

Trust Privacy Notice

[Click here to access the privacy notice for patients and service users:
https://www.stgeorges.nhs.uk/about/privacy-notice/](https://www.stgeorges.nhs.uk/about/privacy-notice/)

What is a 'privacy notice'?

A 'privacy notice' is a statement issued by an organisation, which explains how personal and confidential information about patients, service users, staff and visitors is collected, used and shared. This may also be called a privacy statement, fair processing statement or privacy policy.

This privacy notice is issued by St George's University Hospitals NHS Foundation Trust in relation to the information we collect about staff as part of our responsibilities as an employer.

For the purposes of this privacy notice, 'staff' includes applicants, employees, other workers (including agency, bank and contracted staff), volunteers, trainees and those carrying out work experience. There is a separate privacy notice available for information we collect as a healthcare provider about patients and other individuals that may use our services.

Why have we issued this privacy notice for our patients and service users?

- To illustrate our commitment to openness and accountability, we recognise the importance of protecting personal and confidential information in all that we do, and take care to meet our legal and other duties, including compliance with the following: Data Protection Act 2018
- General Data Protection Regulations 2016
- Human Rights Act 1998
- Access to Health Records Act 1990
- Freedom of Information Act 2000
- Health and Social Care Act 2012, 2015
- Public Records Act 1958
- UK Policy Framework for Health and Social Care Research
- Copyright Design and Patents Act 1988
- Re-Use of Public Sector Information Regs 2004
- Computer Misuse Act 1990
- Common Law Duty of Confidentiality
- NHS Care Records Guarantee for England
- Social Care Records Guarantee for England
- International information Security Standards
- Information Security Code of Practice
- Records Management Code of Practice
- Accessible Information Standards

Who we are and what do we do?

We are a Foundation Trust and the largest healthcare provider in southwest London providing healthcare services.

We provide a wide range of health services including acute and specialist care, cardiothoracic medicine and surgery, neurosciences and renal transplantation, complex pelvic trauma and a

With nearly 9,000 dedicated staff caring for patients, we serve a population of 1.3 million across southwest London.

We are governed and monitored by a number of different organisations, including:

Department of Health - <https://www.gov.uk/government/organisations/department-of-health>

Information Commissioner's Office - <https://ico.org.uk/>

Care Quality Commission - <http://www.cqc.org.uk/>

NHS England - <https://www.england.nhs.uk/>

Our doctors, nurses, healthcare professionals and registered support staff are also regulated and governed by professional bodies including numerous royal colleges.

Why have we issued this privacy notice?

This privacy notice explains how and why we use the information you share with us

What information do we collect?

The information that we collect about you may include the following:

- Name, address, telephone, email, date of birth and next of kin/emergency contacts
- Recruitment and employment checks (i.e. professional membership, references, proof of identification and right to work in the UK, etc)
- Bank account and salary/wages, as well as pension, tax and national insurance details
- Trade union membership
- Personal demographics, including gender, race, ethnic origin, sexual orientation, religious or other beliefs, and whether you have a disability or require any additional support or adjustments for your employment
- Medical information relevant to your employment, including physical health, mental health and absence history
- Information relating to your health and safety at work, and any incidents or accidents
- Professional registration and qualifications, education and training history
- Information relating to employee relations (i.e. disciplinary proceedings, grievances and complaints, tribunal claims, etc)
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Depending on the position you hold with us, we may also collect information in relation to any current or previous criminal offences. Please refer to our Recruitment and Selection Policy, which describes the Disclosure & Barring Service process for more details, or contact our HR Department.

Why do we collect your information?

We will only process your personal data where we have your consent or where the processing can be legally justified. These include circumstances where the processing is necessary for the

performance of staff contracts with us or for compliance with any legal obligations which applies to us as your employer.

What is our lawful basis for collecting and processing your personal data

The General Data Protection Regulation (GDPR) 2018 requires the Trust to process personal data under 6(1)(e) "Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Trust (Data Controller)"

- **For individual contractors providing services to the Trust.**

Article 6(1)(b) is necessary for a contract where the individual has a contract with the Trust or because the individual has asked the Trust to take specific steps before entering into a contract.

Article 9(2)(b) '...is necessary for the purposes of carrying out the obligations and exercising the specific rights of the controller or of the data subject in the field of employment...social protection law in so far as it is authorised by Union or Member State law..'

- **For Staff, Volunteers, Governors, Non-executive Directors and Job Applicants**

The Trust keeps information on employees, volunteers and job applicants in connection with their work for the Trust or their application.

Individuals have the right of access: right to obtain a copy of their personal data as well as other supplementary information. This Data Subject Access Request (DSARs) can be made verbally or in writing. We will respond within 30 days but this timeline can be extended by 2 months, in limited circumstances.

Also, we no longer charge a fee, except in the following circumstances

1. where the request is manifestly unfounded or excessive
2. individual requests further copies of their data following a request

In which case we can either charge a fee or refuse the request. In such a situation, we will write to let you know what we have decided..

How do we collect your information?

Your information could be collected in a number of different ways. This could be directly from you - in person, over the telephone or on a form you have completed, such as a job application, contractual documentation or timesheet.

Details might also come from an external source such as NHS Jobs, your professional body, the Disclosure and Barring Service, or government bodies such as HM Revenue and Customs, the Department for Work and Pensions, or the Home Office. Information could be 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 may collect 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. **Not a Patient or Staff? - Visitors, Relatives, Friends, Next of Kin etc**

It is possible that the Trust holds information on you as part of someone else's record. Under GDPR you may still be entitled to receive a copy of this information, so long as it would not breach the confidentiality of the person whose records hold the information, or there is another reason not to provide it.

