Layered Privacy Notice: Occupational Health
Activity/Processing being undertaken: Occupational Health referrals

Edinburgh Napier University is providing you with this information in order for us to comply with the General Data Protection Regulation (EU) 2016/679, which requires us to tell you what we do with your personal information.

Who is collecting the information?
Edinburgh Napier University as the "Data Controller".

Who are we sharing your Personal Data with (externally)?
Optima Health our Occupational Health Provider as a “Data Processor”, you can view their Privacy Notice here:

The University undertakes to maintain your information securely and will restrict access to employees, our professional advisers, authorised agents and contractors on a strictly need to know basis. We will only disclose your data to external third parties (other than any specified above) where we:

- Have your consent
- Are required to do so under a statutory or legal obligation, or
- Are permitted to do so by Data Protection legislation.

Why are we collecting it/what we are doing with it (purposes)?

The University provides an Occupational Health Service. Currently this is with Optima Health.

In line with the University's Managing Sickness Absence Policy and the University's duty of care to employees, Line Managers in consultation with HR may request that an employee is assessed by the University's Occupational Health Service, so that appropriate medical advice is sought. Employees may also request that their Line Manager initiates a referral for them, for instance: for a workplace assessment/DSE assessment/disability leave eligibility.

As per the University's Managing Sickness Absence Policy, triggers for line managers to consider a referral are: 3 instances of sickness absence in a 6 month period (any length), long-term absence (over 28 days, 1 spell of absence), and stress/depression cited for any absence (any length) and absences related to workplace accidents or injuries of 3 days or more.

Following an OH referral (completed by the line manager) and sent to HR. Optima Health will arrange an appointment with the employee and then send HR a report to be shared with the line manager, which could include advice about the following: fitness to work; restrictions on employment/reasonable adjustments; prognosis on returning to work; Equality Act information; likelihood of further absences; phased return recommendations; and any other relevant advice.
What is the legal basis for processing?

Article 6(1)(b): processing is necessary for the performance of a contract to which the data subject [employee] is party.
Article 6(1)(c): processing is necessary for compliance with a legal obligation to which the controller is subject
Article 9(2)(h): Processing is necessary for the purposes of preventative or occupational medicine, assessment of the working capacity of the employee, medical diagnosis, etc.

How are we collecting this information?

An OH referral is submitted to Human Resources by an employee’s line manager or another manager if deemed appropriate. This referral is reviewed and submitted by the HR Operations team onto the Optima Health database.

What information are we collecting (whose information and what type of personal data)?

We are collecting data from employees.

Data collected includes; name, identifying numbers, contact details, sensitive personal data.

Who can see your information within the University?

Your line manager and those in the HR team with access to personnel files.

How long is your information kept?

This information will be kept on your personnel file for the duration of your contract with the University, plus 7 years from the termination of your contract.

The OH provider that the University has a contract with will keep your information from the termination of your employment plus 40 years.

Further information can be found online at: https://staff.napier.ac.uk/services/governance-compliance/governance/records/Pages/RecordsRetentionSchedules.aspx

How secure is your information?

For services provided locally by Information Services, information is stored on servers located in secure University datacentres. These datacentres are resilient and feature access controls, environmental monitoring, backup power supplies and redundant hardware. Information on these servers is backed up regularly. The University has various data protection and information security policies and procedures to ensure that appropriate organisational and technical measures are in place to protect the privacy or your personal data.
The University makes use of a number of third party, including “cloud”, services for information storage and processing. Through procurement and contract management procedures the University ensures that these services have appropriate organisational and technical measures to comply with data protection legislation.

OH Assist employ systems which are ISO27001 compliant.

**Who keeps your information updated?**

N/A

**Will your information be used for any automated decision making or profiling?**

No

**Is information transferred to a third country? Outside the EEA and not included in the adequate countries list.**

No

**Is any other information available?**

You can access all the University’s privacy notices using the following link: https://staff.napier.ac.uk/services/governance-compliance/governance/DataProtection/Pages/statement.aspx

You have a number of rights available to you with regards to what personal data of yours is held by the University and how it is processed – to find out more about your rights, how to make a request and who to contact if you have any further queries about Data Protection please see the information online using the following URL: https://staff.napier.ac.uk/services/governance-compliance/governance/DataProtection/Pages/default.aspx