**Privacy Policy**

We take your privacy very seriously. Please read this privacy policy carefully as it contains important information on who we are and how and why we collect, store, use and share your personal data. It also explains your rights in relation to your personal data and how to contact us or supervisory authorities in the event you have a complaint.

When we use your personal data we are regulated under the General Data Protection Regulation (GDPR) which applies across the European Union (including in the United Kingdom) and we are responsible as ‘controller’ of that personal data for the purposes of the GDPR. Our use of your personal data is subject to your instructions, the GDPR, other relevant UK and EU legislation and our professional duty of confidentiality.

**Key terms**

It would be helpful to start by explaining some key terms used in this policy:

|  |  |
| --- | --- |
| We, us, our | City Hospitals Sunderland Independent Commercial Enterprises Ltd [shortened to CHoICE] Registration Company Number 8808703. Registered Office: Sunderland Royal Infirmary, Kayll Rd, Sunderland, SR4 7TP |
| Personal data | Any information relating to an identified or identifiable individual |
| Special category personal data | Personal data revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs or trade union membershipGenetic and biometric dataData concerning health, sex life or sexual orientation |

**Personal data we collect about you**

The table below sets out the personal data we will or may collect in the course of advising and/or acting for you.

| **Personal data we will collect**  | **Personal data we may collect depending on why you have instructed us** |
| --- | --- |
| Your name, address and telephone numberElectronic contact details, e.g. your email address and mobile phone numberInformation relating to the matter in which you are seeking our advice or representationInformation to enable us to undertake a credit or other financial checks on youYour financial details so far as relevant to your instructions | Your bank and/or building society detailsDetails of your professional online presence, e.g. LinkedIn profileYour employment records including, where relevant, records relating to sickness and attendance, performance, disciplinary, conduct and grievances (including relevant special category personal data)Your car, MOT and insurance details. |

This personal data is required to enable us to provide our service to you. If you do not provide personal data we ask for, it may delay or prevent us from providing services to you.

**How your personal data is collected**

We collect most of this information from you directly. However, we may also collect information:

from publicly accessible sources, e.g. Companies House, HM Land Registry, Environment Agency, Health and Safety Executive, Food Standards Agency and Local Authorities;

directly from a third party, e.g.:

NHS;

sanctions screening providers;

credit reference agencies; and

client due diligence providers;

from a third party with your consent, e.g.:

your bank or building society, another financial institution or advisor;

consultants and other professionals we may engage in relation to your matter;

your insurance broker or provider; and

your doctors, medical and occupational health professionals;

via our website—we use cookies on our website (for more information on cookies, please see our cookies policy: [[website link to cookies policy]](http://www.jacksons-hs.com/cookie-policy/))

via our information technology (IT) systems, e.g.:

case management, document management and time recording systems;

door entry systems and reception logs; and

automated monitoring of our websites and other technical systems, such as our computer networks and connections, CCTV and access control systems, communications systems and email systems.

**How and why we use your personal data**

Under data protection law, we can only use your personal data if we have a proper reason for doing so, e.g.:

to comply with our legal and regulatory obligations;

for the performance of our contract with you or to take steps at your request before entering into a contract;

for our legitimate interests or those of a third party; or

where you have given consent.

A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

The table below explains what we use (process) your personal data for and our reasons for doing so:

| **What we use your personal data for** | **Our reasons** |
| --- | --- |
| To provide services to you | For the performance of our contract with you or to take steps at your request before entering into a contract |
| Conducting checks to identify our clients and verify their identityScreening for financial and other sanctions or embargoesOther processing necessary to comply with professional, legal and regulatory obligations that apply to our business, e.g. under health and safety regulations | To comply with our legal and regulatory obligations |
| Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies | To comply with our legal and regulatory obligations |
| Ensuring business policies are adhered to, e.g. policies covering security and internet use | For our legitimate interests or those of a third party, i.e. to make sure we are following our own internal procedures so we can deliver the best service to you |
| Operational reasons, such as improving efficiency, training and quality control | For our legitimate interests or those of a third party, i.e. to be as efficient as we can so we can deliver the best service for you at the best price |
| Ensuring the confidentiality of commercially sensitive information | For our legitimate interests or those of a third party, i.e. to protect our intellectual property and other commercially valuable informationTo comply with our legal and regulatory obligations |
| Statistical analysis to help us manage our business, e.g. in relation to our financial performance, client base, work type or other efficiency measures | For our legitimate interests or those of a third party, i.e. to be as efficient as we can so we can deliver the best service for you at the best price |
| Preventing unauthorised access and modifications to systems | For our legitimate interests or those of a third party, i.e. to prevent and detect criminal activity that could be damaging for us and for youTo comply with our legal and regulatory obligations |
| Updating client records | For the performance of our contract with you or to take steps at your request before entering into a contractTo comply with our legal and regulatory obligationsFor our legitimate interests or those of a third party, e.g. making sure that we can keep in touch with our clients about existing and new services |
| Statutory returns | To comply with our legal and regulatory obligations |
| Ensuring safe working practices, staff administration and assessments | To comply with our legal and regulatory obligationsFor our legitimate interests or those of a third party, e.g. to make sure we are following our own internal procedures and working efficiently so we can deliver the best service to you |
| Marketing our services to:—existing and former clients; —third parties who have previously expressed an interest in our services;—third parties with whom we have had no previous dealings. | For our legitimate interests or those of a third party, i.e. to promote our business to existing and former clients |
| Credit reference checks via external credit reference agencies | For our legitimate interests or a those of a third party, i.e. for credit control and to ensure our clients are likely to be able to pay for our services |
| External audits and quality checks, e.g. for ISO or accreditation and the audit of our accounts | For our legitimate interests or a those of a third party, i.e. to maintain our accreditations so we can demonstrate we operate at the highest standardsTo comply with our legal and regulatory obligations |
| Provision of an HR service to employees and contractors | To meet our obligations under contracts of employment |

The above table does not apply to special category personal data, which we will only process with your explicit consent.

