

## **Norfolk and Waveney ICB Employee Privacy Notice**

**The following privacy notice applies to all staff who work within NHS Norfolk and Waveney Integrated Care Board including all substantive, seconded, embedded and fixed term employees, Board Members, Clinical Advisors and Non-Executive Members, voluntary staff, contractors, ICB members and members of an integrated team.**

**The ICB is committed to protecting your privacy and complying with the Data Protection Act 2018 and UK General Data Protection Regulations (UK GDPR).**

The following privacy notice sets out the basis by which we collect, use and disclose data relating to individuals we employ as part of the ICB's workforce. We do this for employment purposes, to assist in the running of the ICB and/or to enable individuals to be paid. The notice also sets out your rights in respect of your Personal Data relating to your employment with the ICB.

### **How Do We Collect Your Personal Information?**

We may collect your Personal Data in a number of ways, for example:

- At the point of recruitment to the ICB;
- When you contact the ICB via the HR Department within the Commissioning Support Unit, either via telephone or email;
- When you apply for an internal vacancy within the ICB;
- If you are part of an embedded team, still employed by a third-party organisation but hosted by the ICB;
- During managing your employment with the ICB, i.e., appraisals, disciplinary, implementation of HR policies and procedures, rollout of support services to staff such as occupation health, wellbeing and mobile telephony;
- Contact details you have provided for the purposes of managing the ICB's Business Continuity Plan;
- Information we receive from third parties such as HMRC, Disclosure and Barring Service (DBS) checks, external organisations seeking a reference and recruitment agencies.

### **What Type of Information Do We Collect?**

We may collect the following types of Personal Data:

- Your name, address, email address, telephone number and other contact information that allow us to meet our organisational and statutory obligations to you as your Employer;
- Details of family members and Next of Kin details;
- Bank details
- National insurance number and PAYE data in respect of your contract of employment;
- Right to work documentation and other security screening information;

In addition, we may collect the following types of special categories of personal data:

- Racial or ethnic origin;
- Health data disclosed by you as part of an Occupational Health screening questionnaire and/or referral;
- Health data in relation to the management of the COVID-19 pandemic, to ensure that any risks to your health and wellbeing are mitigated;
- Qualifications and employment history;
- Bank details and National Insurance Number;
- Pension scheme membership details;
- Information about your right to work in the UK (where applicable);
- Information obtained from the Disclosure Barring Service (DBS);
- Absence information including sickness and paid and/or unpaid leave.

Your personal information will not be disclosed to a third party unless:

- a) it is a condition of your contract of employment (either VSM, contract for service, secondment agreement, agency agreement or Agenda for Change);
- b) the law allows or requires us to do so; or
- c) in limited circumstances where there is no overriding legal basis, we will seek your consent.

**Please note that your NHS.net email is not considered to be personal data as these accounts are owned by the ICB and use should only be used for business related purposes.**

### **How Do We Use the Information We Collect?**

We may use your personal data in the following ways:

- To ensure that the information we hold about you is kept up-to-date;
- To deal with any employee / employer related disputes that may arise;
- Payroll purposes;
- Workforce planning within an Integrated Care System;
- For assessment and analysis purposes to help improve the operation and performance of the ICB;
- To inform the development of recruiting and retention policies so that they are relevant to the ICB's workforce;
- To enabling the monitoring of protected characteristics in accordance with the Equality Act 2010 and ensure that the ICB continues to meet equality standards;
- To prevent, detect and prosecute against fraud;
- To provide you with ICT and telephony equipment, particularly for whilst we are working remotely;
- To provide you with occupation health / wellbeing and training support services;
- To respond to requests made by a "relevant authority" under Section 29 of the Data Protection Act 2018, such as the police, government departments and local authorities with the regulatory powers to request access to personal data without the consent of the data subject for the purposes of the prevention or detection of crime;
- In accordance with the consent provided by you as part of your terms and conditions of employment;
- To comply with the ICB's legal obligations as an employer; i.e. HMRC and pensions; and
- To mitigate the risks to your health and wellbeing as a result of the COVID-19 pandemic.

## Who Will We Share Your Information With?

We will share your personal data with:

- **Arden and Greater East Midlands Commissioning Support Unit (AGEM CSU)** who are commissioned to provide an HR function on behalf of the ICB;
- **Whittington Health** who are commissioned by the ICB to provide payroll and remuneration services on behalf of the ICB;
- **Vita Healthcare Group** in response to a request from you for Health and Wellbeing Employee Assistance;
- **Norfolk Community Health and Care NHS Trust** who are hosting our Cloud Telephony Solution which will include the provision of internet calls via your laptop and ICB issued mobile phones.

