



PRIVACY NOTICE – OCCUPATIONAL HEALTH

This privacy notice explains how we process any personal or sensitive information we collect about you when you are referred or access our occupational health services.

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, legal obligation, 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 occupational health services. We process and collect health information for the protection of health and safety, to prevent discrimination on the grounds of disability, and to provide advice to your employer or employer representative on fitness to work. 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 process and collect information about you and your health when you are referred to us as part of your employer's occupational health service, as part of your application of early retirement due to ill health or 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. Data may include written, visual or audio formats.

One method of obtaining information about your health is through the completion of an appropriate questionnaire, which you complete. Questionnaires may be used prior to providing an immunisation, undertaking blood tests, or to determine your fitness to undertake your role or a specific aspect of your role. Outcomes will be provided to your employer or employer representative, which in some instances may be a third party, such as a placement agency.

The other method is through a consultation which may be face to face or by telephone. You will be asked to provide your consent to the consultation prior to consultation being undertaken. Data is recorded in consultation notes and dictation of reports

WHERE DO WE OBTAIN YOUR PERSONAL DATA?

Your personal data may come to us via a referral from your employer or employer representative, your GP or Consultant or a provider of additional services such as physiotherapy or counselling. Alternatively, we may obtain personal data directly from you. Please note that failure to provide appropriate information may lead to our clinicians being unable to provide a medical opinion on fitness or adjustments. Data may be in a written, visual, verbal or audio format.

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.

CONSENT

Medigold Health will seek your consent with regards to the occupational health referral and process. You have the right to withdraw your consent at any time. Please note that should you withdraw your consent, your employer or employer representative may choose to act on the information they have to hand.

WHERE DO WE PROCESS YOUR PERSONAL DATA?

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

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.

SHARING YOUR PERSONAL DATA

The main purpose of occupational health is to provide medical advice to your employer or employer representative, so data will be shared with them – please see Section "Consent".

Your personal data will be treated as strictly confidential, and will only be shared with providers of services such as counselling, physiotherapy or additional assessments. We will only share your personal data with third parties if you provide us with your consent, the sharing of your personal data is required by law, there is a substantial public interest for us to do so (such as a danger to the wider public), or the disclosure of your personal data is of overall benefit to you when we believe that you lack the capacity to consent. Where we do not rely on your consent to share your information data we will only disclose the minimum amount of information necessary, avoiding releasing personal data where possible.

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.

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.

Recordings will only be kept for 90 days.

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.

Privacy Notice Revision: GDPR02a-30.30.20 – Rev 8