

COVID-19 and your information – updated November 2020

Supplementary privacy notice on COVID-19 for Employees including Bank and non-employed workers (data subjects) during the COVID-19 pandemic

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 [RJAH Staff PN](#).

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.

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 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 use
- 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](#)

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-Vaccination Programme

Keeping your information safe and secure

Our staff are trained to handle your information correctly, protect your privacy and keep your information secure. We aim to maintain high standards and regularly check and report how we are doing. Staff working in the Trust can only access information when authorised to do so, when its 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 Trust signs up to the NHS Code of Confidentiality.

It is essential that during the COVID-19 outbreak health and social care professionals and corporate staff are able to communicate. 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 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.

Incident Reporting

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

Data Protection Officer (DPO) and the Information Commissioners Office (ICO)

The Trust is registered with the Information Commissioners Office (registration number [Z4918057](#)).

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

Shelley Ramtuhul – Data Protection Officer

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