

Privacy Notice for the Wales National Workforce Reporting System (WNWRS)

1. Introduction

The [NHS Wales Shared Services Partnership \(NWSSP\)](#) is an independent organisation, owned and directed by [NHS Wales](#), hosted under Velindre University NHS Trust. NWSSP supports NHS Wales through the provision of a comprehensive range of high quality, customer focused [support functions and services](#).

NWSSP are working in partnership with Welsh Government to deliver [Primary Care Sustainability Services](#) to GP Practices, Community Pharmacists, Dental Practices and Ophthalmic Practices in Wales. As part of the implementation of the Wales National Workforce Reporting System (WNWRS) for primary care, NWSSP and Welsh Government have worked with GPC Wales, Community Pharmacy Wales, WGDPC and Optometry Wales Primary Care departments in NHS Wales Health Boards and Health Education and Improvement Wales (HEIW).

Any following references to 'We' and 'us' refers to the NHS Wales Shared Services Partnership as a "hosted" body under Velindre University NHS Trust. References to 'Contractors' refers to GP Practices, Community Pharmacies, Dental Practices and Ophthalmic Practices.

We recognise the need to treat Personal information in a fair and lawful manner. Personal information held by us will not be processed unless the requirements for fair and lawful processing can be met. This Privacy Notice provides a summary of how we will ensure that we do that, by describing:

- The categories of personal information we handle;
- The purpose(s) for which it is being processed;
- The person(s) it may be shared with.

This Notice also explains what rights you have to control how we use your information.

2. What laws are relevant to the handling of personal information?

The law determines how organisations can use personal information. The key legislation governing the use of information is listed below:

- Data Protection Legislation
- UK Data Protection Bill
- Human Rights Act 1998
- Freedom of Information Act 2000
- Computer Misuse Act 1998
- Audit Commission Act 1998
- Regulation of Investigatory Powers Act 2000
- Access to Health Records 1990

In relation to the use of WNWRS information the law is primarily set out in Data Protection Legislation.

For the purposes of this legislation, your employer is the “Data Controllers” (the holder, user and processor) of staff information. NWSSP have been commissioned by Welsh Government to support your employer’s contractual obligations in delivering NHS Services. NWSSP are “Data Processors” for this purpose.

3. What type of personal data do we handle?

In order to carry our activities and obligations within the WNWRS system and as the WNWRS data and reporting administrator for Primary Care Contractors in Wales, we currently collect and process the following information:

- **Contractor contact details;** premises-code, premises name, address, post code, contact email address and locality.
- **Contractor/Practice Manager and System User details;** name, job role and email address and telephone number.
- **Staff personal identifiable information;** names (forename, other names and surname), date of birth, National Insurance number (NINO) and professional registration.
- **Personal demographics;** gender and ethnicity.
- **Employment record information;** staff role, staff group, contract type, contracted hours, working hours, additional capacity hours, source of recruitment, date joined, termination date, reason for leaving and destination.

- **Education and training;** qualifications, accreditations, registered specialisms, registered interests and special interests.
- **Welsh language competencies;** reading, writing and speaking skills.
- **Absence information;** Absence category, start and end date, absence status, absence cover information.
- **Additional Capacity Hours;** Forename, Surname, professional registration and hours worked for the month
- **Locum usage;** Forename, Surname, professional registration and hours worked for the month.
- **Vacancy information;** Vacancy start and end date, staff group and role, whole time equivalent/hours, vacancy status and vacancy cover status.
- **Workforce planning questions;** Practice risks/issues, recruitment and retention challenges, skill shortages/challenges, workforce structure challenges and development requests.

4. How we get the information and why do we have it

The personal information we process is provided to us directly through your Contractor/Practice Management and the WNWRS. Initially, this is completed through the WNWRS data migration exercise (as a pre-system implementation data request). The WNWRS is now the direct source for Contractor/Practice Management to provide us with information.

The system is accessed through a secure login.

In addition to the WNWRS, we gather information from the NHS Electronic Staff Record (ESR), GPWales – Locum Hub Wales, the Wales Medical Performers List (MPL) and professional registration bodies. This information is used for validation and to identify inaccuracies held within the WNWRS data.

The reason why we collect this information is listed below in section 5.

In Wales, the legal basis for Welsh Government to collect and process data on the NHS Contractor workforce is laid out in the National Health Service (Wales) Act 2006. The Welsh Ministers, in accordance with their powers contained in the NHS (Wales) Act 2006, may provide direction to collect and process data on the primary care workforce in Wales.

Under the General Data Protection Regulation (GDPR) Article 6 (Lawfulness of Processing), the lawful bases we rely on for processing this information are:

(b) Processing is necessary for the performance of a contract that the data subject is party to;

(c) Processing is necessary for compliance with a legal obligation to which the controller is subject;

(e) Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

(f) Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party

5. What we do with the information

We use the information that you have given us in order to:

- Enable Contractors and NWSSP to provide data for workforce reporting *
- Enable Contractors to provide accurate and current workforce information to fulfil the reporting obligations to Welsh Government**, Health Boards and NHS Health Education and Improvements Wales.***
- Enable Contractors to provide accurate and current workforce information to comply with their NHS contract obligations.
- To assist the administration and participation of the scheme for General Medical Practice Indemnity (GMPI) for GMS only

**Personal information is not displayed in the reporting module, but individual Contractors (Premises Management) can access reports containing personal information from their workforce data.*

***When providing reporting data to the Welsh Government for the Primary Care Census, NWSSP converts the date of birth to display only the age in years. We pseudonymise the National Insurance Number and convert it into a unique number, then provide the professional registration for validation against previous census data. This removes the need for current manual reporting and enables contractors to comply with legislation and NHS contract requirements.*

**** NWSSP have established a Data Sharing Agreement with HEIW to receive data which contains Professional Registration and National Insurance Numbers as unique identifiers. The unique identifier is essential for cross referencing with other data sources held in NHS Wales to accurately reflect the Primary Care Multi-Disciplinary Workforce in Wales. This is essential to meet their statutory obligations in enabling capability in planning, developing, shaping and supporting the health and social care workforce in Wales. We may share this information with Argyle IT (system provider), NWSSP (internal departments), Welsh Government, Health Education and Improvement Wales (HEIW), NHS Wales Health Boards (Primary Care Leads) and Digital Health and Care Wales (DHCW).*

There are a number of reasons why we share information. This can be due to:

- Our obligations to comply with current legislation.

