**Synchronicity Care Limited**

**Staff Privacy Notice**

**Everyone working for Synchronicity Care Limited (SCL) (trading as “Synchronicity Care Limited”) has a legal duty to keep personal information confidential, which includes that of staff members.**

This Privacy Notice describes how SCL uses and processes the information it holds about its staff, including how the information may be shared with other organisations including the Trust, and how the confidentiality of staff information is maintained. We will continually review and update this Privacy Notice to reflect changes in our services and feedback from service users as well as to comply with changes in the law.

For the purposes of this Privacy Notice “staff” includes all employees including (but not limited to) permanent and temporary staff, paid or unpaid staff, or agency workers.

Clarification: “employment’ refers to employees engaged on an employment contract. With regard to Bank Workers it refers to the ‘assignment’ or shift period worked as per the SCL Bank Worker Agreement.

SCL is registered with the Information Commissioner’s Office (ICO). SCL’s Registration Number is: **ZA450865.**

SCL takes your confidentiality and privacy very seriously. This Privacy Notice explains how we use and share your personal information and forms part of our accountability and transparency to you under current Data Protection Legislation.

**What is the purpose of collecting information about you?**

As an employee, we are legally required to hold information relating to your employment and the care we provide to you under the National Health Service Act 2006, and as governed by the UK General Data Protection Regulation (UKGDPR), and the Data Protection Act 2018.

SCL collects and uses your information for the lawful purposes of administering the business of SCL and carrying out its obligations in relation to employment. As a member of staff, SCL does not need to obtain your consent to process your information.

We may also record telephone conversations to which you are party for training, monitoring, and compliance purposes, as well as service improvement and the protection of staff and patients, which will be held for a period of six months after which time it will be deleted.

**What is our legal basis for processing your data?**

We do not rely on consent to use your information as a ‘legal basis for processing’ unless otherwise stated. We rely on specific legal provisions under Article 6 of the UKGDPR to provide you with Healthcare services. We fully process your information under UKGDPR:

* Article 6(1) (b) – necessary for the performance of a contract,
* Article 6(1) (c) – necessary for compliance with a legal obligation,
* Article 6(1) (d) – to protect vital interests,
* Article 6(1) (e) – performance of a task carried out in the public interest / exercise of official authority,

In addition to the above for Occupational Health Information:

Article 9 (2) (h) Sensitive personal data (Health Records) under 9(2)(h) – “*Necessary for the reasons of preventative or occupational medicine, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services”* and occasionally 9(2)(c) “*when it is necessary to protect the vital interests of a person who is physically or legally incapable of giving consent*”.

These purposes include:

* Management of SCL workforce data and management information reports,

# Applications for car parking permits,

* To provide information for statutory reports (ie, Gender Pay Gap) and to provide anonymised data to wider National Health Service (NHS) bodies and regulatory bodies such as the Care Quality Commission,
* Management of access to systems such as self-service on ESR, hosted bank systems, E-expenses and rostering systems),
* Monitoring and management of occupational health,
* Providing a comprehensive picture of the workforce and how it is deployed,
* To inform the development of policies and procedures,
* To allow better financial modelling and planning,
* For the monitoring of ethnicity, sexual orientation, disability, and other protected characteristics,
* To keep images that appear in SCL or other publications or websites to market and promote SCL,
* To keep voice files for the protection of staff and patients in services where this functionality is active,
* To allow SCL policies to be implemented and acted upon when appropriate,
* Responding to reference requests from external companies, ie, employment references, mortgage/tenancy applications requiring verification of employment and earnings.

There are many reasons linked to staff administration of your employment that require us to process information such as paying you and processing any changes that happen as a result of your career development.

