

How your information is used by Greater Manchester Shared Service

What is a Fair Processing or Privacy Notice?

The purpose of this notice is to inform you of the type of personal information including *personal data that GMSS processes about you, how that information is used, who we may share that information with, and how we keep it secure and confidential.

GMSS has a duty to ensure this is kept confidential, secure and used appropriately.

The following information explains why we use information, who we share it with, how we protect your confidentiality and your legal rights and choices.

We are committed to protecting your rights to confidentiality.

Why we collect information about you

We collect information about you to enable us to effectively administer the business of GMSS.

For example:

- Pay, taxation and pension
- Adhere to employment legislation compliance
- Ethnicity monitoring
- Administration of access to information systems



For information that may identify you (known as personal data) we would only use in accordance with the:

- Current Data Protection Act 1998
- And the General Data Protection Regulation (GDPR) which will come into force in May 2018 both of which require us to have a legal basis if we wish to process any personal information.

We also have to honour any duty of confidence attached to information and apply Common Law Duty of Confidentiality requirements. This will mean where a legal basis does not exist to use your personal or confidential information we will not do so.

We keep your information in written form and / or on a computer securely and confidentially.

The information held within these records depend on what is required in order to complete the process for which it is intended and will include basic personal details about you, such as your name and address. They may also contain more sensitive information about your health.

GMSS will use the services of the additional data processors, who will provide additional expertise to support the work of the GMSS.

Data Processors
Data Processor 1 NHS Oldham CCG hosting: Greater Manchester Shared Services Ellen House, Waddington Street, Oldham, OL9 6EE Personal data is transferred for the purposes HR Services
Data Processor 2 ELFS Shared Services (payroll) Viscount House Arkwright Court Commercial Road Darwen Lancashire

Data Processors

BB3 0FG

Data Processor 3

Stockport NHS Foundation Trust
Stepping Hill Hospital
Poplar Grove
Hazel Grove
Stockport
SK2 7JE

Occupational Health Services

Data Processor 4

Cull Paperless Solutions
Imaging House
Unit 5 West Float Industrial Estate
Milbrook Road
Birkenhead, Merseyside
CH41 1FL

Scanning of HR Records.

Data Processor 5

Confidential Waste Disposal
Shred-It Manchester
Unit 4A, B& C Lynecastle Way
Warrington
WA4 4ST

Sharing your information with other organisations

We will not routinely disclose any information about you without your express permission. Your information may be shared, in strict confidence, with other external organisations providing business services to the NHS for payroll services or ESR systems, where this is necessary to administer your employment.

There may be circumstances where we are bound to share information about you owing to a legal obligation, e.g. tax returns, health and safety legislation and fraud.

Sharing and linking data

We have entered into contracts with other NHS organisations to provide some services to us, which includes processing data on our behalf to provide Human Resources or payroll services for our staff. In these instances, we ensure that our partner agencies have contracts which outline that your information is processed under strict conditions and in line with the law. These services are subject to the same legal rules and conditions for keeping personal information confidential and secure and GMSS is responsible for ensuring their staff are appropriately trained and that technical and operational procedures are in place to keep information secure and protect privacy.

Disclosure of Information

We will not disclose your information to organisations/individuals, without your permission, unless there are exceptional circumstances or a legal obligation such as;

- there is a risk of harm to someone or the wider community,
- the prevention or detection of a serious crime,
- where we are required to do so by law,

In the event that we are obligated to release information as described above, this will only be done with the approval of our SIRO.

Keeping information secure and confidential

All staff have contractual obligations of confidentiality, enforceable through disciplinary procedures. All staff will receive appropriate training on confidentiality of information and staff who have regular access to personal confidential data will have received additional specialist training.

We take relevant organisational and technical measures to ensure the information we hold is secure – such as holding information in secure locations, restricting access to information to authorised personnel, protecting personal and confidential information held on equipment such as laptops with encryption.

Unless required to do so by law, we will not share, sell or distribute any of the information you provide to us with any third party organisations/individuals without your explicit consent.

Data Retention

The GMSS hold data in accordance to the retention schedule in the Records Management Code of Practice for Health and Social Care 2016.

See below for link

All personal data is destroyed securely following confidential waste disposal procedures by GMSS.

Your right to withdraw consent for us processing your personal information

At any time, you have the right to refuse / withdraw consent of processing your personal data. The possible consequences will be fully explained to you.

Complaints

When we receive a complaint from a person GMSS make up a file containing the details of the complaint. This normally contains the identity of the complainant and any other individuals involved in the complaint.

We will only use the personal information we collect to process the complaint. We usually have to disclose the complainant's identity to whoever the complaint is about. If a complainant doesn't want information identifying him or her to be disclosed, we will try to respect that. However, it may not be possible to handle a complaint on an anonymous basis.

We will keep personal information contained in complaint files in line with our retention policy. This means that information relating to a complaint will be retained for two years from closure. It will be retained in a secure environment and access to it will be restricted according to the 'need to know' principle.

How can you get access to information held about you at the GMSS?

You have certain legal rights, including a right to have your information processed fairly and lawfully and a right to access any personal information we hold about you. You have the right to privacy and to expect the NHS to keep your information confidential and secure. You also have a right to request that your confidential information is not used beyond your own care and treatment and to have your objections considered. These are commitments set out in the NHS Constitution.

The Data Protection Act 1998 and the General Data Protection Regulation gives you the right to request to view or have a copy of your records held GMSS. You do not need to give a reason. This is called a subject access request. To make a request to any personal information we may hold you need to put the request in writing to the address provided below. If you agree, we will try to deal with your request informally,

for example by providing you with the specific information you need over the telephone.

If you know that information which we hold about you is not correct, you may have a right to request that it is corrected, or to have a note added – please contact GMSS at the address below.

Data Protection Register / ICO Notification

GMSS is legally responsible for ensuring that all personal information we process is in compliance with the law. All data controllers must notify with the Information Commissioners Office (ICO) who is the UK's independent body set up to uphold information rights, of all personal information processing activities.

GMSS has dutifully notified and our ICO Notification number is **ZA011698** you can access this notification via the ICO website at www.ico.org.uk.

Questions or Concerns

If you have any questions or concerns regarding the information we hold on you or the use of your information, please contact us at:

GMSS IG Team
Ellen House
gmcsu.ig@nhs.net

For independent advice about data protection, privacy and data-sharing issues, you can contact the Information Commissioners Office (ICO)

Information Commissioner Office (ICO)
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
www.ico.org.uk

Useful resources and information

Information Commissioner's Office – <http://ico.org.uk/>

Records Management Code of Practice for Health and Social Care 2016 - <http://systems.digital.nhs.uk/infogov/iga/rmcop16718.pdf>

Definitions

Personal Data	Personal Data means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;
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