

USE OF YOUR PERSONAL INFORMATION, THE DATA PROTECTION ACT AND THE FREEDOM OF INFORMATION ACT.

1. PURPOSES FOR USING YOUR PERSONAL DATA

- **Administer our business**

As a Trust we will hold personal information about you. We will use your information to administer our business for example for employment or removals; pay, discipline, superannuation, work management or other personnel matters.

Personal data about you may be shared with other Trust departments in order to administer your employment. We will seek your express permission before your personal data is shared with third parties unless we are required to share information about you by law. Wherever possible we will tell you what information is being disclosed, to whom and why. Whenever we can we shall remove details which identify you

- **Occupational Health**

Personal information obtained during occupational health assessments is held in strict confidence by the occupational health team protected by the requirements of the Data Protection Act. The information is also covered by the professional codes of conduct of the General Medical Council and the Nursing and Midwifery Council. As a “patient” of the team, the information is protected in the same way as when an individual consults any health care professional.

- **Foundation Trust**

We will also use your information to administer staff membership to the Foundation Trust. Staff will automatically become members but can opt out of membership by contacting the Foundation Trust Membership Office.

- **Electronic Communications**

The Trust will monitor the use electronic communications such as e-mail or internet use following the procedure set down in the Electronic Communications and Internet Acceptable Use Policy. The Trust will respect an employee’s privacy and autonomy in business communications. However, in certain circumstances it may sometimes be necessary to access and record an employee’s business communications for the Trust’s business purposes which include the following:-

- Providing evidence of business transactions.
- Making sure the Trust's business procedures, policies and contract are adhered to.
- Complying with any legal obligations.
- Training and monitoring standards of service.
- Preventing or detecting unauthorised use of the Trust's communication systems or criminal activities.
- Preventing, detecting or investigating NHS Fraud or Corruption.
- Maintaining the effective operation of the Trust's communication systems.
- Business continuity.

- **Care Record Guarantee**

At the request of the patient, the Trust will provide a list of all staff who have accessed their health records and when they did so. The Trust will also inform the patient if their records have been deliberately accessed without permission or good reason. This is required by the NHS Care Record Guarantee.

The Access to Health Record Policy and Procedure will be followed when releasing audit trail information to the service user. The full names of staff detailed on the record will be provided unless it is likely

to cause serious harm to the member of staff's physical or mental health or condition. This decision will be made by the "Appropriate Health Professional" as defined in Statutory Instrument 413 2000.

2. ACCESS TO YOUR PERSONAL DATA

The Data Protection Act 1998 allows you to have access to, and/or a copy of the information held about you in relation to your employment with the Trust. Please contact the Personnel Department if you want to see your records.

3. FREEDOM OF INFORMATION REQUESTS

Under the Freedom of Information Act 2000 anyone, employee or member of the public alike, has a right to ask to see this type of information. In line with being open and publicly accountable, the Trust has a legal duty to make available such information if requested to do so.

As an employee of the Trust there will be certain information about you which is of a non-private nature. This could be details of your job title and your position within the organisation, the amount of expenses you incurred whilst on official business, or perhaps details of opinions given or decisions made in meetings which are minuted and attributed to you.

Each request would be assessed individually and if appropriate you will be consulted before any information is given. In some circumstances information can be withheld but we would need to be able to justify the reason for this. If for instance we are asked to confirm the work address of a member of staff who has been physically threatened, then the decision would be made not to give out that information. However you should be aware that where the information requested is about you acting in a work or official capacity then the decision would normally be made to disclose it.

Ref: *Information Commissioner's Office: Freedom of Information Act Awareness Guidance No 1 – Personal Information*

4. CONTACTS

If you have any further questions please contact your line manager or: -

Graham Harmer, Head of Corporate Support, Tel. 01482 389277.

Karen Robinson, Caldicott and Data Protection Officer, Tel. 01482 389273.