**What information is collected about me?**

On commencement of employment/work with SCL we collect basic “personal” data about you, which does not include any special types of information or location-based information, however, we will also collect sensitive confidential data known as “special category data” during your employment and the services we provide to you and/or linked to your healthcare through other health providers or third parties. This “personal” and “special category” information may include:

* Basic details about you, such as your name, address, date of birth, phone number, and email address,
* Contact details of your ‘Next of Kin’, a close relative, friend or advocate, relevant information from people who care for you and know you well,
* Visual images, eg, photographs on staff notice boards,
* Voice files from recorded telephone calls in services where this functionality is active,
* Education and training records,
* Employment details (including job role, place of work, references, and proof of eligibility to work in the UK),
* Membership of professional bodies and/or trade union(s),
* Employment tribunal applications, complaints, accidents, and incident details,
* Supervision and appraisal documentation,
* Sickness absence and annual leave details,
* Recordings of telephone calls, meetings (where advised).

You should be aware that once you have approved your image to appear in a publication (usually done verbally) we may not be able to completely retrieve this image if you change your mind about its use. Your image may appear again at a later date unless you specifically indicate otherwise.

The information that you provide us and that we hold about you may be in an electronic or paper format, or a mixture of both.

Your personal data will be uploaded to the Electronic Staff Record (ESR). ESR is a workforce solution for the NHS that is used by SCL to effectively manage the workforce.

SCL may use your information to gather evidence for disciplinary and other human resource/employment purposes. The use of this information will always be proportionate and complaint with the relevant legislation.

**Agency Workers**

The information we hold on agency workers includes:

* Name,
* Professional Registration Details,
* Compliance with NHS Improvement (NHSI) framework requirements for agency supply to an NHS Trust.

### **Occupational Health Information**

In addition to the information identified above, personal information will be provided as part of the referral process. Further personal information may be collected in undertaking management referrals, health surveillance, immunisations, or providing general occupational health advice. Personal information may also be collected from healthcare professionals in certain circumstances, e.g., from your GP or treating specialist.

To carry out our activities and obligations as an occupational health service providing occupational and preventative healthcare we collect and process your information in relation to the following:

* Records of any contacts you have had with us,
* Information on your personal preferences relating to your interaction with occupational health,
* Undertaking occupational health assessments and advising on fitness to work,
* Advising on adjustments to accommodate a disability or health condition,
* Referral to a third party, treatments and/or care, eg, TB screening or counselling services,
* Checking and reviewing the quality of care (this is called audit and clinical governance),
* Contact details such as names, addresses, telephone numbers to remind you about your appointments and send you relevant correspondence,
* Providing clearance for fitness to work/train,
* Providing advice to management about on-going fitness to work or train and adjustments/aids to support working/training,
* Providing relevant immunisation and guidance following infection outbreaks,
* Undertaking assessments for consideration of retirement on the grounds of ill health,
* Undertaking health surveillance,
* Reporting and investigating complaints, claims, and untoward incidents within the department,
* Reporting events to the appropriate authorities when we are required to do so by law, eg, for communicable disease,
* Health promotion/preventative activities,
* Health information which forms part of the occupational health clinical records about a physical health or mental condition, immunisation records, health surveillance records, statutory medical surveillance records, or health promotion activity,
* Information relating to health and safety, including risk assessments,
* Any other personal information that may be relevant for the provision of an occupational health service,
* Information required by NHS England regarding voluntary flu vaccinations,
* Information regarding vaccinations administered by occupational health and wellbeing (and other healthcare providers) as part of your employment, directed by NHS England and the Department of Health and Social Care.

The occupational health and wellbeing department does not require explicit consent of employees to process their personal data if the purpose falls within the legal basis detailed above, however, in line with the General Medical Council and Faculty of Occupational Health Medicine Good Medical Practice guidelines, we will seek explicit consent where practicable.

The Trust runs the national flu campaign each year and as such is required to obtain personal and special category data from staff who opt to have their vaccination. As part of the process personal information is uploaded into the National Immunisation Vaccination System (NIVS). Flu vaccination data will also be used to update the National Immunisation Management Service (NIMS) with details of completed vaccinations, to avoid those who have received their vaccination do not receive a second invitation.

The same process is used for any COVID-19 vaccination administered to staff. COVID-19 vaccinations will be administered in accordance with nationally directed programs.

The privacy notice for the flu and COVID-19 vaccination processing can be accessed by the following link:

<https://www.england.nhs.uk/contact-us/privacy-notice/national-flu-vaccination-programme/>

**Future variants and their impact on epidemiology**

As the virulence of any new emergent variant cannot be reliably predicted, rapid response measures may be required should there be substantial changes in population immunity against the dominant circulating variant, including any new variant of concern.

