

Staff Privacy Notice

This privacy notice explains what information we collect from you, how we store this, how long we retain it, and with whom and for which legal purpose(s) we may share it

<p>Who we are</p>	<p>East Suffolk and North Essex NHS Foundation Trust (ESNEFT) serves the geographical area of East Suffolk and North Essex with a population of more than 1,000,000. We are two acute hospitals (Colchester Hospital and Ipswich Hospital), but we are also responsible for and/or utilise the following community services:</p> <ul style="list-style-type: none"> • Aldeburgh Community Hospital • Felixstowe General Hospital • Bluebird Lodge • Hartismere Place • Foot and Ankle Service • Community Nursing Services (East Suffolk) • Clacton and Harwich Community Hospitals • Halstead Hospital • North East Essex Community Services <p>Striving for excellence in everything we do is the focus of all our work within the Trust. We are the largest employer in East Anglia, with more than 13,000 whole time equivalent staff. Our Trust aims to invest in infrastructure, bring down waiting times, recruit more staff and save on running costs. Our Trust is registered with the Information Commissioner’s Office (ICO) to process personal and special categories of information under the Data Protection Act 2018 / General Data Protection Regulations and our registration number is Z6601302.</p>
<p>Why we collect personal information about you</p>	<p>The Trust collects, stores, and processes personal information about prospective, current and former staff to ensure compliance with legal or industry requirements. You are under a contractual obligation to provide this data to us.</p>

<p>What is our legal basis for processing your personal information?</p>	<p>Processing of employee personal information is necessary for the purposes of carrying out the obligations and exercising specific rights of the data controller (the Trust) or of the data subject (staff member) in the field of employment and social security and social protection law, in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject. The Trust does not require explicit consent of employees to process their personal data if the purpose falls within the legal basis detailed above.</p>
<p>What personal information do we need to collect about you and how do we obtain it?</p>	<p>Personal information about you will largely be collected directly from you during your recruitment and employment. Personal information may also be collected from healthcare professionals in certain circumstances, through national checks such as DBS etc.</p> <p>In order to carry out our activities and obligations as an employer we handle data in relation to:</p> <ul style="list-style-type: none"> • Personal demographics (including gender, race, ethnicity, sexual orientation, religion) • Contact details such as names, addresses, email 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 • Car Parking/Vehicle Registration • Pension details • Occupational health information (medical information including physical health or mental condition) • Information relating to health and safety • Trade union membership • Foundation Trust membership • Trust governors / membership • Offences (including alleged offences), criminal proceedings, outcomes and sentences • Employment Tribunal applications, complaints, accidents, and incident details

<p>What do we do with your personal information?</p>	<p>Your personal information is processed for the purposes of:</p> <ul style="list-style-type: none"> • Staff administration and management (including payroll and performance) • Pensions administration • Business management and planning • Accounting and Auditing • Education • Health administration and services • Information and databank administration • Communication of key messages with our workforce • Provision of mandatory staff training
<p>Who do we share your personal information with and why?</p>	<p>We will not routinely disclose any information about you without your express permission. However, in order to enable effective staff administration and comply with our obligations as your employer, we will share the information which you provide during the course of your employment (including the recruitment process) with (not exhaustive):</p> <ul style="list-style-type: none"> • NHS Business Services Authority for maintaining your employment records, held on systems including the national NHS Electronic Staff Record (ESR) system • Disclosure & Barring Service for DBS checks • The Home Office to confirm work permits • Epic EPR • Staff EPR account information may also be ingested into Epic's Nebula AI solution. The ingestion of staff account information is required so that Epic can return results back to the logged in user and to create an automatic active directory of staff. <u>No automated decision making is completed by Epic Nebula.</u> • Suffolk and Essex Occupational Health for pre-employment screening and absence support • Allocate to enable rostering of shifts • Rotamap to enable rostering of medical shifts • KPMG and RSM for audit functions • NEST for pension services • NHS Pensions for pension services • Selenity for employee expenses claims • IQVIA, Optimum and Meridian for staff surveys and the friends and family test • Health Education England – contact details for training courses

