

# Privacy notice

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# 1. Purpose

- 1.1 This purpose of this notice is to tell you what you can expect when the Professional Standards Authority (the Authority) collects personal data. It includes information we collect about:
- Job applications and recruitment
  - Information about our staff
  - Expense claims
  - Complaint/share your experience information
  - Information in relation to a subject access request of Freedom of information request
  - Visitors to our website
  - People who subscribe to our newsletter
  - People who respond to a consultation/call for information
  - Information regarding people who attend our events
  - Information regarding fitness to practise cases
  - Performance review.
- 1.2 We are committed to safeguarding the privacy of your personal data. Your personal information will be held strictly in accordance with the Data Protection Act 1998 and the General Data Protection Regulation 2018.
- 1.3 We will only collect the minimum information necessary to meet our stated purposes and this will be held securely in electronic format. Where information is sent physically, it will be scanned electronically and hard copies destroyed securely in line with our retention and disposal policy.
- 1.4 If there is a specific need to retain an original or hard copy this will be stated clearly in section 3 of this policy.

## 2. The Data Controller

- 2.1 The Authority is the Data Controller for any personal data you give to us. Suzanne Dodds is our Data Protection Officer. Suzanne's contact details are:

Suzanne Dodds  
The Professional Standards Authority  
157-197 Buckingham Palace Road  
London  
SW1W 9SP

Telephone: 0207 389 8025  
Email: [Suzanne.dodds@professionalstandards.org.uk](mailto:Suzanne.dodds@professionalstandards.org.uk)

## 3. The personal information we hold

### Job applications and the recruitment process

#### *What information we collect?*

- 3.1 The Authority is (unless otherwise stated) the data controller for any information collected during the recruitment process.
- 3.2 We collect personal details including name and contact details, previous education and employment experience, referees and any other relevant information regarding your suitability for the role. You do not have to provide us with the information requested either at the application or interview stage. However, if you do not it may affect your application.
- 3.3 We will also ask you for information in relation to any disabilities. You do not have to provide us with the information requested. This will not affect your application.

#### *Why we collect it?*

- 3.4 The information collected during the recruitment process will only be used to process the application or to fulfil legal or regulatory requirements.
- 3.5 Information regarding disabilities will be used to consider the application under the guaranteed interview scheme or to make reasonable adjustments to assist you during any interview.

#### *Do we share it with anyone?*

- 3.6 We do not share information collected during the recruitment process with third parties or store it outside the EEA.
- 3.7 We ask for applications to be sent directly to our HR team who have responsibility for long listing. Shortlisted applications will also be shared with the internal recruitment panel.
- 3.8 Contact details and disability information will be removed from the application before it is shared with the internal recruitment panel. However, they will be informed if you have applied under the guaranteed interview scheme in order to take this into account. It may be necessary to share details of reasonable adjustments requested for candidates selected for interview with the internal recruitment panel for the purposes of carrying these out.
- 3.9 Information collected during the recruitment stage is collected for the purposes of assessing suitability for the post and to contact applicants whose application is being progressed.

### Information about our current and former staff

#### *What information we collect?*

- 3.10 The Authority is (unless otherwise stated) the data controller for any information held about our current and former staff.
- 3.11 We hold the following information:
  - Name and contact details
  - Emergency contact details

- Proof of identity – we will ask you to bring original documents and we will take copies
- Reference information
- Bank details
- National insurance details
- Pension information
- Information regarding absences including sickness absence and family leave including Fit notes and MatB1 forms
- Occupational Health information – there is no compulsory requirement for staff to attend OH. However, should you refuse to attend or release the information the Authority when asked then the Authority may need to reach a conclusion based on incomplete information. You will be given the opportunity to view the information before it is sent to the Authority.