The Joint Committee on Vaccination and Immunisation (JCVI) will keep the epidemiology of COVID-19 under review and will provide advice for a surge response, as required.

**Who can access my information?**

Information about you will be accessed by employees of SCL and the Trust who are involved in the management of SCL workforce services. This will include:

* Doctors and nurses who provide you with Staff and Wellbeing services,
* Other clinical staff such as pharmacists and radiologists,
* Non-clinical staff who manage your employment,
* Non-clinical staff who provide statutory information to NHS England and the Department of Health and Social Care,
* Contracted suppliers providing, supporting, and maintaining the Trusts electronic systems.

All staff, whether clinical or non-clinical, have a legal duty to keep information about you confidential. They will only access your information when it is necessary to do so and will only disclose your information when authorised. Any contracted company who accesses the Trusts electronic systems for the above reason do so under contractual obligation clauses for Data Protection and Confidentiality.

If you post or send offensive, inappropriate, or objectionable content anywhere on <https://www.cddft.nhs.uk/> or on the Trust’s or SCL’s Facebook and/or X (formerly known as Twitter) pages, or any other social media site, or otherwise engage in any disruptive behaviour we may use whatever information is available to us, about you, to stop such behaviour.

**Do we use 3rd parties to process data on our behalf?**

Yes, SCL entered into contracts with other approved organisations to provide services for us. These range from contractors who provide specialist clinical services that help provide a better service to you as an employee. These contractors may hold and process data including patient information on our behalf.

These contractors are known as **‘Data Processors’** and are subject to the same legal rules and conditions for keeping personal information confidential and secure as we are. We are responsible for making sure that staff in those organisations are appropriately trained and that procedures are in place to keep information secure and protect privacy. These conditions are written into legally binding contracts, which we will enforce if our standards of information security are not met and confidentiality is breached.

**How is Information kept about me?**

Your information is stored in both paper (personal files held by your line manager) and electronically on the Electronic Staff Record (ESR). Other temporary files may be created as a result of investigations, disciplinaries, or complaints, but these will usually be kept separately from the personal file or destroyed in line with the agreed destruction criteria. If a sanction is applied it will be noted on the personal file.

**Who do you share my information with?**

Your information will be shared internally between teams. This is to ensure that your employment with SCL is managed appropriately. Access to identifiable information will be shared in some limited circumstances where is it is legally required; however, we will not routinely disclose any information about you to anyone outside SCL or the Trust without your consent.

We may obtain and share personal information with a wide variety of other bodies, which may include, but is not limited to:

* Her Majesty’s Revenue and Customs (HMRC),
* Department for Work and Pensions (DWP),
* NHS Pensions Agency,
* Disclosure and Barring Service (DBS),
* Home Office,
* Child Support Agency,
* Regulatory bodies, e.g., Nursing and Midwifery Council (NMC), General Medical Council (GMC),
* Law enforcement agencies including the Police and the Serious Organised Crime Agency (SOCA),
* NHS Counter Fraud Service,
* Local Safeguarding Authorities,
* NHS Improvement (NHSI),
* Care Quality Commission (CQC),
* Government Bodies (for the purposes of statutory requirements),
* Educational Organisations (where there is learning/study connected with employment),
* GP’s or other healthcare professional(s) involved in your care,
* No confidential information held by Occupational Health will be disclosed without your explicit informed consent with the exception of:
  + where the disclosure is required by law (for example if ordered by a judge or a presiding officer of a court using a court order; to the HSE under the Health &Safety at Work etc Act 1974; for statutory requirement to notify certain infectious diseases; to the NHS Counter Fraud Service to detect and prosecute Fraud),
  + Where the disclosure is in the public interest (for example where a worker’s health endangers others, and the worker refuses to disclose information which would allow potential harm to be avoided),
  + Where disclosure of personal data is necessary for the above reasons, this will always be assessed 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.

