

NHS Wales Shared Services Partnership (NWSSP) Payroll, Pension and Expenses Services Privacy Notice

1. Introduction

NHS Wales is made up of several health organisations that include the NHS Wales Shared Services Partnership (NWSSP). The NWSSP facilitates many functions on behalf of all NHS Wales Health Boards and Trusts.

If you have any questions regarding the information in this leaflet, you must contact the Payroll, Pension and Expenses Services departments shown at the bottom of this leaflet or the NWSSP Information Governance Manager.

This leaflet has been issued by NWSSP to describe the facilitation of the Payroll, Pension and Expenses processes within NHS Wales.

2. Your rights

This leaflet covers your rights under a new law called the General Data Protection Regulation (GDPR). It emphasises the NWSSP's need to make sure that we explain how we use your information for Payroll, Pension and Expenses processing.

The information we give you about our use of your information will be:

- Brief, easy to read and easily accessible;
- Written in clear, plain language; and
- Free of charge.

3. What laws do we use?

The law determines how we can use your information. The laws we follow that allow us to use your information are listed below:

- General Data Protection Regulation
- UK Data Protection Bill
- Human Rights Act
- Freedom of Information Act
- Common Law Duty of Confidence - Confidentiality
- Computer Misuse Act
- Audit Commission Act
- Regulation of Investigatory Powers Act
- Health and Safety Acts
- Employments Acts
- Workplace Pension Act
- Attachment of Earnings Orders Act

The NHS Wales Shared Services Partnership Payroll Services and Expenses departments administrate the processes that involve remuneration to all of NHS Wales' employees, and are therefore the holder and user of your information.

4. What types of personal information do we use for Payroll, Pension and Expenses?

In order to carry out remuneration activities as an NHS organisation we require use of the following information for Payroll, Pension and Expenses purposes.

All Services

Title
Name
Address
Postcode
Telephone Number
Employee number
National Insurance number
NHS Reckonable Service History (Inter Authority Transfer)
Bank account information (account number and sort code)
Car Registration, make and model

Payroll and Pensions

Date of Birth
Next of Kin

Additional for Payroll Only

Court orders
Sickness records

Information is also recorded by type in a central database which accounts for all the processes that are completed within NWSSP. This is known as an "Information Asset Register".

However, it is important to note that this does not include any identifiable information held about individuals.

5. What is the purpose of processing information?

As an employee within NHS Wales, we will only use your information where we have your permission (consent).

Where Payroll, Pension and Expenses are to be considered processes that do not involve consent we will use your information without permission and only where it is justified by law.

In this instance, Under article 6 of the General Data Protection Regulation (lawfulness of processing) the following applies:

(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;

(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;

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

(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.

In regards to article 9 (processing special categories of personal data) the following applies:

(a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes; and

(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.

The reasons why Payroll, Pensions and Expenses process data:

Process of Payroll

Application of NHS Reckonable Service – Incremental Credit

Voluntary 3rd Party Deductions (employees authorisation)

Business expenses

NHS Pensions calculations

NEST pensions

Third Party Claims

Overpayments

Injury Allowance

DWP correspondence

National Statistics Office Forms

Wales Audits

Cabinet Office – National Fraud Initiative
References for Credit Checks/Rental/Mortgage Companies – with permission
Salary sacrifice Schemes
Lease Car provision
Parental Leave pay
Attachment of Earnings Orders

6. Sharing your information

There are reasons why we share information for Payroll, Pension and Expenses purposes.

These are normally for the Payroll, Pension and Expenses process that includes:

HMRC
Lease Car companies
Salary Sacrifice schemes
Courts
NHS Pensions Agency
DWP
National Statistics Office
Cabinet Office – National Fraud Initiative

The NWSSP transfers Information to the following organisations for the purpose of its Payroll functions:

IBM SEL NHS
Pension Agency
NEST
HMRC
Health Roster
Cabinet Office – National Fraud Initiative
Courts

Payroll Functions maybe requested to provide information to organisations to support a criminal investigation including Fraud:-

Police Investigations
Cabinet Office – National Fraud Initiative
NHS Counter Fraud
DWP Fraud

Under the law, your information is shared only with those Payroll, Pension and Expenses Services officers that are responsible for the process to ensure that you receive your salary, pensions and appropriate expenses.

