**Privacy notice**

The Health Services Safety Investigations Body (HSSIB) respects your privacy and is committed to protecting your personal data. This privacy notice tells you how we look after your personal data and about your privacy rights and how the law protects you.

## Purpose of this privacy notice

This privacy notice aims to give you information on how HSSIB collects and processes your personal data through your use of this website (regardless of where you visit it from), the exercise of our statutory functions or when you exercise certain rights under legislation.

This website is not intended for children, and we do not knowingly collect data relating to children except as part of patient safety investigations.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you, so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

## Controller

The Health Services Safety Investigations Body (HSSIB) is set-up under the [Health and Care Act 2022](https://bills.parliament.uk/bills/3022) to investigate patient safety concerns across the NHS in England and in independent healthcare settings where safety learning could also help to improve NHS care. We are a fully independent arm’s length body of the Department of Health and Social Care.

HSSIB is governed by UK law and as such is subject to the UK General Data Protection Regulations 2021 (UK GDPR) and the Data Protection Act 2018 (DPA) as well as other relevant legislation of England.

Our Data Protection Officer is Sarah Graham. They are responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, please email IG@hssib.org.uk.

You have the right to make a complaint at any time to the [Information Commissioner’s Office](https://ico.org.uk/) (ICO), the UK supervisory authority for data protection issues. We would, however, appreciate the chance to deal with your concerns before you approach the ICO, so please email IG@HSSIB.org.uk in the first instance.

## The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

* Identity Data includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender
* Contact Data includes email, postal address and telephone numbers.
* Health Data includes information received by HSSIB in the form of health records, ambulance and 111 transcripts shared with HSSIB. Information received relating to patient safety incidents recorded via the Safety Awareness Notification (SAN) form. Whistleblowing and complaints received from members of the public and parliamentary questions. Internal investigations due to complaints or internal whistleblowing. Information relating to staff at HSSIB.
* Recruitment Data includes items of personal information such as your name, date of birth, address, qualifications, references and potentially special categories of data such as occupation health data (if provided) and disclosure and barring service self-declaration form details.
* Special Categories of Personal Data (non-health) includes information about disability, race or ethnicity, religious or philosophical beliefs, sexual orientation or information about political opinions. It is collected to fulfil our statutory and legal requirements in investigations, the recruitment and appointment of subject matter advisors and HSSIB staff through which we monitor their capacity, capability and diversity.
* Other personal data which does not fall within any of these categories (such as employment status and contract type, criminal convictions and offences or bank details) is held to fulfil our recruitment function. This includes information and correspondence related to recruitment and appraisal, performance and development information for those who have either applied for roles that we advertise, have expressed an interest in applying for these roles or who have been appointed. During investigations we carry out under our functions we may process other personal data from staff HR training records.

### How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

* Where we need to perform the contract we are about to enter into or have entered into with you.
* Where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the HSSIB.
* Where we have your consent.
* Where we need to comply with a legal or regulatory obligation for the purposes of recruitment and selection and where it is necessary to enter into a contract with you.

The national data opt-out allows people to opt out of their confidential information being used for research and planning. You can read more about it on the [NHS.UK website](https://www.nhs.uk/your-nhs-data-matters/).

### Purposes for which we will use your personal data

We have set out below a description of all the ways we plan to use your personal data, and the legal bases we rely on to do so.

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| **Purpose/activity** | **Type of data** | **Lawful basis for processing including basis of legitimate interest** |
| To investigate incidents or accidents which evidence, or are likely to evidence, risks affecting patient safety under the Health and Care Act 2022. | (a) Identity.(b) Special categories.(c) Health data.(d) Special category data.(e) Other personal data. | Explicit consent. Necessary for reasons of substantial public interest. Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Health Services Safety Investigations Body. Necessary for the management of health or social care systems and services - health and social care purpose. |
| To produce and deliver education programmes on safety investigation within the health sector. | (a) Identity. (b) Special categories.(c) Other personal data related to training and development.  | Explicit consent. Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Health Services Safety Investigations Body. Necessary for the management of health or social care systems and services - health and social care purpose. |
| To deliver relevant website content and measure or understand the effectiveness of website or services. | 1. Identity.

(b)Contact.  | Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Health Services Safety Investigations Body. |
| To respond to a request under the Freedom of Information Act, enquired, the Data Protection Act, or the General Data Protection Regulation | 1. Identity.

(b)Contact.  | Comply with a legal or regulatory obligation. |
| To investigation and respond to a complaint (including whistleblowing). | 1. Identity.

(b)Contact. (c) Special categories.  | Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Health Services Safety Investigations Body. |
| To recruit, appoint, appraise and develop our staff. | 1. Identity. (b) Contact. (c) Special categories. (d) Other personal data related to recruitment and development.
 | Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Health Services Safety Investigations Body.  Necessary for the management of health or social care systems and services - health and social care purpose. |
| To engage and contract with Subject Matter Advisors. To maintain a register of Subject Matter Advisors. | (a) Identity. (b) Contact. (c)Recruitment. (d) Special category | Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Health Services Safety Investigations Body.  Necessary for the management of health or social care systems and services - health and social care purpose. |
| To create and manage mailing lists, email alerts and newsletters. | (a) Identity. (b) Contact. | Consent. |

### Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us at SAR@HSSIB.org.uk.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so or obtain your consent.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required by law.