There are circumstances where we must share information about you with a data processor due to a contractual arrangement between SCL and/or the Trust and an external company. For example, the e-expenses system, hosted payroll services, bank management systems. Please note this list is not exhaustive.

There are times when we need to share information with other organisation such as our local authority partner’s external healthcare providers, the DWP, and the Driver and Vehicle Licensing Agency (DVLA). We will only share information in this way if we have your permission or we have a legal basis and it is considered necessary.

However, a person’s right to confidentiality is not absolute and there may be other circumstances when we must share information from your employment record with other agencies. In these rare circumstances we are not required to have your consent:

* If we have been instructed to do so by a Court
* If there is a concern that you are putting yourself at risk of serious harm
* If there is a concern that you are putting another person at risk of serious harm
* If there is a concern that you are putting a child at risk of harm
* If the information is essential for the investigation of a serious crime
* If you are subject to the Mental Health Act (1983), there are circumstances in which your ‘nearest relative’ must receive information even if you object
* If your information falls into a category that needs to be notified for public health or other legal reasons, such as certain infectious diseases

If you want to know who we have shared your information with you will need to make a Data Subject Access Request (DSAR).

**Sharing for staff Surveys** – it is part of the government’s commitment to ensure staff feedback is used to inform the improvement and development of NHS services. We may share your contact information with an NHS approved contractor to be used for the purpose of national surveys and audits. You do not have to participate in these surveys and the information you receive will contain contact details to opt out of the National Surveys.

The Trust also actively promotes local surveys to help develop and improve the quality of the services we provide our patients. If you don’t want to receive a survey from us, then please contact [cdda-tr.communications@nhs.net](mailto:cdda-tr.communications@nhs.net) to let us know.

If you do provide us with your views we will always remove your name and all other personal information which would identify you.

At any time, you have the right to refuse/withdraw consent (opt out), in full or in part, to information sharing. The possible consequences and risks will be fully explained to you to allow you to make an informed decision.

# Sharing for safeguarding - Advice and guidance is provided to care providers to ensure that adult and children’s safeguarding matters are managed appropriately. Access to identifiable information will be shared in some limited circumstances where it is legally required for the safety of the individuals concerned.

Personal identifiable information may be used for essential NHS purposes, such as monitoring, research and auditing. This will only be done with your consent, unless the law requires information to be passed on to improve public health.

The Information Commissioners [Anonymisation Code of Practice](https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/data-sharing/anonymisation/) will be used and further guidance is available in this Code of Practice.

**Staff as Foundation Trust Members**

Staff employed by SCL under a contract of employment with no fixed term or a fixed term of at least 12 months, automatically become Members of the Trust on joining.  This means that your name and contact details will be used to provide you with relevant information relating to membership, including details of how to nominate yourself to become a Staff Governor or how to vote in any Staff Governor elections, and an invitation to the Trust’s Annual General Meeting.

We may also share your details with our Election Agent for this purpose only.  Your details are not stored outside of the ESR system.  You have the right to object to the processing of your data for this purpose.  Should you wish to exercise this right please email the Foundation Trust Office [cdda-tr.foundation@nhs.net](mailto:cdda-tr.foundation@nhs.net) and you will no longer be a Member of the Trust.

**How long will you keep my information?**

We will keep your employment information for the periods defined in the current Records Management Code of Practice for Health and Social Care. Specifically, we will retain your detailed information for a period of six years after you leave SCL employment at which point we will create a summary of your staff record and retain this until your 75th birthday.

Your main employment record with SCL will be destroyed six years after you leave if there is no other legal duty for SCL to store your records beyond this.

Some information may be kept for longer than the above periods.

Further information on the retention periods for healthcare records can be found here:

[Records Management Code of Practice - NHS Transformation Directorate](https://transform.england.nhs.uk/information-governance/guidance/records-management-code/)

**How can I access my information?**

You can request access to the information that SCL holds about you and you should do this by approaching the Workforce Compliance Team. They will provide you with guidance on SCL’s processes. Your request, once agreed with you, will be completed within one calendar month, however, if your records are extensive, we may take longer to process your request but will inform you from the outset.

