

Data Sharing Agreement - Temporary Agency Workers

This is an agreement between Global Highland Ltd, 13 Henderson Road, Inverness, IV1 1SN and The Highland Council, Glenurquhart Road, Inverness IV3 5NX.

Lead Officer: Global Highland Ltd

Position: QHSE & Compliance Lead

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Lead Officer: The Highland Council

Service: Corporate Resources

Position: HR Manager

Name: Elaine Barrie

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1. PURPOSE OF DATA SHARING AGREEMENT

This agreement has been drawn up by Global Highland Ltd (*Global*) and The Highland Council (*HC*) to set out the core information sharing principles which have been agreed by the parties.

In drawing up this agreement the parties note the provision of the Data Sharing Code of Practice, the Data Protection Act 1998 replaced by EU General Data Protection Regulations which comes into effect from 25 May 2018, Agency Workers Regulations 2010 and The Conduct of Employment Agencies and Employment Businesses Regulations 2003.

Global share personal data of the agency worker with HC to ensure the individual is suitable to carrying out the temporary assignment, HC will regularly check agency worker details to ensure they are being paid correctly, monitor the number of agency staff and costs to provide management information and respond confidentially to external enquiries e.g. press and Freedom of Information.

2. EXTENT AND TYPE OF INFORMATION TO BE SHARED

The extent and type of information shared is outlined below.

2.1 Agency Worker Commencing Assignment

Global email the HC Line Manager prior to the Agency Worker commencing in a temporary assignment with a Confirmation of Assignment letter detailing: Name of Agency Worker, job title, start date, expected end date, hours of work and charge rate. Relevant qualifications are checked by Global before submission of candidates where appropriate. All assignments are subject to confirmation of either a satisfactory Basic Disclosure check if workers will be issued with an HC email account or a PVG check where the worker will be in regulated work.

2.2 Monthly reports provided by Global

A monthly report will be emailed to the HR Manager containing the following personal data: Name of Agency Worker; start date; total length of assignment ; agency worker's role; THC pay grade; hourly rate; contractual hours; hiring manager's name; contact telephone number; service; section; location, monthly expenditure of worker and expected duration of booking for new assignments.

The monthly report will be saved by HC electronically on their HR drive which is confidential to the HR team.

2.3 One-off sharing

There may be a requirement to report individual operational incidents eg. performance, conduct, health and safety issues. Routine incidents will be raised with or by the HC Line Manager and the information shared with Global as soon as possible. Where it is assessed the incident cannot be resolved by the Line Manager or may have a wider impact, it will either be raised verbally with the HR Manager or at the monthly contract meeting held between Global and HC. Incidents will be logged in the Monthly Management Information report sent to the HR Manager for review and action where necessary.

HC may request one-off information in addition to information provided in the monthly management reports. In such cases it will be the responsibility of both Global and HC to assess it is necessary to ask the Agency Worker for consent that additional personal information is being shared.

A record will be kept on: what information was shared and why; who it was shared with; when; and whether the information was shared with or without the Agency Workers consent.

2.4 Accident or Injury at Work

Where an Agency Worker has an accident or injury while undertaking their assignment with HC, this will be reported to Global as soon as possible, specifying details. An HC accident form should also be completed and sent to the HC Service Manager who will investigate the accident/injury at work and also notify HC's Occupational Health and

Safety team. A copy of the HC accident form should also be sent to the relevant Recruiter responsible for the Agency Worker.

3 How the Agency Worker is Advised of Data Being Shared

Global will inform the Agency Worker information which will be shared with HC.

4 Security of Agency Worker Data

Global will retain all necessary recruitment and placement Agency Worker information in a secure Recruitment Database. Database accessibility is detailed in the GHL Privacy Notice confirmed to GHL Agency Workers.

Agency Worker data provided by Global will be held security by HR in a confidential electronic drive accessible by HR staff only.

5 Arrangements to provide Agency Worker Access to their personal data

Requests from Agency Worker should be made to Global in the first instance as the Worker's employer. Where HC hold personal data relating to the Agency Worker, this can be released to the Agency Worker following a direct request by the Agency Worker to HC.

6 Retention Periods & Secure Disposal of Personal Data

HC will retain information on Agency Workers for the duration of their assignment and for 6 months post final day of assignment. Should the Data Subject request removal of their personal data prior to this, Global will need to advise HC so that they can also remove the data. Similarly, if HC are requested by the Data Subject to remove their personal data prior to this date, they will need to advise Global so they can do the same.

7 Accidental Loss, Damage or Destruction

Where there has been a breach to the secure handling, storage and disposal of shared data the organisation where the breach has occurred will report this as soon as possible. This should also be reported to the Agency Worker and to the Joint Data Controller organisation.

8 Staff Awareness and Training

Global will make this document available to their staff involved in the HC contract. New Global staff will be briefed about this agreement. HC Agency Workers should also be advised and/or receive a copy of this document.

9 Governance

This data sharing agreement has been approved by Global Highland Ltd and will be regularly monitored by their Lead Officer.

10 Review of Information Sharing Agreement

This agreement will remain in place for the duration of the contract. A request to review the agreement can be made at any time by either party.

11 Termination of Agreement

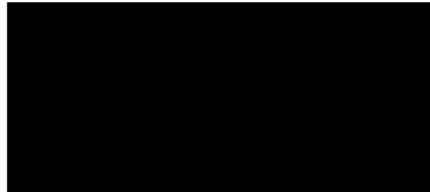
This agreement may only be terminated on expiry or cancellation of the contract as per the contract terms and conditions.

12 Signatures



Elaine Barrie
The Highland Council

Date.....15/5/18.....



Emma Christie
Global Highland Ltd

Date.....15/05/2018.....