

## **Privacy Notice for Staff - Data Protection Act 2018**

This page tells you how Northern Devon Healthcare NHS Trust uses and manages the personal data or information we hold about you, including how we share it with NHS and non-NHS organisations and how we maintain confidentiality.

The Data Protection Act controls how your personal information is used by organisations, businesses or the government. Under the Act our Trust is defined as a 'data controller' of personal information. We collect personal information to help us employ and manage staff. The Trust is [registered](#) with the Information Commissioner's Office (registration number Z7485161).

### **What is personal information ?**

Personal information identifies a living individual. Therefore your personal information is anything that can be attributed to you personally, including your name, date of birth, contact details, relatives, banking details and occupational health records. So long as you can be identified from it, it is your personal information.

Organisations that use personal information must do so in line with the provisions of the Data Protection Act 2018. The Act applies to personal information held in both electronic and paper records.

Examples of the personal information that we hold about our staff are:

- Name, address, date of birth and next of kin
- Contact information i.e. telephone number(s), email address
- Payroll records such as National Insurance and bank account numbers and pay
- Racial or ethnic origin
- Family, lifestyle and social circumstances
- Details of any occupational health meetings

### **Why we collect information about you ?**

We need to keep records about employment and management of staff. This helps ensure that you are paid and managed correctly and have appropriate access to systems and areas that your role requires.

We may use personal information to:

- pay you
- prepare statistics on NHS performance
- audit NHS services

- monitor how we spend public money
- plan and manage the health service

### **Data Protection Act 2018 and legal basis for processing**

All the personal information that we collect and use is handled in accordance with the Data Protection Act principles. These state that personal data processing must be:

1. lawful and fair
2. specified, explicit and legitimate
3. adequate, relevant and not excessive
4. accurate and kept up to date
5. kept for no longer than is necessary
6. held securely

Under GDPR our legal basis for processing staff information is :  
the performance of a task carried out in the public interest or in the exercise of the controller's official authority Article (6) (1) (e), and  
necessary for the carrying out of obligations under employment, social security or social protection law Article 9 (2) (b).

### **Who do we share personal information with and why ?**

Our Trust shares personal information with a range of organisations. We will always endeavour to share the minimum amount of personal information required, anonymising where necessary.

#### *Electronic Staff Record*

On commencement of employment with the Trust, your personal data will be uploaded to the Electronic Staff Record (ESR). ESR is a workforce solution for the NHS which is used by the Trust to effectively manage the workforce leading to improved efficiency and improved patient safety.

#### *Streamlining*

In accepting employment with the Trust, you accept that the following personal data will be transferred under the Streamlining programme if your employment transfers to another NHS organisation:

- Occupational Health immunisations and vaccinations data
- NHS ESR Reference data
- Payroll data
- Mandatory and statutory training competency data

Streamlining is the process by which certain personal data is transferred from one NHS organisation to another when your employment transfers. NHS organisations have a legitimate interest in processing your data in this way in establishing the employment of a suitable workforce. The Streamlining programme is a data sharing arrangement which is aimed at improving efficiencies

within the NHS both to make costs savings for Trusts but also to save you time when your employment transfers.”

### **How do we keep your personal information safe and secure ?**

Our staff are trained to handle your information correctly and protect your privacy and keep your information secure. We aim to maintain high standards and regularly check and report on how we are doing. Where we fall below acceptable standards we investigate and report serious incidents to the Information Commissioner’s Office (ICO). Everyone working in the NHS signs up to the NHS code of confidentiality and are aware of the high standards we expect them to adhere to when handling your personal information.

### **How long do we keep your records ?**

We do not keep your staff records for longer than necessary. All our records are destroyed in accordance with the [NHS Retention Schedules](#), which sets out the appropriate length of time different types of records are retained. All records are destroyed confidentially once their retention period has been met and the Trust has made the decision that the records are no longer required.

### **What are your information rights ?**

You have a number of rights under the Data Protection Act:

1. To be informed why, where and how we use your information
2. To ask for access to your employment information \*
3. To ask for your information to be corrected if it is inaccurate or incomplete
4. To ask us to restrict the use of your information in certain circumstances
5. In limited circumstances to ask us to copy or transfer your information from one IT system to another
6. To object to how your information is used
7. To challenge decisions made without human intervention (automated decision making)

\*You can request access to CCTV imagery about you that we may hold

### **Surveillance Cameras (CCTV & Body Worn Video)**

We employ surveillance cameras (CCTV and Body Worn Video) on and around the hospital site in order to:

- protect patients, visitors, staff and Trust property
- apprehend and prosecute offenders, and provide evidence to take criminal or civil action in the courts
- provide a deterrent effect and reduce unlawful activity

- help provide a safer environment for our staff

You have a right to make a Subject Access Request of surveillance information recorded of yourself and ask for a copy of it. Please see the '[What are your information rights ?](#)' section. The details you provide must contain sufficient information to identify you and assist us in finding the images on our systems.

We reserve the right to withhold information where permissible by Data Protection Legislation and we will only retain surveillance data for a reasonable period or as long as is required by law. In certain circumstances (high profile investigations, serious or criminal incidents) we may need to disclose CCTV or Body Worn Video data for legal reasons. When this is done there is a requirement for the organisation that has received the images to adhere to Data Protection Legislation.

### **How do I obtain a copy of my personal information**

Please refer to our Staff Subject Access Requests [page](#)

### **Contact for data protection questions or concerns**

If you have any questions or concerns about how we manage your information then please contact the Data Protection Officer for our Trust:

Data Protection Officer  
North Devon District Hospital  
Munro House  
Raleigh Park  
Barnstaple  
EX31 4JB  
Tel: 01271 341477  
Email: [ndht.dpo@nhs.net](mailto:ndht.dpo@nhs.net)

The Information Commissioner's Office (ICO) is the body that regulates Data Protection <https://ico.org.uk/> . If you are not satisfied with our DPO response or believe we are not processing your personal data in accordance with the law you can complain to the ICO at:

Information Commissioner's Office (ICO)  
Information Commissioner's Office  
Wycliffe House Water Lane  
Wilmslow  
SK9 5AF

Tel: 03031231113

Web: <https://ico.org.uk/concerns/>