Information is only shared so that only the appropriate people work together to remunerate staff with the appropriate salary, expenses and pensions.

It is important to note that anyone receiving information about you in connection with Pay and Expenses is under a legal duty to keep it confidential.

The NWSSP will only request, use and share the minimum information necessary.

We will never sell your information and we will not share it without the appropriate legal authority.

7. Security of your Information

The NWSSP takes responsibility to look after your personal information very seriously. This is regardless of whether it is electronic or in paper form.

We also employ someone who is responsible for managing information and its confidentiality to ensure:

- Your information is protected; and
- Inform you how it will be used.

All staff are required to undertake training on a regular basis.

Comprehensive training is required to help protect the information that has been given to the NWSSP. The training makes sure that all staff working in the NHS are aware of their responsibilities with regards to the handling of your information regardless of the department that they work in.

Evaluating Confidentiality

The person who is responsible for managing confidentiality will also consider the privacy and confidentiality of any data that is held and where the use of this changes. This is particularly important when the use of new technologies is proposed or changes to current arrangements is considered.

8. What are you entitled to?

The NWSSP will make sure that you are able to have access to your information. This is so that you know what we hold.

You have the right:

- To know about details of how your information is used; and
- Have copies of your information.

If you want to know more, please contact the NWSSP Information Governance Manager for further information about your rights of access.

The NWSSP tries to answer all requests for access to information as quickly as possible. The organisation is obliged to provide a response to your request within a month of receiving it, but this can be extending if the request is complex and extensive.

These rights relate only to your own information. You can request to see another person's information, if one of the following applies:

- Parent/legal guardian of a child too young to exercise own legal rights
- Where someone (with mental capacity) has authorised the individual to operate on their behalf
- Under the terms of the Mental Capacity Act

The NWSSP will look at your request to make sure that the information requested is personal information.

Most of the time, it will be clear that the information is personal but the NWSSP will contact you if it's not clear.

Do I have to pay a fee?

The information will be provided free.

However, we could ask for a small fee. This is where the request is large or repeated.

This will be based on the cost of providing it. If you wish to find out more about fees for information, then please contact the NWSSP.

How will information be provided?

The information will be provided in a format that can be used on another system easily if it is electronic (i.e. Microsoft Word or Excel). Otherwise, it will be supplied on paper.

9. Permission (consent)

For the use of your personal information to be lawful, the NWSSP may ask for permission from you. This is not necessary if the use is for a lawful basis under current law which would include employment purposes.

Although the processing of Payroll, Pension and Expenses payments are considered to be different, it is important to note, however, there are situations where the NWSSP does not need to get permission. This is usually if you were a patient and a Hospital was providing direct care to you. The law also allows the NHS to use your data for the purposes of preventative or occupational medicine, public health, medical diagnosis, the provision of health or social care or healthcare that is in your interest, without consent.

Any permission collected from you should have been given freely and you have not been pressured to do so. This should have been done clearly and you are aware of what the use of your information means.

Consent must be given freely

The NWSSP must make sure that you have a choice if asked to give consent. There will be other times where emergencies, health procedures (including those like operations, medical photography, blood tests, samples etc) may require further permission but this is not necessary under law if it provides you with safe and effective care and treatment.

Informing you and obtaining your consent

If your permission is asked for, you will be provided with information regarding this. This will explain what you are being asked to give permission for. The NWSSP will have to prove that it gave you information and that you were fully aware of what you were giving permission for.

Consent can be provided by any method that should involve a clear agreement made by you. However, as detailed above, the NWSSP may use your information under a lawful basis and not requiring an affirmative action to do so.

