

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 we may share it.

Who we are

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 700,000. We are two acute hospitals (Colchester Hospital and Ipswich Hospital), but we are also responsible for and/or utilise the following community services:

- 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 and Suffolk Pathology Services (NEEPS)

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 10,000 whole time equivalent staff. Our new 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 General Data Protection Regulation 2016/679 and our registration number is Z6601302.

<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.</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, 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
<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; • 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 IG 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.</p> <p>If we do transfer your personal information outside the UK we will make sure that it is protected to the same extent as it would be within the UK.</p>

Who do we share your personal information with and why?

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:

- NHS Business Services Authority for maintaining your employment records, held on systems including the national NHS Electronic Staff Record (ESR) system
- SPS (Sage Payroll Software) for the processing of payroll
- Disclosure & Barring Service for DBS checks
- The Home Office to confirm work permits
- Suffolk and Essex Occupational Health for pre-employment screening and absence support
- Allocate to enable rostering of shifts
- KPMG and RSM for audit functions
- NEST for pension services
- Optimum and Meridian for staff surveys and friends and family test
- Health Education England – contact details for training courses
- NHS Professionals for bank staffing

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.

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.

There are a number of circumstances where we can or must share information about you to comply with:

- 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.

<p>What are your rights?</p>	<p>If we need to use your information for any reasons beyond those stated above, we will discuss this with you and ask for your <u>explicit</u> consent. GDPR 2016/679 gives you certain rights, including the right to:</p> <ul style="list-style-type: none"> • Request access to the personal data we hold about you, e.g. personnel records. If you wish to do this, please contact the Trust’s Human Resources Department in writing; • Request the correction of inaccurate information recorded in our records; • Request that your information 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; • To object to how your information is used; • To challenge any decisions made without human intervention (automated decision making)
<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. Alternatively, you have the right to contact the Information Commissioner’s Office (ICO), who are the independent regulator of data protection. Please visit their website below:</p> <p>https://ico.org.uk</p>
<p>Data Protection Officer</p>	<p>Sarah Preston, Head of Information Governance Information Governance Department (Post Bag S618) Ipswich Hospital Heath Road IP4 5PD</p> <p>sarah.preston@esneft.nhs.uk</p>