

Privacy notice – Staff information

This document summarises who we are, what information we hold about you, what we will do with the information we hold including who we may share it with and how long we will keep the information for. This document also explains what rights you have to control how we use your information.

Who are we?

The Shrewsbury and Telford Hospital NHS Trust (the Trust) is a public organisation providing acute medical services.

The Trust is registered with the Information Commissioner's Office (Registration Number **Z8157295**). Our name, address and contact details are:

The Shrewsbury and Telford Hospital NHS Trust
Mytton Oak Road
Shrewsbury
Shropshire
SY3 8XQ
Tel: 01743 261000
<https://www.sath.nhs.uk/>

Why do we collect information about you?

The Trust collects and processes personal data relating to its employees to manage the employment relationship. The Trust is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations. The Trust collects and processes:

Personal data means any information relating to an identified or identifiable individual; an identifiable person is one who can be identified directly or indirectly and

Special category data means any information relating to racial or ethnic origin, political opinions, religious beliefs, trade union activities, physical or mental health, sexual life or details of criminal offences.

The Trust collects and processes a range of information about you. This includes;

- your name, address and contact details, including email address and telephone number, date of birth and gender;
- the terms and conditions of your employment, employee number;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the Trust;
- information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- details of your bank account and national insurance number;
- information about your marital status, next of kin, dependants and emergency contacts

- information about your nationality and entitlement to work in the UK;
- information about your criminal record;
- details of your schedule (days of work and working hours) and attendance at work;
- details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including appraisals, performance reviews and ratings, training and education you have participated in, performance improvement plans and related correspondence;
- information about medical or health conditions, including whether or not you have a disability for which the Trust needs to make reasonable adjustments;
- details of trade union membership; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief. This information is stored within NHS Jobs and or Trac (for a limited time period) and ESR and is used for statistical monitoring purposes only. All information is anonymised.

The Trust collects this information in a variety of ways. For example, data is collected through application forms, CVs or resumes; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment (such as benefit nomination forms); from correspondence with you; or through interviews, meetings or other assessments.

In some cases, the Trust collects personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law.

Data is stored in a range of different places, including in your personnel file, in the Trust's HR management systems and in other IT systems including the Trust's email system.

Your information may also be provided to third parties other than the Trust without acknowledging that they are holding and processing that information e.g. information you share regarding your car for car parking, pool car users and others. You can request a copy of their privacy notice by contacting them directly Contact details can be obtained via your line manager or the department within the Trust who deals with third party.

What do we use you information for?

The Trust needs to process your personal and special category data to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer pay related benefits, pension, insurance entitlements as well as other staff benefits, facilities and recognition.

In some cases, the Trust needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with the Local Audit and Accountability Act, investigate fraudulent activity, and to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled. For certain positions, it is necessary to carry out criminal records checks to ensure that individuals are permitted to undertake the role in question.

In other cases, the Trust has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows the Trust to;

- run recruitment and promotion processes;
- maintain accurate and up-to-date employment records and contact details including details of who to contact in the event of an emergency, and records of employee contractual and statutory rights;
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
- operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
- operate and keep a record of other types of leave including maternity, paternity, adoption, parental and shared parental leave, to allow effective workforce management, to ensure that the Trust complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- ensure effective general HR, Workforce and business administration;
- provide references on request for current or former employees;
- respond to and defend against legal claims; and
- maintain and promote equality in the workplace.

Where the Trust relies on legitimate interests as a reason for processing data, it will need to consider whether or not those interests are overridden by the rights and freedoms of employees or workers and have concluded that they are not.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations such as those in relation to employees with disabilities and for health and safety purposes.

Who has access to your information?

Your information will be shared internally, including with members of the HR, Workforce, Education, Recruitment and Payroll teams, your line manager, managers in the business area in which you work and IT staff if access to the data is necessary. The Trust may also share your personal information e.g. names, banding, start date, for other purposes which are business or staff engagement related. The Trust shares your data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and obtain necessary criminal records checks from the Disclosure and Barring Service.

The Trust also shares your data with third parties that process data on its behalf for the provision of benefits and the provision of occupational health services. This includes:

1. NHS Pensions – to administer and pay pension benefits
2. HM Revenue and Customs – for benefits and tax administration

3. BACS – to make payments to employees
4. The Cabinet Office – to prevent and detect fraud
5. The Department of Health and Social Care
6. Disclosure and Barring Service (DBS)
7. Local Education Training Boards and Health Education England
8. NHS Digital and the Care Identity Service (CIS)
9. Other locally networked IT systems
10. Other NHS employing organisations who use ESR that you may apply to work for – to transfer your ESR employment record to your new employing organisation

Your information may be shared with staff side representatives acting on your behalf. This will be granted with consent from you. Your data may be transferred to countries outside the European Economic Area (EEA), for example, when a request for an employee reference is made by an organisation outside of the EEA. The Trust will also share your information with other third parties to ensure compliance with its legal obligations.

What measures do we take to protect your information?

We take our duty to protect your personal information and confidentiality seriously. We are committed to taking all reasonable measures to ensure the confidentiality and security of personal data for which we are responsible, whether computerised or on paper. The Trust has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.

Where the Trust engages third parties to process personal data on its behalf, they do so, on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical measures to ensure the security of data.

All Trust staff must complete annual mandatory training in Data Security Awareness and everyone working for the NHS is subject to the common law duty of confidentiality. Information provided in confidence will only be used for the purpose advised or consented to by the data subject, unless it is required or permitted by the law.

How long do we keep your personal information for?

The Trust will hold your personal data for the duration of your employment. The periods for which your data is held after the end of employment are set out in The Trust's Corporate records Management Policy.

What are your rights in relation to your personal information?

Unless subject to an exemption, you have the following rights with respect to your personal data:

- The right request a copy of your personal data which the Trust holds about you. You can make a subject access request by completing the Trust's Subject to Access Request Form that can be found in the Trust's Subject Access Request Policy
- The right to request that Shrewsbury and Telford Hospital NHS Trust corrects any data if it is found to be inaccurate or out of date
- The right to request your personal data is erased where it is no longer necessary for the Trust to retain such information

- The right to withdraw your consent to the processing at any time if you have previously given consent for processing
- The right to request that the Trust provide you with your personal information and where possible, to transmit that data directly to another data controller, where your information has been processed with your consent
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing
- The right to object to the processing of your data
- The right to lodge a complaint with the Information Commissioner's Office.

For further information about your rights this can be found at: <https://ico.org.uk/>

If you would like to exercise any of these rights, please contact the Information Governance team: 01952 641222 or by e-mail: sath.informationgovernance@nhs.net. If you believe that the Trust has not complied with your data protection rights, you can complain to the Information Commissioner.

What if you do not provide personal data?

You have some obligations under your employment contract to provide the Trust with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide the Trust with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the Trust to enter a contract of employment with you. If you do not provide other information, this will hinder the Trust's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

What if we wish to use your information for another purpose?

If we wish to use your personal information for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining the new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we ensure there is a legal basis/justification for such processing.

Where the Trust wish to use your information that is for any reason not in line with administering the business of the Trust or complying with a legal obligation then we will seek your consent to do so.