If permission is requested, this could be provided by you in several ways that include by writing, ticking a box on a web page, by choosing options in a mobile phone app, or by any other action that shows your acceptance of the use of your information.

10 What about stopping use?

Any changes that include the stopping of the use of your information will be told to you at the time. It is likely that while you are under the employment of the NHS, your information will continue to be used for Payroll and Expenses payments as the information is required for making payments to you and therefore, any stopping of use would mean a lack of remuneration.

Payroll, Pension or Expenses claims will be retained for specific periods and held electronically. For copies of this information, employees can refer to copies held within the Electronic Staff Record and Payroll, Pension or Expenses systems.

11 Automated decision taking

The NWSSP also provides safeguards against risks that involve processes that include automated decision making.

This applies to you when:

- It is an automatic process; and
- There is a legal effect on decision made with your information.

The NWSSP Payroll, Pension Services and Expenses departments may take a small number of automated decisions with your information but there is mostly some human involvement in this. For example, uploading/transferring information into systems, automatic transfer electronically from e systems for rostering systems and expenses, manual calculations, checking procedures.

However, the NWSSP will take steps to identify how many automated decisions it makes and whether these are acceptable.

What about automated profiling?

Automated profiling is where the NHS in Wales will only use information to identify and attempt to analyse your information.

For Payroll, Pension or Expenses purposes, it is highly unlikely that automated profiling will be applicable.

The NWSSP will ensure that any automated profiling is fair and lawful. The NWSSP will use correct procedures, to include reducing errors and where data is not accurate.

12 What about rights to correct or delete inaccurate information?

You are entitled to request that the NWSSP corrects any mistakes in your personal information. The majority of these mistakes can be corrected by yourself using your ESR Employee Self Service, should you have a Self Service account. Otherwise the Payroll Department or your Manager can do this with written consent through ESR Manager Self Service.

The NWSSP must ensure that proven inaccurate or incomplete information is either erased or corrected as the information you provide for Payroll, Pension and Expenses remuneration will continue to be used until we are informed that these are incorrect.

What happens if information has been received that is inaccurate from another organisation?

It may not be easy for the NWSSP to check the accuracy of personal information someone else has provided.

Even if the NWSSP is holding incorrect information, we will not be responsible for issues with the use of your inaccurate information; this is because:

- The NWSSP has accurately recorded information provided by you, or by another person or an organisation;
- The other people or organisation has taken steps to make sure of the accuracy of the information that has been provided to the NWSSP.
- If you have queried the accuracy of the information; this has also been made clear to those who are using it within the NWSSP.

Where possible, you should also take steps to contact the original organisation to request an amendment to the information.

Should other people be told when inaccurate information is corrected or deleted?

If changes are made to your information, those who gave it to the NWSSP will be told that this has changed.

If the NWSSP has provided information to another organisation; then the NWSSP will tell the other organisation of any changes to this information where possible.

You can also request information relating to those organisations that your information had been provided to. Those organisations will be told that your information has been changed.

Keeping your information

We will only store information for as long as necessary. Records are stored in line with Records Management Code of Practice for Health & Social Care's retention and disposal schedule. This determines the minimum length of time records should be kept.

Making a complaint

If you wish to make a complaint about any issues you have experienced regarding your information or to ask any questions relating to confidentiality, please contact:

Tim Knifton
Information Governance Manager
tim.knifton@wales.nhs.uk

If you are still unsatisfied following your complaint and this remains unresolved, you have the right to make a complaint to the:

Information Commissioner's Office,
2nd Floor,
Churchill House,
17 Churchill Way,
Cardiff, CF10 2HH

Email: wales@ico.gsi.gov.uk
Website: www.ico.org.uk

Further information

For more information relating to this leaflet or questions on the content of this information, please contact Payroll, Pension and Expenses Services or:

Email: Christine.Richards5@wales.nhs.uk