

PRIVACY NOTICE (INTERNAL) - ANATOMICAL SOCIETY

Introduction

Welcome to the Anatomical Society internal privacy notice. This notice applies to all current and former employees, workers and contractors, and to trustees.

The Anatomical Society respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we use your personal data during and after your engagement with us.

Please also use the Glossary to understand the meaning of some of the terms used in this privacy notice.

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1. Important information and who we are

Purpose of this privacy notice

This privacy notice applies to all current and former employees, workers and contractors, and to trustees. It aims to give you information on how Anatomical Society collects and processes your personal data.

This privacy notice does not form part of any contract of employment or other contract to provide services.

Controller

The Anatomical Society is the controller and responsible for your personal data (collectively referred to as "The Anatomical Society", "we", "us" or "our" in this privacy notice).

Maryanne Piggot is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact us using the details set out below.

Contact details

Full name of legal entity: Anatomical Society

Privacy managers: The Trustees of the Anatomical Society

Email address: maryanne.piggott@kcl.ac.uk

Postal address: c/o Department of Anatomy and Human Sciences, King's College (London), Guy's Hospital Campus, Room HB4.2N Hodgkin Building, London, SE1 1UL, UK.

Telephone number: Office Tel: + 44 207 848 8234

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

Changes to the privacy notice and your duty to inform us of changes

We keep this privacy policy under regular review and we may update it at any time.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your engagement with us.

2. The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you as follows:

- contact details (name, address, telephone number, personal email address)
- date of birth
- gender
- next of kin, emergency contact details and Life Assurance expression of wish forms
- National Insurance number
- bank account details, payroll records and tax status information
- salary, expense account, annual leave, pension and benefits in kind
- contract details
- copy of driving licence and/or car insurance details
- recruitment information (including copies of right to work documentation, references and other information included in your CV and covering letter or as part of the application process)
- employment records (including job titles, work history, working hours, holidays and training records)
- performance information and (where applicable) disciplinary and grievance information
- CCTV footage and staff swipe card records

- information about your use of our information and communications systems
- information about criminal convictions and offences

Special categories of personal data means information about your race, ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation.

We may collect, use, store and transfer different kinds of special categories of personal information about you as follows:

- information about your race or ethnicity, religious beliefs, sexual orientation and political opinions;
- information about your health, including any medical condition, health and sickness records, health assessment reports and accident records;
- details of any absences (other than holidays) from work including time on statutory parental leave and sick leave;
- where you leave employment and the reason for leaving is related to your health, information about that condition needed for pensions and permanent health insurance purposes.

We may ask for information from you about criminal convictions or offences, for example, in order to comply with our charity law obligations in relation to trustees and people with senior management functions.

If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, If you fail to provide information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

3. How is your personal data collected?

We collect the majority of your personal information directly from you during the application and recruitment process and during the period you work with us. We also sometimes collect additional information from third parties including former employers and other background check agencies including:

- the Disclosure and Barring Service;
- publicly accessible data from the Insolvency Service, Companies House and/or the Charity Commission.

4. How we use your personal data

We will only use your personal data when the law allows us to. Our bases for processing personal information may sometimes overlap and there may be several grounds which justify our use of your personal information. Please contact us if you need details about the specific legal ground we are relying on to process your personal data.

We will use your personal information in the following ways where it is necessary to perform a contract we have entered into with you and/or where we need to comply with a legal obligation, including:

- checking you are legally entitled to work in the UK;

- determining the terms on which you work for us;
- paying you and, if you are an employee or deemed employee for tax purposes, deducting tax and National Insurance contributions;
- providing pension, healthcare and life assurance benefits to you;
- enrolling you in a pension arrangement in accordance with our statutory automatic enrolment duties, where applicable;
- complying with health and safety obligations.

We will also use your personal information where we have a legitimate interest and we are satisfied that your interests and fundamental rights do not override that interest, including:

- making a decision about your recruitment or appointment;
- administering the contract we have entered into with you;
- business management and planning, including accounting and auditing;
- if you sit on one of our committees, to make contact with you about committee business;
- conducting performance reviews, managing performance and determining performance requirements;
- making decisions about salary reviews and compensation;
- assessing qualifications for a particular job or task, including decisions about promotions;
- gathering evidence for possible grievance or disciplinary hearings;
- making decisions about your continued employment or engagement;
- making arrangements for the termination of our working relationship;
- education, training and development requirements;
- dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work;
- ascertaining your fitness to work;
- managing sickness absence;
- to prevent fraud;
- to monitor your use of our information and communication systems to ensure compliance with our IT policies;
- to ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution;
- to conduct data analytics studies to review and better understand employee retention and attrition rates.

Less commonly, we may use your personal information:

- where we need to protect your vital interests (or someone else's vital interests); or
- where it is needed in the public interest.

5. How we use special categories of personal data and criminal offence data

We will use special categories of your personal information or information about criminal offences or convictions:

- where we need to carry out our legal obligations or exercise rights in connection with employment, social security or social protection law;
- in limited circumstances, with your explicit written consent;
- where there is a substantial public interest, such as for equal opportunities monitoring.

Less commonly, we will use process this type of personal information where it is needed in relation to legal claims or where it is needed to protect your vital interests (or someone else's vital interests) and you are not capable of giving your consent, or where you have already made the information public.

We will process special categories of personal information when we:

- record and use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws;
- use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits including statutory maternity pay, statutory sick pay, pensions, healthcare and life assurance;
- use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting;
- have a legal or regulatory requirement to carry out background criminal records checks.

Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

6. Disclosures of your personal data

We may have to share your personal data with the parties set out below for the purposes set out in sections 4 and 5 above:

- where information is provided to Charity Commission, Companies House, HMRC, Customs and Excise, Lemon and Co (Process Executive Administrators payroll and pension), Kings College, Coutts, haysmacintyre, Wiley Publishers, FST Learned Societies Officer, RSB, Webree, Azure, Sitefinity, Anatomy Training Programme (ATP), 2019 IFAA Congress – TFI and other PCOs e.g. Galway Meeting, Self-employed contractors e.g Managing Editor of

Journal of Anatomy; Managing Editor of Aging Cell, Meetings Administrator (s), ATP Administrator (s), historical researcher(s) etc, Others, who provide technical support to us;

- if we transfer your payment information to Coutts Bank, who provide banking services to us;
- professional advisers including our lawyers, auditors and insurers who provide consultancy, legal, insurance and accounting services to us;
- where you have given us consent to share the information with the specific third party (for example, when we transfer personal information to an occupational health provider);
- if we are under a legal duty to disclose or share your personal information, for example, if required to do so by a court order or for the purposes of prevention of fraud or other crime;
- where we need to share your personal information with a regulator, for example, making returns to HMRC or reports to the Charity Commission, Companies House or the ICO;
- to another legal entity, on a temporary or permanent basis, for the purposes of a joint venture, collaboration, financing sale, merger, reorganisation, change of legal form, dissolution or similar event. In the case of a merger or sale, your personal information will be permanently transferred to a successor company;
- to protect our rights, property and safety, or the rights, property and safety of others (this includes exchanging information with other companies, organisations and regulators for the purposes of fraud protection and credit risk reduction).

We require all of our third parties service providers to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

7. International Transfers

While we do not usually transfer your personal data outside the European Economic Area (EEA), some of our third party suppliers are based outside the EEA. We may make world-wide transfers of personal data in relation to International membership, International conference delegates and International Awards and Prizes. We ensure that our third party suppliers ensure a similar level of protection is afforded to your personal information when it is transferred outside the EEA. If the country in question has not been deemed by the EU Commission to have adequate data protection laws, we will ensure that appropriate safeguards are in place and we will be responsible for ensuring your privacy rights continue to be protected as outlined in this notice.

8. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

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

9. Data retention

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. For financial data we will keep records for 6 years. We will keep all other information for 20 years. Certificates of Employers Liability Insurance will be kept for 40 years. Governance records, a fixed asset register and annual trustees reports and accounts will be kept permanently. We will keep a record of AS staff, trustees and member names and affiliations only in the historical record of the society on the ground of legitimate interest unless you request that these be erased as detailed in Section 10.

10. Your legal rights

Under certain circumstances, by law you have the right to:

- **Request access**
- **Request correction**
- **Request erasure**
- **Object to processing**
- **Request restriction of processing**
- **Request the transfer of your personal data**
- **Withdraw consent**

They are detailed in the Glossary section. You also have rights in relation to **automated decision making** which has a legal effect or otherwise significantly affects you. You have the right not to be subject to a decision based solely on automated processing, including profiling, which produces significant legal effects concerning you.

If you wish to exercise any of the rights set out above, please contact us (see 'Contact Details' above).

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights), for example, if you make a request via a solicitor or another third party. This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

11. Glossary

LAWFUL BASIS

Legitimate Interest means our interests in managing your engagement with us and in managing the Anatomical Society in line with our duties and objects. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contact us.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

Vital interests means processing your personal data where it is necessary to protect an interest which is essential for your life or for the life of another natural person.

Public interest means processing your personal data where it is necessary for the performance of a task carried out in the public interest.

YOUR LEGAL RIGHTS

You have the right to:

Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object if we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.