**To submit a formal request to access your information, please contact:**

Sue Williams

Compliance Business Partner (Workforce & OD)

Bishop Auckland Hospital

Cockton Hill Road

Bishop Auckland

DL14 6AD

Or email to: [cddft.workforcecompliance@nhs.net](mailto:cddft.workforcecompliance@nhs.net)

**To submit a formal request to access your occupational health records, please contact:**

Occupational Health and Wellbeing services

Bishop Auckland Hospital

Cockton Hill Road

Bishop Auckland

DL14 6AD

Or e-mail: cddft.occhealth@nhs.net

**Information that you are entitled to:**

As well as receiving a copy of the information that SCL holds and processes you are also entitled to the following:

* To be told whether any personal data is being processed,
* Given a description of the personal data, the reasons it is being processed, and whether it will be given to any other organisations or people,
* Given a copy of the personal data together with its source (where this is available),
* Have inaccuracies corrected or removed,
* the right to lodge a complaint with the ICO,

Once your request has been received and your identity/entitlement verified, your request will usually be completed within one calendar month. However, if your records are extensive, we may take longer to process your request but will inform you from the outset where possible, and in any case within one calendar month.

**How do we make sure it is safe and secure?**

We will use your information in a way that follows data protection laws and SCL policies and procedures.

Everyone working for the NHS is subject to the Common Law Duty of Confidence. Information provided in confidence will only be used for the purposes advised and consented to, unless it is required or permitted by the law.

All SCL staff are required to undertake mandatory Information Governance training, which covers how personal information should be processed.

**Do we process information overseas?**

On occasions your data may be processed outside the UK, in most circumstances it will remain within the European Economic Area (EEA) with very few transfers internationally. The same protection would be applied as if processed within this country. If your data is transferred outside the UK we are required to comply with the Data Protection Act and ensure there is adequate protection is in place ensuring that appropriate and suitable safeguards and binding contractual clauses are in place.

Data collected will not be sent to countries where the Laws do not protect your privacy to the same extent as the law in the UK, unless rigorous checks on the security and confidentiality of that data are carried out in line with legal requirements.

We ensure that the systems – both paper and electronic – that we use to store and process your data are implemented with robust information security safeguards to protect the confidentiality, integrity, and availability of the information.

**How do we protect your privacy/confidentiality?**

We protect your information by following data protection laws:

The UKGDPR 2018 and DPA 2018 are the laws that primarily determine how we can use your personal data, however, there are other laws that are followed if we need to process your information:

* The Human Rights Act 1998
* Freedom of Information Act 2000
* Computer Misuse Act 1998
* Audit Commission Act 1998
* Regulation of Investigatory Powers Act 2000

**What Rights do you have?**

You have a number of rights in relation to the information we hold about you. Further information is contained on the Trust website in the SCL General Privacy Notice as not all of these rights will apply to the information we hold about you.

These rights are:

1. The right to be informed
2. The right of access
3. The right of rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making

# Further Information

# Data Protection Officer

SCL’s Data Protection Officer (DPO) is responsible for ensuring that SCL complies with the GDPR. The DPO is the person to contact if you would like to know more about how we use your information, require information in any accessible format or language, or if (for any reason) you do not wish to have your information used in any of the ways described.

Their contact details are:

Lisa Nattrass

Data Protection Officer

Health Informatics

County Durham & Darlington NHS Foundation Trust

Darlington Memorial Hospital

Hollyhurst Road

Co Durham

DL3 6HX

Or email to [cddft.dataprotectionofficer@nhs.net](mailto:cddft.dataprotectionofficer@nhs.net)

For independent advice about data protection, privacy and information-sharing issues you can contact the Information Commissioner:

The Information Commissioner

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Phone: 0303 123 1113

Website: [www.ico.org.uk](http://www.ico.org.uk)

**Feedback and Complaints**

We welcome comments about how we use your information for employment purposes. If you have any compliments, comments, concerns or complaints, please contact Sue Williams, Compliance Business Partner, Workforce & OD via email: [swilliams6@nhs.net](mailto:swilliams6@nhs.net)

**Changes**

It is important to point out that we may amend this Privacy Notice from time to time.

Last reviewed: 17th August 2023

Last Updated: 8th May 2025