasons:

- It is required by law
- It is for the immediate protection of you, or another individual or group, or the public
- You consent to the release of an Occupational Health Report, or other clinical documentation, to your Employer
- You consent under the access to Medical Reports Act (1998) to the sharing of information with your GP or other Registered Health Care Professionals i.e. those involved in your physical or mental health care.

Who else has access to my information?

Your Employer: where we are providing occupational health services, we will need to share information. Information which is governed by statutory legislations such as health surveillance, will be shared, to your employer in the form of a health record (fitness for work and restrictions). Other information may be shared, with your expressed verbal or written consent, in the form of an occupational health report.

Information may also be shared with Clinicians or Medical Services involved in your physical or mental health care (such as GP or Community Mental Health Team).

Where is my information held?

Your data remains within the United Kingdom and, when stored electronically, will be held in secure data centres.

Prestige OH Ltd utilise the Apollo OH Management system. All data is stored on UK based servers. All data is encrypted at REST & all transmission of data between user and server is encrypted using SSL.

Prestige OH Ltd are registered with the Information Commissioners Office, registration reference; ZA250868.

How long do you keep my information?

We retain your data for periods that are determined by a number of factors and are assessed on a case by case basis, the decision making process includes:

- Any periods for keeping information which are set by law or recommended by regulators, professional health bodies or health associations
- How long it is reasonable to keep records to show we have met the obligations we have to you and your employer if your employer has commissioned the service

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Management referral information will be held for 7 years after the employee has left their job or 75 years of age (whichever is soonest) as recommended by the British Medical Association (BMA).

Pre-placement medicals and completed new employment assessments will be held for 7 years after the employee has left their job or 75 years of age (whichever is soonest) as recommended by the British Medical Association (BMA).

Where an individual completes a new employment assessment but does not take up the offer of the job or is not confirmed in post, these will be retained for 2 years.

If an employee profile is created but a new employment assessment is not completed, then the profile will be deleted from the system.

Health Surveillance records will be obtained for at least 40 years as required by the Health and Safety Executive (HSE).

Ionising radiation regulations state that this period should be until the person attains or would have attained 75 years of age, or from 30 years of the last entry.

What are my rights?

You have a right to apply for access to your personal data of which you are subject, a right to a description of the data, the purpose of the processing and if the information is to be shared, who it will be shared with. This will be supplied in permanent intelligible form (medical abbreviations etc explained). The application for this information is processed in accordance with the Access to Medical Reports Act. In accordance with GDPR, this information or any actions arising from the request will be carried out within 30 days of the request being made.

The only exceptions are if it is believed information in the records would cause serious harm to your physical or mental health, or if the records or information identify or concern another person (e.g., a child or vulnerable person) who believed the information was confidential.

If you feel we have measured or recorded something wrongly then we can amend your record on request or re-measure it if it is clinically significant. If it is a difference in opinion i.e. our clinician has a clinical opinion different to that of you, then both positions will be held on file. In terms of clinical records, by law, this must not be altered after the event therefore any rectification will be recorded in a subsequent note and where possible the previous record, if written, struck through.

The Caldicott Guardian, or Information Governance, lead at Prestige OH Ltd is responsible for dealing with individual requests and can be contacted using the email address: sarah@prestigeohltd.co.uk

Objections or Complaints

Should you have any concerns about how your information is managed by Prestige OH Ltd, please contact the Data protection Officer by email; sarah@prestigeohltd.co.uk If you are still unhappy following our review, you can then complain to the Information Commissioners Office (ICO) via their website (www.ico.gov.uk).

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