- Our duty to comply with contractual arrangements.
- Our duty to comply with the need to perform a public task.
- Our duty to comply with any Court Order which may be imposed.
- Sharing information with internal departments to ensure smooth running and transition of services (i.e. GMPI and Primary Care Services).

Any disclosures of Personal information are always made 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. 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 information to such persons.

6. How we store your information

Your information is securely stored in the WNWRS and data servers that are situated within the UK in a central location, on the premises of the system supplier and developer. Access to the system is controlled through a secure login with access level permissions allocated for the role of the user and giving those users access only to areas they need.

For quarterly data extraction and validation purposes, Argyle IT will extract data from the WNWRS holding it securely on an Argyle IT server. Once the data validation exercise is completed, the data is uploaded into the WNWRS to populate the reporting module.

When extracting and validating data for the purposes of the Welsh Government Primary Care Census, Argyle IT will extract the data from the WNWRS send it to NWSSP through the WNWRS secure file sharing portal. NWSSP will hold the data securely on a NWSSP server supported by DHCW to complete the validation exercise.

We will retain personal data for a period of 6 years following the record closure date. We will store data electronically and will dispose of information by deleting it securely. As the WNWRS is a workforce system maintained by the Contractor Management process, it is advised that records are maintained in line with local Records Management Policy, and retention and destruction schedules that determine the minimum length of time records should be kept.

For the purposes of General Medical Practice Indemnity (GMPI) cover, it is advised that GP Practices retain records of staff who are no longer employed by the GP Practice if they are to be removed from the WNWRS. This is to ensure that details of employment can be obtained if there is a need under the scheme for GMPI.

7. Other Bodies

Each NHS organisation in Wales and Welsh Government is responsible for protecting the public funds it manages. To do this we may use the information we hold about you to detect and prevent crime or fraud. We may also share this information with other bodies that inspect and manage public funds.

We will not routinely disclose any information about you without your express permission unless we are obliged to due to a legal / statutory duty.

8. What if the data WNWRS holds is incorrect?

It is important that the information which we hold is up to date. If any of the stored personal information changes or if they are currently inaccurate then it is important that you review this with your Contractor Management to ensure it is updated at source.

When data is extracted from the WNWRS we use an extraction date to identify that the reported data is from information provided up to this date. The WNWRS reporting module indicates the quarterly extraction period from which the data is provided.

NWSSP and Health Board Primary Care Services will work with Contractor Management to improve data quality and accuracy within the system before each quarterly data extraction.

9. Security of your Information

We take our duty to protect your Personal information and confidentiality very seriously and we are committed to taking all reasonable measures to ensure the confidentiality and security of Personal information for which we are responsible, whether computerised or on paper.

Your Personal information will not be sold on to any third party by us, or any agency that holds it for the purposes listed above.

Under the NHS Confidentiality Code of Conduct, we are also required to protect your information, inform you of how your information will be used, and where appropriate to allow you to decide if and how your information can be shared.

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 by yourself, unless it is required or permitted by the law.

Each NHS employer in Wales including NWSSP has appointed a Senior Information Risk Owner (SIRO) who is accountable for the management of all personal information assets and any associated risks and incidents. They also appoint a Caldicott Guardian who is responsible for the management of patient information and their confidentiality.

All staff that handle confidential information are required to undertake biannual classroom based Information Governance (IG) training. All staff will also complete online mandatory eLearning modules.

Completion of regular IG training is a requirement of Data Protection Legislation. The training will ensure that staff are aware of their responsibilities regarding the safe and appropriate use of Person-identifiable, confidential information.

10. How can you access your personal data?

Data Protection Legislation (Individual Rights of the Data Subject) gives you the right to access the information which your employer holds about you. You must make your request in writing to your local Information Governance Lead.

You will need to provide:

- adequate information [for example full name, address, date of birth, staff number, etc.] so that your identity can be verified and your personal data located;
- an indication of what information you are requesting to enable us to locate this in an efficient manner.

Requests to NWSSP should be submitted to our Information Governance Manager details of which can be found in Section 14. We aim to comply with requests for access to personal data as quickly as possible. Where the request forms part of NWSSP remit to respond, we will deal with requests within a full calendar month of receipt unless there is a reason for delay that is justifiable under the DPA. Any requests outside of NWSSP remit will be redirected to the Contractors Information Governance Lead.

11. Complaints about how we process your personal information

In the first instance, you should contact the NWSSP Complaints Officer.

You can also complain to the ICO if you are unhappy with how we have used your data. The ICO's address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Helpline number: 0303 123 1113

www.ico.gov.uk

12. Changes to our privacy notice

We aim to keep our Privacy Notice under regular review and will revise as guidance and law changes.

13. Data Protection Notification

As well as the NWSSP, each Health Board and NHS Trust is a 'Data Controller' under Data Protection Legislation. We are required to notify the Information Commissioner that we process Personal information and the reasons why. These details are publicly available from the:

Information Commissioner's Office
Wycliffe House
Water Lane,
Wilmslow, SK9 5AF

www.ico.gov.uk

14. Our contact details

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