

Staff Privacy Notice

This Privacy Notice explains what information we collect about you, what we will do with the information, how we store this information, how long we retain it and with whom and for which legal purpose we may share it.

To find out more about our Privacy Notice, please select the relevant hyperlink below:

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This Privacy Notice was last reviewed in February 2023

Changes to this Statement

Somerset NHS Foundation Trust will occasionally update this Statement of Privacy to reflect the law and feedback received. You are encouraged to periodically review this Statement to be informed of how Somerset NHS Foundation Trust is protecting your information.

Staff Privacy Notice

Who we are?	<p>Somerset NHS Foundation Trust is registered with the Information Commissioner's Office (ICO) in the UK, as a Data Controller and to process personal and special categories of information under the General Data Protection Regulations (GDPR) and the Data Protection Act 2018 and our registration number is Z6696096.</p> <p>For further information please refer to the 'About us' page on our website</p>
Why we collect personal information about you?	<p>The Trust collects stores and processes personal information about prospective, current and former staff to ensure compliance with legal or industry requirements.</p>
What is our legal basis for processing personal information about you?	<p>Processing of employee personal data is necessary for the following purposes under Article 6 GDPR depending on the information being processed:</p> <ul style="list-style-type: none"> • 1 (b) processing is necessary for a contract held with the individual • 1 (c) processing is necessary to comply with the law • 1 (e) processing is necessary to perform a task in the public interest or for official functions and the task/function has a clear basis in law <p>Processing of special categories employee personal information is necessary for the purposes of Article 9 GDPR 2 (b) carrying out the Trust's obligations in the fields of employment, social security & social protection.</p> <p>The Trust does not require explicit consent of employees to process their personal data if the purpose falls within the legal basis' detailed above. For further information on this legislation please visit: http://www.legislation.gov.uk/</p>
What personal information do we need to collect about you and how do we obtain it?	<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. 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, date of birth, 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 • Occupational health information (medical information including physical health or mental condition)

	<ul style="list-style-type: none"> • Information relating to health and safety • Trade union membership • Trust membership and staff governors • Offences (including alleged offences), criminal proceedings, outcomes and sentences • Information about disciplinary proceedings, warnings and dismissals
<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 • Accounts and records • Education • Health administration and services • Information and databank administration • Trust membership – staff constituency • Crime prevention and prosecution of offenders • Sharing and matching of personal information for national fraud initiative
<p>Who do we share your information with and why?</p>	<p>We will not routinely disclose any information about you without your express permission. However, 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 the NHS Business Services Authority for maintaining your employment records, held on systems including the national NHS Electronic Staff Record (ESR) system.</p> <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 minimize and anonymise/ pseudonymise your personal information and to use encryption in communication, to protect confidentiality, unless there is a legal basis that requires us to use it otherwise. 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, to prevent and detect fraud.</p> <p>For any request to transfer your data internationally outside the UK/EU we will make sure that an adequate level of protection can be satisfied before the transfer.</p> <p>There are a number of circumstances where we must or can share information about you to comply or manage 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; • Court Orders which may have been imposed on us;

	<ul style="list-style-type: none"> • 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 if the crime is of a serious nature.
How we maintain your records	<p>Your personal information is held in both paper and electronic forms for specified periods of time as set out in the NHS Records Management Code of Practice for Health and Social Care and National Archives Requirements.</p> <p>We hold and process your information in accordance with the Data Protection Act 2018 and GDPR, as explained above. In addition, everyone working for the NHS must comply with the Common Law Duty of Confidentiality and various national and professional standards and requirements. We have a duty to:</p> <ul style="list-style-type: none"> • maintain full and accurate records of the care we provide to you; • keep records about you confidential and secure; • provide information in a format that is accessible to you.
What are your rights?	<p>If we need to use your personal information for any reasons beyond those stated above, we will discuss this with you and ask for your <u>explicit</u> consent. The Data Protection Act 2018 and GDPR gives you certain rights unless subject to an exemption, including the right to:</p> <ul style="list-style-type: none"> • Request to access the personal data we hold about you, eg. personnel records. If you wish to do this, please contact The Trust's, Data Access and Disclosure Office in writing at DADO@somersetft.nhs.uk. Please remember to include details of the information you require plus contact details and two forms of identification such as a copy of your driving license/ passport and also a document with your name and address on such as a utility bill; • Request the rectification of inaccurate or incomplete information recorded in our records, subject to certain safeguards. • Request that your information can be deleted or removed where there is no need for us to continue processing it and where the retention time has passed; • Ask us to restrict the use of your information where appropriate; • Ask us to copy or transfer your information from one IT system to another in a safe and secure way, without impacting the quality of the information; • To object to how your information is used; • To challenge any decisions made without human intervention (automated decision making) <p>To exercise your data subject rights, please contact the Data Protection Officer, details below.</p>
Data Protection Officer	<p>Louise Coppin Head of Information Governance and Data Protection Louise.Coppin@Somersetft.nhs.uk</p>
Information Commissioner's Office	<p>The Information Commissioner's Office (ICO) is the body that regulates the Trust under Data Protection and Freedom of Information legislation. If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law you can complain to the ICO at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF Tel: 0303 123 1113 (local rate) or 01625 545 700 if you prefer to use a national rate number Email: casework@ico.org.uk</p>