**Promotional communications**

We may use your personal data to send you updates (by email, telephone or post) about business developments that might be of interest to you and/or information about our services, including exclusive offers, promotions or new services.

We have a legitimate interest in processing your personal data for promotional purposes (see above ‘**How and why we use your personal data**’). This means we do not usually need your consent to send you promotional communications. However, where consent is needed, we will ask for this consent separately and clearly.

We will always treat your personal data with the utmost respect and never sell or share it with other organisations for marketing purposes.

You have the right to opt out of receiving promotional communications at any time by:

contacting us (see below: ‘**How to contact us**’);

using the ‘unsubscribe’ link in emails; and

updating your marketing preferences by contacting us (see below: ‘**How to contact us**’).

We may ask you to confirm or update your marketing preferences if you instruct us to provide further services in the future, or if there are changes in the law, regulation, or the structure of our business.

**Who we share your personal data with**

We routinely share personal data with:

professional advisers who we instruct on your behalf or refer you to, e.g. consultants, medical professionals or other experts;

other third parties where necessary to carry out your instructions, e.g. Health and Safety Executive, Environment Agency, Food Standards Agency or Local Authorities;

credit reference agencies;

our insurers and brokers;

external auditors, e.g. in relation to quality audits and the audit of our accounts;

our bank; and

external service suppliers, representatives and agents that we use to make our business more efficient, e.g. digital dictation services, IT and software support services and debt recovery services.

We only allow our service providers to handle your personal data if we are satisfied they take appropriate measures to protect your personal data. We also impose contractual obligations on service providers relating to ensure they can only use your personal data to provide services to us and to you.

We may disclose and exchange information with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations.

We may also need to share some personal data with other parties, such as potential buyers of some or all of our business or during a re-structuring. Usually, information will be anonymised but this may not always be possible. The recipient of the information will be bound by confidentiality obligations.

We will not share your personal data with any other third party.

**Where your personal data is held**

Information may be held at our offices and those of our third party agencies, service providers, representatives and agents as described above (see ‘**Who we share your personal data with**’).

Some of these third parties may be based outside the European Economic Area. For more information, including on how we safeguard your personal data when this occurs, see below: ‘**Transferring your personal data out of the EEA**’.

**How long your personal data will be kept**

We will keep your personal data after we have finished advising or acting for you. We will do so for one of these reasons:

to respond to any questions, complaints or claims made by you or on your behalf;

to show that we treated you fairly;

to keep records required by law.

We will not retain your data for longer than necessary for the purposes set out in this policy. Different retention periods apply for different types of data.

When it is no longer necessary to retain your personal data, we will delete or anonymise it.

**Transferring your personal data out of the EEA**

To deliver services to you, it is sometimes necessary for us to share your personal data outside the European Economic Area (EEA), e.g.:

if you are based outside the EEA;

where there is an international dimension to the matter in which we are advising you.

These transfers are subject to special rules under European and UK data protection law.

Non-EEA countries do not have the same data protection laws as the United Kingdom and EEA. We will, however, ensure the transfer complies with data protection law and all personal data will be secure. Our standard practice is to use standard data protection contract clauses which have been approved by the European Commission.

If you would like further information please contact us (see ‘How to contact us’ below).

**Your rights**

You have the following rights, which you can exercise free of charge:

|  |  |
| --- | --- |
| Access | The right to be provided with a copy of your personal data  |
| Rectification | The right to require us to correct any mistakes in your personal data |
| To be forgotten | The right to require us to delete your personal data—in certain situations |
| Restriction of processing | The right to require us to restrict processing of your personal data—in certain circumstances, e.g. if you contest the accuracy of the data |
| Data portability | The right to receive the personal data you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party—in certain situations |
| To object | The right to object:—at any time to your personal data being processed for direct marketing (including profiling);—in certain other situations to our continued processing of your personal data, e.g. processing carried out for the purpose of our legitimate interests. |
| Not to be subject to automated individual decision-making | The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you |

For further information on each of those rights, including the circumstances in which they apply, please contact us or see the Guidance from the UK Information Commissioner’s Office (ICO) on individuals’ rights under the General Data Protection Regulation.

If you would like to exercise any of those rights, please:

email, call or write to us (see below: ‘**How to contact us**’); and

let us have enough information to identify you (e.g. your full name, address and client or matter reference number);

let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill); and

let us know what right you want to exercise and the information to which your request relates.

**Keeping your personal data secure**

We have appropriate security measures to prevent personal data from being accidentally lost, or used or accessed unlawfully. We limit access to your personal data to those who have a genuine business need to access it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit [www.getsafeonline.org](http://www.getsafeonline.org). Get Safe Online is supported by HM Government and leading businesses.

**How to complain**

We hope that we can resolve any query or concern you may raise about our use of your information.

The General Data Protection Regulation also gives you right to lodge a complaint with the supervisory authority. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns> or telephone: 0303 123 1113*.*

**Changes to this privacy policy**

This privacy policy was published on 13th June 2018.

We may change this privacy policy from time to time; we encourage you to check this privacy policy for changes whenever you visit our website.

**How to contact us**

Please contact usby post, email or telephone if you have any questions about this privacy policy or the information we hold about you.

Our contact details are shown below:

City Hospitals Sunderland Independent Commercial Enterprises Ltd

Registered Office

CHoICE

Sunderland Royal Infirmary,

 Kayll Rd,

Sunderland,

SR4 7TP.

Email Address: Enquiries@choice.chsft.nhs.uk

Telephone : 0191 5656256 Extension 47440 or 49057

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