Further information regarding the sharing of personnel information in response to the COVID-19 pandemic can be found on our [website](#). Please note the Control of Patient Information Notice (COPIN) ended on 30<sup>th</sup> June 2022 so whilst your information will no longer be shared in response to the pandemic, the ICB is required to retain this information for the COVID-19 Inquiry. More information on the Inquiry can be found [here](#).

All third-party services commissioned by the ICB must comply with the latest Information Governance and Data Security Standards. As part of the ICB's IG assurance process we will check that each provider has made a "satisfactory" DSP Toolkit submission, which provides the ICB with assurance that they are handling your personal data to the current information security, records management, data protection and confidentiality standards. In addition, we check that each provide as a secure encrypted means of receiving data from the ICB, so that your information is protected in transit.

## How Will We Manage Information We Receive About You?

Where we have received personal data from a third party about you (such as a previous employer, HMRC) we will provide you with:

- The identity and contact details of the third party;
- The contact details of the third party's Data Protection Officer, if applicable;
- The purpose for processing your personal data and the legal basis;
- The categories of personal data received.

## Transferring Personal Data Outside of the EEA/EU

The ICB does not routinely transfer information outside of the European Economic Area, unless it is required for the delivery of the above HR, payroll and occupational health services.

Where information is transferred outside of the EEA/EU, we will ensure that such transfers are compliant with the Data Protection Act and UK GDPR and that appropriate measures are put in place to ensure security of your information is maintained. We will also ensure that there are appropriate contractual obligations in place to ensure that data continues to flow outside of the UK in your best interests, as and when required.

## Storage and Retention of Your Information

Your information will be stored by the ICB and its third party suppliers in accordance with the [National Data Security Standards](#), which will ensure that appropriate technical and organisational measures are in place to

prevent unauthorised or unlawful processing of Personal Data and against accidental loss or destruction of, or damage to Personal Data.

Your records will also be retained in accordance with the [Records Management Code of Practice for Health and Social Care](#). As your personnel record can contain several elements such as occupational health records, employment history, appraisals, training records etc. the ICB will retain your personnel file until your 75<sup>th</sup> birthday. After this period, a review will be conducted, and your personnel file securely destroyed including any electronic and hardcopy information.

### **Right of Access to Your Information – Subject Access Request**

Under UK GDPR and the Data Protection Act 2018 all individuals have a right to obtain a copy of their personal data. Norfolk and Waveney ICB's Subject Access Request & Information Rights Policy provides details of how to raise a request. This policy is available on the ICB [Intranet](#).

You can request a copy of the information held about you by contacting the IG Team at: [nwICB.informationgovernance@nhs.net](mailto:nwICB.informationgovernance@nhs.net) who will conduct some preliminary governance steps in accordance with the above policy, before the ICB can respond to your request. The provision of this information will be free of charge and provided in a format of your choosing, i.e., hardcopy or electronic via secure email.

The ICB will endeavour to respond to your request within one calendar month. This timeframe may be extended by a further two months, subject to the complexity of the request and the number of requests from the same source.

In addition to the right of access, you also have the right of rectification or erasure of personal data or restriction of processing of your personal data, except where this is mandated by law. If you would like further advice regarding this, please contact:

Data Protection Officer via email - [nwICB.informationgovernance@nhs.net](mailto:nwICB.informationgovernance@nhs.net)

### **Management of a Breach Involving Your Information**

The ICB is committed to managing all data breaches in a timely and efficient manner and will endeavour to respond to any data breach within 72 hours. Data breaches will be managed in accordance with the ICB's Data Protection & Cyber Security Breach Management Policy.

### **Complaints Process**

Should you wish to raise a complaint regarding the management of your information you can do so in the following ways:

**Informal Resolution** – you should raise your concerns with your line manager, who will liaise with the IG Team regarding the use and management of your information.

**Formal Complaint** – you may raise your complaint in writing to:

Tracey Bleakley, CEO  
NHS Norfolk & Waveney Integrated Care Board  
Lakeside 400, Old Chapel Way  
Norwich, NR7 0WG

**Independent Investigation** – if you are unable to obtain local resolution through the ICB, you can contact the Information Commissioner's Office which is a UK independent public body responsible for upholding information rights and data privacy at:

Tel: 030 123 1113

Online: <https://ico.org.uk/global/contact-us/email/>

By Post: Information Commissioner's Office

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF