

# ELFS Staff Privacy Notice

## Introduction

During the course of its employment activities East Lancashire Business Services (ELFS) (through Lancashire Teaching Hospitals NHS Foundation Trust, collects, stores and processes personal information about prospective, current and former staff.

This Privacy Notice includes applicants, employees (and former employees), workers (including agency, casual and contracted staff), volunteers, trainees and those carrying out work experience. We will share employment information across ELFS to appropriate departments or with appropriate managers as a matter of day-to-day management practice.

We recognise the need to treat staff personal and sensitive data in a fair and lawful manner. No personal information held by us will be processed unless the requirements for fair, lawful and transparent processing can be met.

This privacy notice tells you what to expect us to do with your personal information.

## Our contact details

**Name:** ELFS Business Services (ELFS)  
**Address:** 2nd Floor, Viscount House  
Arkwright Court  
Commercial Road  
Darwen  
Lancashire

**Website:** the ELFS Shared Services website can be accessed here.

### Key Email contacts:

Simon Miller, Managing Director: **Simon.Miller2@elht.nhs.uk**  
Kathryn Brown, Operations Director: **kathryn.brown@elht.nhs.uk**  
Tina Hewson, Interim Head of Payroll Services: **Tina.Hewson@elht.nhs.uk**  
Ed Hafeji, Operations Manager: **Ed.Hafeji@elht.nhs.uk**

## Data Protection Officer

Our Data Protection Officer is Suzanne Crutchley, who is responsible for monitoring our compliance with data protection requirements.

You can contact our DPO with concerns relating to the use of your personal data by writing to:

Data Protection Officer  
ELFS Business Services  
2nd Floor, Viscount House  
Arkwright Court  
Commercial Road  
Darwen  
Lancashire  
BB3 0FG

## Controller details

Through our host Lancashire Teaching Hospitals NHS Foundation Trust, ELFS are the controller for your Payroll and Pension information. A controller decides on why and how information is used and shared.

## How do we get information and why do we have it?

Whilst we receive information from you, we also receive information about you from other individuals or organisations, such as data concerning your salary or pension. Where the source of staff personal data is not obtained from the individual it relates to, we will make every effort to ensure that it is correct. If you are aware of any incorrect personal data, please let us know.

We collect and hold information about you in order to fulfil both statutory and contractual employment obligations. This includes:

- Staff administration and management (including payroll and performance)
- Pensions administration
- Business management and planning
- Accounting and auditing
- Accounts and records
- Crime prevention and prosecution of offenders
- Education
- Health administration and services
- Information and databank administration
- Sharing and matching of personal information for national fraud initiative

We have a legal basis to process this as part of your contract of employment (either permanent or temporary) or as part of our recruitment processes following data protection and employment legislation.

We will not routinely disclose any information about you without your express permission. However, there are circumstances where we must or can share information about you owing to a legal/statutory obligation.

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.

## What information do we collect?

### Personal information

We currently collect and use the following personal information:

- Basic personal information including name, address, date of birth, gender, telephone numbers and emergency contact(s) details
- Statutory Information including PAYE, National Insurance details and Pension details
- Financial Information including bank accounts, transactional and payroll information, and history

In addition, to carry out our activities and obligations as an employer we handle data in relation to:

- Employment records (including professional membership, references and proof of eligibility to work in the UK and security checks)
- Qualifications
- Offences (including alleged offences), criminal proceedings, outcomes and sentences
- Employment Tribunal applications, complaints, accidents, and incident details

### **More sensitive information**

We currently collect and use the following more sensitive data (special category data):

- Data concerning physical or mental health, including occupational health information, and any other information relating to health and safety
- Data revealing trade union membership
- Other sensitive data which may include race, ethnicity, sexual orientation, and religion

Our staff are trained to handle your information correctly and protect your confidentiality and privacy. We aim to maintain high standards, adopt best practice for our record keeping and regularly check and report on how we are doing.

### **Who do we share information with?**

There are several reasons why we share your information.

This can be due to:

- Our obligations to comply with legislation
- Our duty to comply with any Court Orders which may be imposed

We may share information with the following organisations:

- HM Revenue and Customs (HMRC)
- The Department for Work and Pensions (DWP)
- NHS Counter Fraud Authority
- NHS Pensions
- NHS England
- NHS Digital

In some circumstances we are legally obliged to share information. This includes:

- as required by law, for example where a serious crime has been committed
- to prevent and detect fraud and mistakes
- to make payments to NHS Service providers and clients
- to secure the effective and efficient delivery of NHS and related services
- for benefits and tax administration

Any disclosures of personal data are always made on 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 data to such persons.

In the limited circumstances where you have provided your consent to the processing of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. This will not, however, affect the lawfulness of processing based on your consent before its withdrawal. If you wish to withdraw your consent, please let us know. Once we have received notification that you have withdrawn your consent, we will no longer process your personal information for the purpose you originally agreed to, unless we have another legal basis for processing.

### **Employee Records; Contracts Administration (NHS Business Services Authority)**

The information which you provide during your employment (including the recruitment process) will be shared with the NHS Business Services Authority for maintaining your employment records, held on the national NHS Electronic Staff Record (ESR). Other external systems are also used for services such as recruitment, agency/bank etc. These include Smart/Kronos, Trac, Selenity, NHSP and NHS jobs

### **Third Party Service Providers working on our behalf**

To enable effective staff administration the Lancashire Teaching Hospitals NHS Foundation Trust may share your information with external companies to process your data on our behalf to comply with our obligations as an employer.

We will not sell or disclose your information to any third parties for marketing purposes.

Any third-party service providers we use have a binding contract in place that requires them to keep your information secure and not to use it for their own or any other purposes.

## **Is information transferred outside the UK?**

Your information is not processed overseas.

## **What is our legal basis for using information?**

The UK General Data Protection Regulations (UK GDPR) and the Data Protection Act 2018 (DPA) allow us to process your data under the following conditions:

Where we process your personal data, we will do so because it is necessary for the performance of a contract with you. Where we process your special category data we will do so because it is necessary for the carrying out of obligations under employment, social security or social protection law, or a collective agreement.

We may also process your special category data because it is necessary for the reasons of preventative or occupational medicine, for assessing the working capacity of the employee, medical diagnosis, or a contract with a health professional.

There may occasions when we will be obliged to process your information to comply with a Court Order, to prevent or detect crime, or to comply with the law. Where we do this, we will process your personal and/or special category data to comply with a legal obligation to which ELFS is subject.

If we process your information for other purposes that are not described above, then we will seek your consent to do so before we process it.

You can withdraw your consent to the further processing of your data at any time, if you have previously given consent for such processing, and there is no other legal basis for ELFS to continue processing it.

### **Common law duty of confidentiality**

In our use of health and care information, we satisfy the common law duty of confidentiality because:

- We have a legal requirement to collect, share and use the data
- You have provided us with your consent explicitly for other uses e.g. to pay someone directly from your wages

Please note, if you have given your consent to anything we do with your personal data, you have the right to withdraw your consent at any time (although if you do so, it does not mean that anything we have done with your personal data with your consent up to that point is unlawful).

### **How do we store your personal information?**

Your information is securely stored for the time periods specified in the NHS [Records Management Code of Practice](#). We will then dispose of the information as recommended by the Records Management Code, for example we will securely dispose of your information by:

- shredding paper records
- deleting information held
- wiping hard drives to legal standards of destruction

### **What are your data protection rights?**

Under data protection law, you have rights including:

**Your right to be informed** - This privacy notice tells you what to expect us to do with your personal information.

**Your right of access** - You have the right to ask us for copies of your personal information (known as a [subject access request](#)).

**Your right to rectification** - You have the right to ask us to [rectify personal information](#) you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

**Your right to erasure** - You have the right to ask us to erase your personal information in certain circumstances.

**Your right to restriction of processing** - You have the right to ask us to restrict the processing of your personal information in certain circumstances.

**Your right to object to processing** - You have the right to object to the processing of your personal information in certain circumstances.

**Your right to data portability** - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us using the details below if you wish to make a request.

Please note, your data is not used in relation to automated decision making and profiling.

## **Further information and how to complain?**

Should you have any queries on the uses of your information or to report a breach, please visit our website Contact us - ELFS Business Services ([elfsnhs.co.uk](https://elfsnhs.co.uk))

Following this, if you are still unhappy with how we have used your data, you can then complain to the Information Commissioner's Office (ICO). The ICO's address is:

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

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>

## **Date of last review**

January 2025

Any changes we may make to our Privacy Notice in the future will be posted on our website [www.elfsnhs.co.uk](https://www.elfsnhs.co.uk)