The legal basis for the Trust as a public authority for processing information for your data under GDPR is as follows:

Article 6(1) (e) the performance of a task carried out in the public interest or in the exercise of the controller's official authority and, necessary for the carrying out of obligations under employment, social security or social protection law Article 9 (2) (b).

For individual contractors providing services to the Trust.

Article 6(1)(b) is necessary for a contract where the individual has a contract with the Trust or because the individual has asked the Trust to take specific steps before entering into a contract.

How do we use your information and why is this important?

We use your information in the following ways but not limited to:

- Staff administration (including payroll and pensions)
- Education, training and development
- Information and database administration
- Business management and planning
- Accounting and auditing
- Crime prevention and prosecution of offenders;
- Education and Training
- Health administration and services
- National fraud initiatives
- Quality monitoring (such as staff surveys)
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By signing your contract with the trust, you consent to us holding and processing any information about you which you provide to us, or which we may acquire as a result of employment

Personal information about unsuccessful candidates will be held for 12 months after the recruitment exercise has been completed, it will then be destroyed or deleted.

We retain de-personalised statistical information about applicants to help inform our recruitment activities, but no individuals are identifiable from that data.

Once a person has taken up employment with us, we will compile a file relating to their employment. The information contained in this will be kept secure and will only be used for purposes directly relevant to that person's employment. Once their employment with us has ended, we will retain the file in accordance with the requirements of our retention schedule and then delete it.

How do we keep your information safe and maintain confidentiality?

Under the Data Protection Act 1998, strict principles govern our use of information and our duty to ensure it is kept safe and secure. Your information may be stored within electronic or paper records, or a combination of both. All our records are restricted so that only those individuals who have a need to know the information can get access. This might be through the use of technology or other environmental safeguards. Everyone working for the NHS is subject to the Common Law Duty of Confidentiality. This means that any information that you provide to us in confidence will only be used in connection with the purpose for which it was provided, unless we have specific consent from you or there are other special circumstances covered by law. Under the NHS Confidentiality Code of Conduct, all of our staff are required to protect information, inform you of how your information will be used, and allow you to decide if and how your information can be shared.

Every NHS organisation has a senior person that is responsible for protecting the confidentiality of your information and enabling appropriate sharing. This person is known as the Caldicott Guardian, and within our Trust this role sits with Dr Mark Hamilton, Associate Medical Director - Quality Improvement & Clinical Transformation.

[You can find more details here:](https://www.stgeorges.nhs.uk/contact-and-find-us/)

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Do we share your information with anyone else?

To support you in your employment and to enable us to meet our legal responsibilities as an employer, sometimes we will need to share your information with others.

Unless there is a valid reason permitted by law, or there are exceptional circumstances (such as a likely risk to the safety of you or others), we will not disclose any information to third parties which can be used to identify you without your consent.

We outsource some of our services such as IT support and may share information with these services. We will, of course, ensure any organisations we outsource to comply with the same regulations we are subject to. In addition, we are sometimes required by law to disclose information, which may include details which identify you.

For example, sending statutory information to government organisations such as HM Revenue and Customs, or releasing information to the police or counter fraud. Where mandatory disclosure is necessary, only the minimum amount of information is released.

You have the right to refuse (or withdraw) consent to information sharing at any time. However, this may not be possible if the sharing is a mandatory or legal requirement imposed on the Trust. Any restrictions, and the possible consequences of withholding your consent, will be fully explained to you as and when the situation arises.

How can you get access to the information that we hold about you?

Under the terms of the Data Protection Act 2018 and the General Data Protection Regulations 2016, you have the right to request access to the information that we hold about you. To support you through the process, we have published a guidance leaflet called 'How to Access Your Information'. This leaflet is available on our website: <https://www.stgeorges.nhs.uk/> or you can request a copy of this leaflet from our Health Information Centre:

Post: St George's University Hospitals NHS Foundation Trust,
Blackshaw Road,
Tooting,
London,
SW17 0QT
Email: <https://www.stgeorges.nhs.uk/>,
Phone: 020 8672 1255

How can you contact us with queries or concerns about this privacy notice?

If you have any queries or concerns regarding the information that we hold about you, please contact our Human Resources Office at
General Human Resources Office
Room 1.054, 1st Floor Grosvenor Wing
St George's University Hospitals NHS Foundation Trust
Blackshaw Road
London
SW17 0QT

You can also find details of our registration with the Information Commissioner online here: www.ico.org.uk/esdwebpages/search

Our ICO registration number is Z6900098

A copy of this privacy notice is available via our website:

<http://stg1wordpress01/wordpress/wp-content/uploads/2018/05/DOCUMENT-1-Privacy-Notice-for-St-George27s-staff.pdf>

You can find more information on this privacy notice along with FAQs at the link below.

<http://stg1wordpress01/wordpress/gdpr/>

How can you make a complaint?

You have the right to make a complaint if you feel unhappy about how we hold, use or share your information. Depending on the nature of your complaint, we would recommend contacting your line manager in the first instance.

Alternatively, you can contact our Information Governance team who will help you to identify the most appropriate procedure to follow based on the specifics of your complaint (see above).

If you remain dissatisfied following the outcome of your complaint, you may then wish to contact the Information Commissioner's Office:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113

Or please see the Information Commissioner's Office website (www.ico.org.uk). Please note that the Information Commissioner will not normally consider an appeal until you have exhausted your rights of complaint to us directly. Please see the website above for further advice.