	<ul style="list-style-type: none"> • NHS Professionals for bank staffing • HMRC for tax purposes • Wagestream for employee salary benefits • IT suppliers in the event of system troubleshooting/maintenance • Training suppliers for bespoke and mandatory staff training • The Care Coordination Solution (CCS) processes patient staff personal data (availability) to support the better coordination of Elective Care for patients across the patient pathway. The CCS uses the Palantir Foundry platform to create one single version of the Trust’s Elective Waiting List. The tools within Foundry give clinicians a better view and understanding of their waiting lists and will assist the Trust to manage resources more effectively, this will include staff personal data in relation to availability (i.e existing rostering information) and capacity and login information. <p>Any disclosures of personal data are always made on a case-by-case basis, using the minimum personal data necessary for the specific purpose and circumstances and with the appropriate security controls in place. Personal Information is only shared with those agencies and bodies who have a "need to know" or where you have consented to the disclosure of your personal data to such persons.</p> <p>Where possible, we will always look to anonymise your personal information unless there is a legal basis that permits us to use it, and we will only use/share the minimum information necessary. However, there are occasions where the Trust is required by law to share information provided to us with other bodies responsible for auditing or administering public funds, in order to prevent and detect fraud.</p> <p>There are a number of circumstances where we can or must share information about you to comply with:</p> <ul style="list-style-type: none"> • Disciplinary/investigation processes; including referrals to Professional Bodies, e.g. NMC and GMC; • Legislative and/or statutory requirements; • A Court Order which may have been imposed on us; • NHS Counter Fraud requirements; • Request for information from the police and other law enforcement agencies for the prevention and detection of crime and/or fraud • Statutory enquiries, such as the Infected Blood Enquiry or the Covid-19 Enquiry
<p>How we maintain your records</p>	<p>Your personal information is held in both paper and electronic form for specified periods of time as set out in the NHS Records Management Code of Practice for Health and Social Care.</p> <p>We have a duty to:</p> <ul style="list-style-type: none"> • keep records about you confidential and secure;

	<ul style="list-style-type: none"> • provide information in a format that is accessible to you.
<p>How do we protect your information?</p>	<p>All staff employed by East Suffolk and North Essex NHS Foundation Trust are required to undertake mandatory annual training about their role and responsibilities when collecting and handling personal data. We keep your information safe and secure and comply with industry standards such as Cyber Security Essentials and the Data Security and Protection Toolkit. We only share your data in a way that identifies you when it's absolutely necessary and will never sell it on to third parties.</p>
<p>Is my data being transferred overseas?</p>	<p>All Trust servers are based in the UK, however, some of the service providers we use may hold your information outside the UK. If we do transfer your personal information outside of the UK we will ensure that it is protected to the same extent as it would be within the UK. A Data Protection Impact Assessment is completed for all systems and processes that use personally identifiable data, with appropriate risk assessments for transferring data overseas.</p>
<p>What are your rights?</p>	<p>You have a number of rights regarding your data under the Data Protection Act 2018 / GDPR:</p> <p>The right to request access You have the right to obtain:</p> <ul style="list-style-type: none"> • confirmation that your data is being processed • access to your personal data • other information • evidence that we treat your information within the rules of the law. <p>The right to be informed You have the right to be informed about the collection and use of your personal information. We must provide you with information including: our purposes for processing your personal information, our retention periods for that personal information, and who it will be shared with. We call this 'privacy information'.</p> <p>The right to request rectification</p>

You have the right to ask that any information you believe is inaccurate be corrected or completed if it is incomplete. Please note that this is not an absolute right and is subject to review by the Data Protection Officer.

The right to request erasure

You have the right to ask that we delete any information we hold about you. This is also known as the right to be forgotten. Please note that this is not an absolute right and is subject to review by the Data Protection Officer.

The right to the restriction of processing

This means that you can limit the way we share your information. This is an alternative to requesting the erasure of your information. This means that we can hold your information but we cannot use it or share it with external organisations.

The right to object to processing

- to us using your information for reasons other than to provide you with care
- to your information being used for direct marketing (including profiling)
- to your information being used for purposes of scientific or historical research and statistics

The right to data portability

You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

Rights related to automated decision making including profiling

Automated individual decision-making is a decision made by automated means without any human involvement.

The Trust relies on Article 6(1)(e): Public Task should we engage in any automated decision making and/or profiling. This includes using Artificial Intelligence (AI) technology in our healthcare services. Automated decision making will never be used at the Trust for direct marketing. You have the right to object to the Trust using your data for automated decision making purposes.

You are not required to pay any charge for exercising your rights. If you make a request, we have one calendar month to respond to you.

If you wish to exercise any of the above rights in relation to data we hold about you, please contact:

	<p>Information Governance Team Email: foi@esneft.nhs.uk</p>
<p>How do I withdraw consent from sharing my information?</p>	<p>If you were asked to give consent for your information to be shared and you no longer wish for this to happen, you can request to withdraw your consent at any time. All requests will be considered on a case-by-case basis.</p> <p>If this is something you wish to do then please contact:</p> <p>Information Governance Team Email: foi@esneft.nhs.uk</p>
<p>How do I log a complaint?</p>	<p>If you wish to raise a complaint or concern regarding the information we hold about you please contact the Data Protection Officer directly at dpo@esneft.nhs.uk</p> <p>You can also complain to the Information Commissioner’s Office if you are unhappy with how we have used your data. The ICO can be contacted at:</p> <p>Information Commissioner’s Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF Helpline number: 0303 123 1113 ICO website: https://www.ico.org.uk</p>
<p>Who is responsible for Data Protection at ESNEFT?</p>	<p>There are a number of roles within the Trust that have responsibility for protecting the information you provide us with.</p> <ul style="list-style-type: none"> • The Senior Information Risk Owner (SIRO) is Mike Meers, Director of Digital and Logistics • The Caldicott Guardian is Dr Martin Mansfield, Deputy Chief Medical Officer • The Data Protection Officer (DPO) is George Chalkias, Director of Governance