



PRIVACY NOTICE – HEALTH SURVEILLANCE

This privacy notice explains how we process any personal or sensitive information we collect about you when you are referred or access health surveillance services such as:

- Specific safety critical and fitness to work medicals (fork lift truck medicals, confined spaces, working at heights, etc)
- Surveillance Elements such as
 - Hearing
 - Vision
 - Skin
 - Respiratory
 - Hand Arm Vibration
 - Musculo-Skeletal

CHANGES TO OUR PRIVACY NOTICE

We keep our privacy notice under regular review.

WHO ARE WE?

Medigold Health Consultancy Limited (including its group companies or subsidiaries, appointed representatives, including medical practitioners acting on its behalf) ("Medigold Health") has its registered office at Medigold House, Queensbridge, Northampton NN4 7BF.

- Ablemed Health Ltd
- IMASS Group Ltd
- Hampton Knight

We process data on the basis of consent, legitimate interest and occupational health provision, and we may be either a 'Controller' or 'Processor' of the personal data provided to us depending on the circumstances of the data transfer and usage

PERSONAL DATA – WHAT IS IT?

Personal data means any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier. The processing of personal data is governed by the General Data Protection Regulation (EU) 2016/679 (the "GDPR").

SENSITIVE DATA – WHAT IS IT?

Personal data of an individual, the data subject, relating to racial or ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; data concerning health; data concerning sex life or sexual orientation; genetic data; or biometric data where processed to uniquely identify the data subject.

PROCESSING YOUR DATA

HOW AND WHY WE USE YOUR PERSONAL DATA?

Medigold Health carries out a range of health surveillance services. We collect health information where this is required to identify risk, such as noise or vibration, advise employers/employer representatives on control measures, and identify signs and symptoms of occupational disease and conditions. We also use personal data such as your telephone number, address or email to contact you for purposes such as advising appointment details, providing information or despatch of reports.

WHAT PERSONAL DATA DO WE COLLECT ABOUT YOU?

We collect information about you and your health when you access any of our medical services including role specific medicals (for example, for work in confined spaces), statutory health and safety requirements (for example, relating to hand arm vibration), for the provision of other services such as alcohol and drug testing, or wellness events.

WHERE DO WE OBTAIN YOUR PERSONAL DATA?

Your personal data is normally obtained through the completion of a questionnaire, the process of undertaking a surveillance medical, or from historical records. Your employer/employer representative may also provide information.

HOW DO WE PROCESS YOUR PERSONAL DATA?

Medigold Health complies with its obligations under the GDPR by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of personal data; by protecting personal data from loss, misuse, unauthorised access and disclosure; and by ensuring that appropriate technical measures are in place to protect personal data.

SHARING YOUR PERSONAL DATA

The main purpose of undertaking surveillance is to provide advice to your employer or employer representative or in some instances the organisation that your employer will be contracted to – for example if you are a Subcontractor or working on a Joint Venture you may be required to undertake a fitness to work medical in order to work on specific sites.

Your employer/employer representative should advise you if your fitness to work medical results are required to be shared, in order for you to work on a specific site or within a specified area.

We may also be required to share data due to statutory or regulatory obligations such as to the HSE.

In some instance we may be required to provide additional information such as readings from equipment used to test surveillance elements such as hearing and respiratory.

We may share **non-personally identifiable (anonymised)** information and **aggregate** information (anonymous statistical data.) for other business purposes. For instance, we may share aggregate reports with interested third parties in the development of new health related products.

LEGAL OBLIGATIONS

If we are advised by your employer/employer representative that your role is safety critical or become aware that your continued performance of your working role will endanger the safety and well-being of yourself and others, we will send your employer/employer representative a statement of fitness to advise what restrictions should be placed on your working role or your fitness to undertake that role.

HOW LONG WILL WE KEEP YOUR PERSONAL DATA?

Medigold Health will retain your personal data, your occupational health file, only for as long as we need that personal data for the purposes of the processing. That normally would mean for the term of agreement we have with your employer plus 120 days. We may also retain data for other reasons such as statutory requirements or legal reasons, but we will inform you of those reasons, should they exceed the above

WHERE DO WE PROCESS YOUR PERSONAL DATA?

We do not process any of your personal data outside of the European Economic Area.

CONDITIONS FOR PROCESSING

We process your personal data under Article 6(1)

(f) "processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party"

and your health related data under Article 9 - 1(h) "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 or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional.

WHAT ARE YOUR RIGHTS?

- **Right of access.** The GDPR gives you the right to access copies of the personal data held about you. Your right of access can be exercised in accordance with the GDPR. The first copy of the personal data held about you will be provided free of charge but any subsequent copy may be subject to a reasonable fee based on the administrative costs of providing copies of the personal data to you.
- **Right to rectification.** You have the right to have inaccurate personal data rectified. You may also be able to have incomplete personal data completed, if appropriate.
- **Right to erasure.** You the right to have personal data erased. This is also known as the 'right to be forgotten'. The right is not absolute and only applies in certain circumstances.
- **Right to restrict processing.** In certain circumstances, such as where you have contested the accuracy of personal data, you have the right to restrict our processing of your personal data. That means that we will hold your personal data on file but that we will not process that personal data. We will inform you if for any reason the restriction on processing your personal data is lifted.
- **Right to data portability.** Where you provide personal data you have the right to be provided with a structured, commonly used and machine-readable copy and have the right, in certain circumstances, to ensure that we transmit that personal data to a recipient of your choice without hindrance (the right to data portability).
- **Right to object.** You have right to object to the processing of their personal data at any time. The right to object only applies in certain circumstances.
- **Rights related to automated decision making including profiling** –Medigold Health does not undertake this form of processing

Where any rectification or erasure of personal data or restriction of processing has taken place we shall communicate any rectification to you or erasure or restriction of processing to each recipient to whom the personal data has been disclosed, unless this proves impossible or involves disproportionate effort. We shall, if you request, inform you about those recipients.

Exercising your rights. If you wish to exercise any of your rights, or if at any point you believe the personal data we process is incorrect, you can request to see this personal data. If you would like a copy of the personal data about you that we process, or if you wish to have that personal data transferred to another company or organisation, please contact us at: datarights@medigold-health.com or by accessing our online portal at <https://www.medigoldone.com/Display/DataRightsRequest/>

If you wish to raise a complaint on how we have handled your personal data, please contact our Data Protection Officer at dpo@medigold-health.com

If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law, you have the right to lodge a complaint with the Information Commissioner's Office (ICO) at <https://ico.org.uk/>

Further information about how we process your personal data can be accessed via our website www.medigold-health.com.

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