



Covid-19 and your information - Updated on 23rd November 2020

Supplementary privacy note on Covid-19 for Employees including Bank and non-employed workers (data subjects) during the Covid-19 Event

This notice describes how we may use your information to protect you and others during the Covid-19 outbreak. It supplements our main Privacy Notice which is available [here](#).

The health and social care system is facing significant pressures due to the Covid-19 outbreak. Health and care information is essential to deliver care to individuals, to support health and social care services and to protect public health. Information will also be vital in researching, monitoring, tracking and managing the outbreak. In the current emergency it has become even more important to share health and care information including workforce data across relevant organisations.

Our purpose for collecting and using information about you

This notice explains how the Trust will use personal confidential data during the Covid-19 Health Outbreak, including what information may be shared and the use of other communication tools to aid the sharing of information in a more timely and effective way. Under the Data Protection legislation the Trust is defined as a 'data controller' of personal information.

We collect information about our employees to help us provide good working conditions and keep our staff informed. During this event we will need to collect additional information about our staff to help us support and maintain homeworking, to provide and manage health and care systems and services, and to meet the needs of our patients and staff working in our Trust.

It might help to understand that personal information can be anything that identifies a living individual.

What data is collected?

We may collect, process and share the following information:

- NHS Number
- Other household members' first and last names (as they may also be invited to test if they show signs of coronavirus)
- Mobile phone number
- Email address.

The below information is also used in conjunction with the above. This information is already held by us in your HR file.

- First and last name
- Date of birth
- Sex
- Address (including postcode)
- National Insurance Number

Our legal basis for processing

Existing law which allows confidential staff information to be used and shared appropriately and lawfully in a public health emergency is being used during this outbreak. Using this law the Secretary of State has required health organisations to share confidential staff information to respond to the Covid-19 outbreak. Any information used or shared during the Covid-19 outbreak will be limited to the period of the outbreak unless there is another legal basis to use the data.

The General Data Protection Regulation (GDPR) allows health data to be used as long as one of the conditions, under both Article 6 Lawfulness of processing and Article 9 special categories of personal data, are met. Therefore, we have identified our legal basis for processing data as:

- Article 6 (1)(b) necessary for the performance of a contract to which the data subject is party
- Article 6 (1)(d) in order to protect the vital interests of the data subject or of another natural person
- Article 6 (1)(e) the performance of a task carried out in the public interest or in the exercise of official authority vested in the us
- Article 9 (2) (h) the management of healthcare systems and services
- Article 9 (2) (i) for reasons of public interest in the area of public health to protect against serious cross-border threats to health

The Control of Patient Information Notice (COPI) Regulations 2002 will also apply to some data processing activities. Further information here: [COPI Notice](#)

Why is this data collected?

- Performing ID verification
- Processing your covid test
- Returning your results to you
- Sharing your results with governmental health bodies (see below) to inform local planning and responses to coronavirus
- Sharing results with Public Health England to help plan and respond to coronavirus
- Undertaking quality assurance of the testing process, for example clinical process assurance
- Analysis to support operational decisions.

Where possible, your test result will be linked to your GP record. This will be done by NHS Digital and this will enable your GP to be informed of your test result without you needing to do anything.

How will your information be used?

A Covid-19 purpose includes but is not limited to the following:

- To support homeworking e.g. contact numbers
- Workforce contingency planning such as staff redeployment, staff with health conditions and those with caring responsibilities for dependents
- homeworking and or self-isolation details e.g. start and end date
- Flu and Covid-19 Vaccination Programme

Who the data is shared with

The Trust may be required to share the your personal and health related information e.g. covid test result, to allow for greater understanding of COVID-19 and risks to public health, trends in COVID-19 and such risks, and controlling and preventing the spread of COVID-19 and such risks. Recipients of your data may include the following.

- Public Health England.
- NHS England and NHS Improvement.
- NHS Digital.
- Your GP.

Keeping your information safe and secure

Our staff are trained to handle your information correctly and protect your privacy and keep your information secure. We aim to maintain high standards and regularly check and report on how we are doing. Staff working in the Trust can only access information when authorised to do so, when it's relevant or on a need to know basis. Where we fall below acceptable standards we investigate and report serious incidents to the Information Commissioner's Office (ICO). Everyone working in the NHS signs up to the NHS code of confidentiality.

It is essential that during the Covid-19 outbreak that health and social care professionals and corporate staff are able to talk to each other. We will need to share appropriate information about the people who are working in the Trust. We may adopt different ways of working during this event such as mobile messaging, video conferencing, etc. We will follow national and local guidance and take all reasonable steps to ensure that we manage information appropriately.

Retention

Information will only be retained in accordance with NHS guidance for the purposes of this event. It will then be deleted or we will revert back to using your information for our normal processing arrangements as outlined in our main [Privacy Notice](#) which can be viewed on the Website.

Incident Reporting

We will report, manage and investigate incidents in accordance with Trust Policies and notify the Department of Health and Information Commissioners Office, without undue delay, of any serious incidents.

Data Protection Officer and the Information Commissioner's Office (ICO)

The Trust is registered with the Information Commissioner's Office (registration number Z8157295)

You can contact our Data Protection Officer if you have queries or concerns regarding the handling of your information:

Contact details:

Email sath.informationgovernance@nhs.net

Tel: 01952 641222 Ext 5312

Other important points

1. If you have any concerns regarding your information or your individual rights please speak to a healthcare professional or contact the Data Protection Officer (details above).
2. Further information about your rights can be found in the Trust's Information Governance Policy and the Information Commissioner's Office (ICO) <https://ico.org.uk/>
3. Where data is used and shared under these laws your right to have personal data erased will also not apply. It may also take us longer to respond to Subject Access requests and Freedom of Information requests whilst we focus our efforts on responding to the outbreak.
4. We may amend this privacy notice at any time so please review it frequently. The date at the top of this page will be amended each time this notice is updated.