Norfolk and Waveney
Integrated Care Board

Norfolk and Waveney ICB Employee Privacy Notice

Contents

What is an Employee Privacy notice?

Every organisation which processes personal data must advise you what they do with their data and why.

This 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 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.

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

This 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 (employed and non-employed)
- Clinical Advisors
- Non-Executive Members
- Voluntary staff
- Contractors
- ICB members
- Members of an integrated team

How Do We Collect Your Personal Information?

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

- Recruitment to the ICB, for further information, please refer to the ICB's Public Privacy Notice. The ICB uses the Trac Jobs recruitment platform Trac Privacy Notice;
- 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 occupational health, wellbeing and IT services;
- Through information you enter on to the Electronic Staff Record (ESR);
- Through extracting information about you held in ESR and loading it into a separate, segregated area within our BI Systems (the Data Hub) for **ICS** reporting purposes. **Note this data is not linked with patient data held and processed within the Data Hub for other purposes** Data Hub - Norfolk & Waveney Integrated Care System (ICS (improvinglivesnw.org.uk);
- Contact details you have provided for the purposes of managing the ICB's Business Continuity Plan; and
- 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 allows us to meet our organisational and statutory obligations to you as your Employer;
- Details of family members, Next of Kin details and emergency contacts;
- National insurance number and PAYE data in respect of your contract of employment;
- Right to work documentation and other security screening information;
- Information for standard employment checks – date of birth, occupational health screening, proof of ID and references;
- Outcome of other checks completed in relation to the Fit and Proper Person Test – social media and google searches, copy of CV, disqualified director checks, employment tribunal judgement check, county court judgement check, insolvency and bankruptcy register searches, disqualification from charity trustee check;
- Mandatory Training information;
- Individual performance review/personal development plans and disciplinary records;
- 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); and,
- Absence information including sickness and paid and/or unpaid leave.

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

- Racial or ethnic origin;
- Sexual orientation;
- Religious belief;
- 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 and any future public health events, to ensure that any risks to your health and wellbeing are mitigated; and,
- Health data in relation to any sickness absence of 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.

Your NHS email account

Please note that your NHS email address is considered personal information because it relates to you. However the content of your NHS.net email account is not considered to be personal information as these accounts are provided and hosted by the ICB and should only be used as a communication tool for business related purposes. All information held within it belongs to the host organisation and should be handled in line with the Records Management Policy. The ICB is entitled to access NHS Mail accounts without your permission for the purposes of the prevention and detection of fraud.

How Do We Use the Information We Collect?

We may use your personal data in the following ways, this is not an exhaustive list:

To support management of your employment

- To complete NHS standard pre-employment checks and Fit and Proper Person checks (where applicable);
- To ensure that the information we hold about you is kept up-to-date and accurate;
- To manage your day to day employment requirements, such as ensuring mandatory training is up to date, sending you communications and invites to staff briefings etc;
- To deal with any employee / employer related disputes that may arise;
- For Payroll purposes;
- For internal audits;
- For Care Quality Commission (CQC) inspection purposes;
- To provide you with ICT, telephony equipment and IT services;
- To provide you with occupational health, wellbeing and training support services;
- 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 and any future public health events.

In Reporting and Planning – usually using pseudonymised or anonymised information.

- Workforce planning within an Integrated Care System;
- For assessment and analysis purposes to help improve the operation and performance of the ICB and wider ICS where appropriate;

- To inform the development of recruiting and retention policies so that they are relevant to the ICB's workforce; and,
- To enable the monitoring of protected characteristics in accordance with the Equality Act 2010 and ensure that the ICB continues to meet equality standards;

Other

- To prevent, detect and prosecute against fraud, including ICB compliance with the National Fraud Initiative. More information can be found on this within the ICB's Public Privacy Notice; and
- 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.

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 recruitment services on behalf of the ICB;
- **Whittington Health** who are commissioned by the ICB to provide payroll and remuneration services on behalf of the ICB;
- **Vivup** in response to a request from you for Health and Wellbeing Employee Assistance;
- **Wagestream** – to verify that the staff member requesting assistance is an employee;
- **Norfolk Community Health and Care NHS Trust (NCH&C)** who are commissioned to provide IT services to the ICB;
- **TIAA and Grant Thornton** who are the ICB's internal auditors;
- **Care Quality Commission** who are the independent regulator of health and social care in England;
- **Norfolk & Norwich University Hospital (NNUH) Workplace Health & Wellbeing** are commissioned to provide occupational health services to the ICB; and,
- **NHS England** who have developed a Fit and Proper Person Test (FPPT) Framework for Board Members. For more information, please visit NHS England » NHS England Fit and Proper Person Test Framework for board members.

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, or equivalent, 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 any third-party has a secure encrypted means of receiving data from the ICB, so that your information is protected in transit.

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 75th 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's Intranet pages.

You can request a copy of the information held about you by contacting the IG Team at: 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.

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. More information on this is provided within the ICB's Public Privacy Notice. However, if you would like further advice regarding this, please contact:

Data Protection Officer via email - 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
Eighth Floor
County Hall
Martineau Lane
Norwich
NR1 2DH

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