#### *Why we collect it?*

- 3.12 Your name and contact are held for the purposes of contacting you. This will only be used where there is a contractual necessity to send you information such as payslips or information about business continuity events.
- 3.13 Your emergency contact details are held so that we know who to contact in the event you have an emergency at work.
- 3.14 We are required by law to confirm your identity and proof of your right to work in the United Kingdom.
- 3.15 We hold references from your previous employer to determine your suitability for the role.
- 3.16 We hold bank details, national insurance details and pension information for the purposes of payroll. This is to ensure you are paid, are paying the correct NI contributions and pension contributions or to show that you have opted out and should not be paying pension contributions.
- 3.17 We collect information regarding absences to ensure that your statutory rights are protected including payments and leave.
- 3.18 We will use any medical information we are sent for the purposes of making reasonable adjustments.

#### *Do we share it with anyone?*

- 3.19 Information collected regarding staff and former staff is held by the HR team.
- 3.20 Information relating to payroll or pensions is shared with the finance team.
- 3.21 Health information where relevant may be shared with your line manager, you will be asked for your consent before this is done.
- 3.22 The Authority uses data processors in relation to current and former members of staff. We have contracts in place with our data processors to protect your information and to ensure they cannot do anything with it without our permission. They will not share your information with third parties.

- 3.23 The Authority's HR and Payroll services are provided by Moorepay. For more information on Moorepay's privacy notice please see their website <https://www.moorepay.co.uk/contact/>
- 3.24 Occupational health services are provided to us by Capital Medical Services for more information on their privacy notices please contact [hdavison@capitalmedicalsolutions.co.uk](mailto:hdavison@capitalmedicalsolutions.co.uk)
- 3.25 The Authority is a data processor for NHS pensions. This means that we collect and process the information on behalf of NHS pensions but we do not control the information. NHS pensions is the data controller. Their privacy notice can be found here <https://www.nhsbsa.nhs.uk/privacy>

### **Expense claims**

#### ***What information we collect?***

- 3.26 If you wish to claim expenses from the Authority we request your name, contact details and bank details. You do not have to provide this information but if you do not we may not be able to pay your expenses.

#### ***Why we collect it?***

- 3.27 This information is collected to pay the expenses and send you remittance advice.

#### ***Do we share it with anyone?***

- 3.28 Personal information regarding expenses is held by the finance team. It is not shared with any third parties.

### **Complaint/share your experience information**

#### ***What information we collect?***

- 3.29 When you make a complaint about the Authority or share your experience about a regulator or an accredited register either by telephone, email or in writing we will create an electronic file. This may include file notes of the telephone call or scanned copies of original documents.
- 3.30 We will normally securely destroy hard copy documents after they are scanned in line with our policy on retention and disposal, unless you have specifically asked us to return the documents, you have included original documents or we consider the information to be excessive. In these cases, we will return the documents through secure post explaining the reasons for this.
- 3.31 The file will normally include the name and contact details of the complainant and may include the names of any individuals included in the complaint.

#### ***Why we collect it?***

- 3.32 If you are making a complaint about the Authority we will use the details you have provided us with to process the complaint and to provide you with a response.
- 3.33 If you are sharing your experience about a regulator or accredited register we may use your feedback to help inform our performance review of the regulator or our annual assessment of the accredited register. This will be done without identifying individuals.

### ***Do we share it with anyone?***

- 3.34 It may not be possible to investigate a complaint about an individual member of the Authority's staff without disclosing your details to them. This is to allow us to fully understand the complaint. If you wish to remain anonymous we will try to respect this but it may mean we are unable to investigate your complaint as fully as we would like.
- 3.35 As we do not have the power to investigate individual complaints raised under share your experience we will not disclose your details to individual parties mentioned in your comments.
- 3.36 There may be occasions where we feel that it may be beneficial to contact a regulator or an accredited register on your behalf. In this case we will contact you setting out clearly what we intend to share, who we intend to share it with and what the purpose of the correspondence is. We will not share this until you have given us express consent to do so.
- 3.37 We may also use complaint/share your experience information to compile statistics such as the number of complaints received but this will not be done in a way which identifies you.

### **Information in relation to a subject access request (SAR) or Freedom of Information request (FOI)**

#### ***What information we collect?***

- 3.38 We will need to collect your name and a contact address (this could be either a postal or email address).
- 3.39 In the case of a subject access request we may request enough information to verify your identity (see our Individual rights policy for more information).

#### ***Why we collect it?***

- 3.40 Your name and contact details are collected for the purposes of contacting you in response to your request.
- 3.41 If we require information to verify your identity this will be used solely for the purposes of ensuring you are entitled to the information.

### ***Do we share it with anyone?***

- 3.42 Occasionally we may need to seek advice from external legal advisers on how to process your request. We will anonymise FOI requests. However, this may not always be possible in relation to SAR. This information will be treated in strictest confidence and in line with our contract with the legal advisers.
- 3.43 We will publish our responses to FOI requests on our website. However, we will not publish any identifiable data

### **Visitors to our website**

#### ***What information we collect?***

- 3.44 When someone visits our website, we collect standard internet log information in relation to how they use the website such as what pages they visit.
- 3.45 The information is processed in a way that does not identify anyone and we make no attempt to do so.

- 3.46 If we do ever want to collect personally identifiable information such as inviting people to take part in consultations we will make this clear and explain what we intend to use the information for.

***Why we collect it?***

- 3.47 Website information is collected for us to identify what people are interested in and allow us to improve our website.

***Do we share it with anyone?***

- 3.48 We use a third-party site, Google Analytics to collect this information. We don't allow Google Analytics to make any attempt to identify users.

- 3.49 More details about this can be found in our 'Cookie policy'  
<https://www.professionalstandards.org.uk/privacy-policy/cookie-policy>

**People who subscribe to our newsletter**

***What information we collect?***

- 3.50 When you subscribe to our newsletter we ask you to provide us with your name and email address. We may also ask you to provide your organisation name, job title, address and telephone number. This information is optional and you do not have to provide it. However, our newsletter is sent electronically and without an email address we will be unable to include you on our mailouts.

***Why we collect it?***

- 3.51 This information is collected to allow us to send you regular updates about our work.
- 3.52 You may unsubscribe from this at any time by emailing [info@professionalstandards.org.uk](mailto:info@professionalstandards.org.uk)

***Do we share it with anyone?***

- 3.53 We do not share details of our stakeholder networks with third parties.

**People who respond to a consultation/call for information**

***What information we collect?***

- 3.1 When you respond to a consultation we ask you to provide us with your name and email address. We may also ask you to provide your organisation name, job title, address and telephone number. This information is optional and you do not have to provide it. However, we may need to contact you to confirm details and verify information and if we are unable to contact you we may need to put less weight on your response.

***Why we collect it?***

- 3.2 This information is collected to allow us to contact you regarding your submission and to help us understand more about the backgrounds and sectors of the people interested on our work.
- 3.3 We may publish the information you have shared in an anonymised form as part of our publication/summary of responses.



### ***Do we share it with anyone?***

- 3.4 We do not share personal details of our contributors with third parties. However, where we are working with a third party to carry out a consultation or where we need to verify information with a third party such as an accredited register we may send the information in an anonymised form

### **Information regarding people who attend our events**

#### ***What information we collect?***

- 3.5 When you attend our events, we ask you to provide us with your name and contact details. We may be unable to confirm your attendance if you do not provide this. We may also ask you to provide your organisation name, job title, address and telephone number. This information is optional and you do not have to provide it. However, providing this information will help us to identify future events that may be of interest to you.

#### ***Why we collect it?***

- 3.6 This information is collected to allow us to produce an attendance list for the event that will assist people in networking and to facilitate communication with those attending (including the distribution of important information), both in advance of a meeting and afterwards (e.g. for the circulation of papers, the slides etc). This also allows us to support management and planning of events and to inform people of other future events that may be of interest.
- 3.7 We will also ask your consent to use your contact information to inform you about our research activity through our academic network. You may unsubscribe from this at any time by emailing [info@professionalstandards.org.uk](mailto:info@professionalstandards.org.uk).
- 3.8 We also give people attending overnight at our academic conference the option of providing an emergency contact number and we may ask you for relevant health information such as food allergies for health and safety reasons.

### ***Do we share it with anyone?***

- 3.9 We will share your name with the venue the event is being held at to ensure security are aware of your presence for reasons of safety.
- 3.10 We may share information regarding food allergies with the venue to ensure this is catered for.
- 3.11 We will not share your details with any other third party without your express consent.

### **Information regarding fitness to practise cases**

#### ***What information we collect?***

- 3.12 We hold information about all final fitness to practise decisions taken by the Health and Social Care regulators and their Fitness to Practise Committees. The information that we hold includes information about the complaint, investigations of the complaint undertaken by the regulator (including evidence and witness statements); records of hearings; and records of the outcome of the complaint, including details of any formal findings and sanctions imposed (including warnings).

- 3.13 We may also hold information about professionals or patients, including medical records provided as part of a complaint as long as it is relevant to the investigation.

#### ***Why we collect it?***

- 3.14 We collect this information in order to fulfil our responsibilities under section 29 of the NHS Reform and Health Care Professions Act 2002.
- 3.15 We review every final decision made by the fitness to practise committees of each health care regulator. If we decide that the decisions do not protect the public properly, we may refer them to the High Court or Court of Session in Scotland.
- 3.16 We may also use this information to create learning points letters that we share with the regulator.

#### ***Do we share it with anyone?***

- 3.17 Most of the information is provided to us by the regulator. Each of the regulators have their own privacy statements regarding this information.
- 3.18 We may share this information with our external lawyers when reviewing the case and deciding whether or not to refer the case to Court. If the case is referred to Court we will share the relevant information with the court.
- 3.19 Where we do not refer a case to Court we may send learning point letters to the regulator.]. Very occasionally, we may share information with other bodies such as the police or those with a responsibility for safeguarding, if we consider that disclosure is permitted by law and that it would be in the public interest to do so.
- 3.20 We will publish cases we have appealed on our website.
- 3.21 We may occasionally allow researchers access to our database for the purposes of research in the public interest. All researchers are required to sign confidentiality agreements before access to the database is granted. Any published research will only contain anonymised data or personal information which is already in the public domain.

### **Performance review**

#### ***What information we collect?***

- 3.22 As part of our performance review of the regulators we will look at a selection of cases that were closed at each stage of the fitness to practise process.
- 3.23 This information is assessed either at the regulators premises or the Authority's offices. We have a secure file sharing system in place and we delete the information from our systems once we have completed the audit.
- 3.24 We may also consider information sent you us through 'share your experience' (see section on Complaint/share your experience information above).

#### ***Why we collect it?***

- 3.25 We collect this information to check on how well the regulators have been protecting the public and promoting confidence in health and care professionals and themselves.

### *Do we share it with anyone?*

- 3.26 Our performance review reports are published on our website. We may discuss individual cases or complaints in our performance review reports, but if so we ensure that we don't provide information that allows identification of individuals involved

## 4. Retention and disposal

- 4.1 The Authority sets out in detail its procedures for the retention and disposal of information and the timeframes for this to ensure that we carry this out consistently and that we document any actions taken.
- 4.2 Full details of how we do this can be found in our retention policy [https://www.professionalstandards.org.uk/docs/default-source/psa-policies-and-procedures/staff-policies/retention-and-disposal-policy.pdf?sfvrsn=4f537f20\\_10](https://www.professionalstandards.org.uk/docs/default-source/psa-policies-and-procedures/staff-policies/retention-and-disposal-policy.pdf?sfvrsn=4f537f20_10)

## 5. What are your rights

- 5.1 The Authority respects the rights of individuals to be in control of their own data. Subject to some legal exceptions you have the right to:
- The right to be informed
  - The right of access (subject access requests)
  - The right to rectification
  - The right to erasure
  - The right to restrict processing
  - The right to data portability
  - The right to object
  - Rights in relation to automated decision making and processing.
- 5.2 The Authority's policy on individual rights [include live link] sets out in detail what these rights mean for you, how the Authority will process them. It also sets out when this applies and how you can complain about a decision.
- 5.3 We are fully committed to protecting your personal data and ensuring that we have appropriate technical and physical procedures in place and that our staff are trained in the relevant policies. If you have any questions about this or in relation to your rights please contact Suzanne Dodds:

Suzanne Dodds  
Professional Standards Authority  
157 – 197 Buckingham Palace Road  
London  
SW1W 9SP

Or by email to [suzanne.dodds@professionalstandards.org.uk](mailto:suzanne.dodds@professionalstandards.org.uk)

## 6. Your data abroad

- 6.1 The Authority does not current process any personal data outside of the European Economic Area (EEA) unless the processing requires it (e.g. you have chosen to contact us using email or communications which route outside of the EEA).
- 6.2 In the unlikely event that the Authority does need to transfer or process data outside of the EEA we will make every effort to contact you and inform you of the reasons for this and of your rights.

## 7. Cookies

- 7.1 The Authority uses cookies from time to time to track traffic and help us to improve our user experience. For more information please see our Cookie policy <https://www.professionalstandards.org.uk/docs/default-source/psa-policies-and-procedures/staff-policies/our-cookie-policy-2013.pdf?sfvrsn=2>

## 8. Links to other sites

- 8.1 In order to improve your user, experience the Authority includes links to external sites (such as the Regulator's) on our website. We are unable to control the privacy practices of these sites and therefore we strongly encourage you to read the privacy statement and understand how they collect information about you.

# 9. Appendix 1 – Explanation of lawful basis of processing

9.1 Under the GDPR there are six lawful reasons for processing;

Lawful basis	Reason for processing
Consent	You have given us clear consent for to process your personal data for a specific purpose.
Contract	The processing is necessary for a contract we have with you, or because you have asked us to take specific steps before entering into a contract.
Legal obligations	The processing is necessary for us to comply with the law (this excludes contractual obligations).
Vital Interests	The processing is necessary to protect someone’s life.
Public task	The processing is necessary for us to perform a task in the public interest or for our official functions, and this has a clear basis in law.
Legitimate interests	The processing is necessary for our legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual’s personal data which overrides those legitimate interests. (This does not apply public authority processing data to perform our official role.)

## 10. Appendix 2 – Lawful basis of processing

10.1 The Authority relies on the following reasons for processing the data listed above;

Type of processing	Lawful basis
Job applications and recruitment	Consent at the latter stages we may also rely on contract as we will need to take specific steps before entering into a contract.
Information about our staff	Contract. For some functions we may also process for a legal basis such as checking right to work and pension enrolment and for tax reasons.
Expense claims	Where it is not part of our contractual obligations to pay expenses such as to people attending interviews we will rely on consent.
Complaint/share your experience information	We have a public task to address complaints about the Authority. We also have a public task to consider issues raised under 'share your experience' in relation to our performance review and reviews of the accredited registers.
Information in relation to a subject access request of Freedom of information request	We have a legal obligation to carry out this work
Visitors to our website	Visitors are asked to agree and consent to our cookie policy when using the website.
People who subscribe to our newsletter	Consent
People who respond to a consultation/call for information	We use this information to carry our research to protect the public which is part of our public task.
Information regarding people who attend our events	Consent
Information regarding fitness to practise cases	Legal obligations under s29 of the NHS Reform and Health Care Professions Act 2002
Performance review.	This is necessary for us to perform a task in the public interest.

10.2 Please note that the reason for processing may affect the individual rights (listed in section 5) not all rights apply to each type of processing such as the

right to be forgotten will not apply to information being processed to meet a legal obligation.

- 10.3 Please refer to our policy on individual rights or contact Suzanne Dodds at [Suzanne.dodds@professionalstandards.org.uk](mailto:Suzanne.dodds@professionalstandards.org.uk) for more information.

## 11. Document Control

### Version Control

Version	Status	Description of Version	Date Completed
1.0	Draft	Privacy Statement	21 May 18
	Draft		