

Managing your information

A guide for staff and volunteers



A full version of this document
can be found on our website www.nsft.nhs.uk

Norfolk and Suffolk NHS Foundation Trust (the Trust) provides mental health care services to the residents of Norfolk and Suffolk.

Our services include mental health, learning disabilities, eating disorders and wellbeing.

The Trust is registered with the Information Commissioners Officer as a Data Controller.

With effect from the 25th May 2018, the EU General Data Protection Regulations (GDPR) as enacted by the Data Protection Act 2018 (DPA18) comes into force. This leaflet confirms in summary:

- The lawful reasons for processing personal data
- The type of personal data we hold and how we may process and use this data
- Data subject rights under GDPR and DPA18

Our main trust wide privacy notice, which sets out in full the Trusts lawful reasons for processing your personal data and all of your rights as data subjects under the GDPR and DPA18 is available to view and download at www.nsftr.nhs.uk.

During the course of its activities, the Trust collects, stores and processes personal data about applicants, employees (and former employees), workers (including agency, casual and contracted staff), volunteers, trainees and those carrying out work experience.

Our lawful reasons for processing personal data

Under the GDPR, the Trust does not require your consent to process your personal data in relation to employment records. Our lawful reasons for processing this data (this includes special category data such as health data for employment purposes) are as follows:

6 (1) (e)	Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
9 (2) (b)	Processing is necessary for the purpose of carrying out the obligations and exercising the specific rights of the controller or the data subject in the field of employment law in so far as it is authorised by Union or Member State law.

Personal data processed in relation to Disclosure and Barring Service (DBS checks) falls under the GDPR (Article 10) and the provision of Safeguarding Vulnerable Groups Act 2006.

What types of personal data do we hold and how we may process and use this data?

In order to carry out our activities and obligations as an employer we handle data in relation to:

- Personal demographics (including gender, race, ethnicity, sexual orientation, religion)
- Contact details such as names, addresses, telephone numbers and Emergency contact(s)
- Employment records (including professional membership, references and proof of eligibility to work in the UK and security checks)
- Bank details
- Pension details

- Medical information including physical health or mental condition (occupational health information)
- Information relating to health and safety
- Trade union membership
- DBS Checks and other information relating to offences or alleged offences
- Employment Tribunal applications, complaints, accidents, and incident details

What is the purpose of processing data?

- Staff administration and management (including payroll and performance)
- Pensions administration
- Business management and planning
- Accounting and auditing
- Accounts and records
- Education
- Health administration and services
- Information and databank administration

The personal data we collect may be shared with other agencies and sources

In order to enable effective staff administration and comply with our obligations as an employer, we will share the personal data you provide during the course of your employment including the recruitment process with:

- NHS National Business Services Authority for maintaining your employment records, held on systems including NHS Electronic Staff Record (ESR) System.
- Serco for the purpose of processing your payroll records and expenses claims

Personal data will be shared with the following organisations without the data subjects consent if a lawful reason to share the information under GDPR is identified:

- Authorities to comply with employment law requirements
- Health and social care providers
- Safeguarding agencies
- Police forces
- Authorities with investigative powers (e.g. General Medical Council)
- Organisations with a defined lawful reason (e.g. Department of Work and Pensions)
- Sharing and matching of personal data for national fraud initiative

When sharing your information with third parties not listed above, such as relatives, the common law duty of confidentiality must still be met through consent.

Where there is a requirement to send personal data outside the European Economic Area, staff will obtain prior authorisation from IG Services to ensure that the necessary safeguards and measures are implemented prior to the disclosure of personal data.

How long do we keep personal data?

Your personal data is kept securely and in line with the Department of Health Records Management Code of Practice for Health and Social Care 2016.

Your Rights (full details can be found on our website www.nsft.nhs.uk)

You still have rights under the GDPR just like you did under the Data Protection Act 1998:

- **Right to be Informed** - Told about the data we hold
- **Right to Access** - You can ask for a copy of the information we hold about you by contacting our information rights team
- **Right to Rectification** - You can ask us to review any of the information that you feel is inaccurate
- **Right to Restrict Processing** - You can ask us to stop using your information but only if the information is wrong or we are using it outside our lawful reasons to do so
- **Right to Object** - Does not apply if we are using your information within our lawful reasons for doing so
- **Right to Complain** - You can complain to the Trust's Data Protection Officer if you are worried about how we are using your information, or you can complain to the Information Commissioner who looks after the use of information in the UK
- Our lawful reasons for using your information mean that the rights that deal with automated decision making, data portability and erasure do not apply

For further information contact:

Information Rights Team
Norfolk and Suffolk NHS Foundation Trust
Kestrel House
Hellesdon Hospital
Drayton High Road
Norwich
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Tel: 01603 421 108 / 421 264
Email: informationrights@nsft.nhs.uk

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