

# PRIVACY NOTICE – ABSENTIA ABSENCE REPORTING LINE

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, for example medical practitioners acting on its behalf) (“Medigold Health”) has its registered office at Medigold House, Queensbridge, Northampton NN4 7BF.

## WHO IS THE DATA CONTROLLER?

We may be either a Controller or Processor of the personal data provided to us depending on the circumstances of the contract with your employer, the services we are providing and the degree of our involvement with regard to processing your personal data. For example, in circumstances where your employer has engaged us to provide the Absentia Absence Reporting Line only, the Controller will normally be your employer or employer representative. However, where in addition to the Absentia Absence Reporting Line we are providing clinical Occupational Health follow-up services, we will likely be a Controller of your personal data in relation to all personal data processed in the performance of those supplemental services.

## PROCESSING POST BREXIT

We will continue to observe all aspects of the Data Protection Act 2018, as amended from time to time (the “DPA”) and the UK GDPR (as defined in the DPA) until such time as advised otherwise by the ICO.

## ON WHAT LEGAL BASIS DO WE PROCESS YOUR DATA?

We process data on the basis of UK GDPR Articles 6(1)(f), legitimate interest and Article 9(2)(h) occupational health provision.

Where the provision of occupational health is covered by a specific statutory requirement (i.e. related to a health and safety requirement), and we are obliged to process the data by law, we process data on the basis of 6(1)(c) legal obligation.

If you are asked to undertake a telephone consultation with a clinician we do not rely on consent for processing under the UK GDPR, which includes providing occupational health reports or outcomes to your employer. You are required to provide consent for any consultation in order to comply with GMC and NMC guidance.

## HOW AND WHY WE USE YOUR PERSONAL DATA?

Medigold Health carries out a range of occupational health services. One of the services that we provide is the Absentia Absence Reporting Line. We collect personal and health information to provide information to your employer regarding your absence, where this is necessary for the protection of health and safety and to provide advice to your employer or employer representative on fitness to and return to work.

## WHAT PERSONAL DATA DO WE COLLECT ABOUT YOU?

We collect information about you, your absence and your health when you contact our helpline as part of the Absentia absence process. When you contact the Absentia Absence line, the call is recorded for review and quality purposes.

## WHERE DO WE OBTAIN YOUR PERSONAL DATA?

Some of your personal data may come to us via your employer or employer representative, or alternatively, we may obtain personal data directly from you. Our call centre partner, Woven, will take details directly from you when you call the Absentia Absence Reporting Line

## HOW DO WE PROCESS YOUR PERSONAL DATA?

Medigold Health complies with its obligations under the UK 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

We will only share your personal data with your employer/employer representative and nominated ancillary services provides (ie counselling or physiotherapy). That means, that on the recommendation of a clinician, we may refer you to the appointed counselling or physiotherapy service. We will provide your contact details and brief details of why you are being referred. Likewise the counselling or physiotherapy services will provide information regarding your appointments, progress, diagnosis to enable us to continue to assist your employer in managing your absence. A summary will be provided to your employer.

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In other instances, we may also share data with a 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.

We may use your data to ensure quality assurance or for training, research and auditing. If you do not wish your data to be used for this purpose please contact [reports@medigold-health.com](mailto:reports@medigold-health.com).

We may anonymise your personal data for business purposes, such as the development of services. No personal identifiable information will be utilised for this purpose.

We do not share any personal identifiable information for marketing purposes

## HOW LONG WILL WE KEEP YOUR PERSONAL DATA?

Medigold Health will retain the recorded data for 90 days, and the written personal data, your absence reporting file, only for as long as we need that personal data for the purposes of the processing, which is usually the length of contract we have with your employer plus the necessary time to transfer any data post contract.

## WHERE DO WE PROCESS YOUR PERSONAL DATA?

We do not process any of your personal data outside of the United Kingdom.

## WHAT ARE YOUR RIGHTS?

- **Right of access.** The UK 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 UK 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](mailto:datarights@medigold-health.com) or by accessing our [online portal](#).

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](mailto: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 \(ICO\)](#).

Further information about how we process your personal data can be accessed via our [website](#).