### Disclosures of your personal data

We will not sell your data and we will use it only for the purposes of this HSSIB investigation or staff recruitment and management. If required by UK law, for example, high court order, commission of criminal offence or serious risk to patient safety we will release the minimum information that has been requested or is required. If appropriate we will inform you prior to releasing any information that you have provided to us unless this is not permitted by UK law e.g. Regulation of Investigatory Powers Act 2000 etc.

We may share your personal data with NHS England in responding to a complaint or whistleblowing case about an NHS trust or NHS foundation trust.

For the purposes of recruitment, personal data may be shared between both organisations to enable your application for roles to be considered.

We use NHS Business Services Authority for the purposes of recruitment and where you have applied for a job with the HSSIB, they will process your data on our behalf.

We contract with [Brevo](https://www.brevo.com/legal/privacypolicy/) to manage our mailing lists, email alerts and newsletters.

When we contract with third-parties, we provide them with personal information to enable them to carry out work for us. We ensure that they are supplied with only the appropriate amount of personal information, that it is used only in accordance with our instructions, and that there are suitable security arrangements in place.

### Data security

We hold your data in encrypted laptops and stored securely on our systems which are housed in the United Kingdom (UK) and European Economic Area (EEA). The systems are held in Microsoft data centres that meet international security standards. Appropriate security measures are in place to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so

### Data retention

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements have been considered.

Most records held by HSSIB will be kept for the duration specified by national guidance from the Department of Health and Social Care found in the [Records Management Code of Practice for Health and Social Care 2016](https://transform.england.nhs.uk/information-governance/guidance/records-management-code/), supplemented by HSSIB’s retention schedule.

In some circumstances you can ask us to delete your data: see 'request erasure' below for further information.

### Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

**Request access**

Request access to your personal data (commonly known as a subject access request). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction**

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure**

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing**

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third-party) and there is something about your situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing**

Request restriction of processing of your personal data.

This enables you to ask us to suspend the processing of your personal data in the following scenarios:

(a) if you want us to establish the data’s accuracy

(b) where our use of the data is unlawful, but you do not want us to erase it

(c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims

(d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

If you wish to exercise any of the rights set out above, please contact us on SAR@HSSIB.org.uk.

### Withdraw consent at any time

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain services to you. We will advise you if this is the case at the time you withdraw your consent. Withdrawing consent to be interviewed or take part in an investigation may mean the investigation will continue, but your input will be considered withdrawn. You will be guided as to what your consent withdrawal means should you wish to change your participation/withdraw consent.

If you wish to exercise this right set out above, please contact us on SAR@HSSIB.org.uk.

Please note that we do not require you (whether under statute or contract) to provide personal data and we do not make use of automated decision making in relation to personal data. If this changes, we shall let you know.

HSSIB complies with the national data opt-out, for more information please see the NHS.UK website.

### Your duty to inform us of changes

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes (for example your email address) during your relationship with us.

## Third-party links

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third-parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

## Cookies

We use cookies to ensure you get the best experience whilst using this website. By continuing without changing your settings, we will accept your consent to receive these cookies. However, if you wish to, you can change your browser settings to block or remove cookies at any time.

Cookies are small information files that are placed on your device. When we provide services, we want to make them easy, useful and reliable. Cookies help us to do this. The cookies we use identify you only as a number and cannot be used to identify you personally.

We use cookies to:

* Measure how many people are using our website, so we can make it easier and faster to use.
* Analyse data, anonymously, to help us understand how people interact with our website.

The only cookies used on our website are for anonymous analysis of your visit to the site using the Google Analytics service and a cross-site request forgery respectively. These are third-party cookies and are not tracked across multiple sites.

Google Analytics is used for the anonymous tracking of your use of this site. This cookie is used to store information such as when you visited the site, information about what pages you visit and whether you have been to the site before. It measures numbers and volumes of visitors to make sure users’ needs are met and to understand how our website could be better. There is no personally identifiable information contained within this cookie, but it will use your computer's IP address to determine your geographical location. We do not collect or store your personal information and we do not allow Google to use or share our analytics data.

If you wish to restrict or block the cookies which are set by our websites, or any other website, you can do this through your browser settings. The ‘help’ function within your browser should tell you how. Alternatively, you may wish to visit the [About Cookies website](https://www.aboutcookies.org/), which contains comprehensive information on how to do this on a wide variety of browsers. You will also find details on how to delete cookies from your machine as well as more general information about cookies.

If you do not wish for us to anonymously track your visit through Google Analytics, Google publishes a [Google Analytics opt-out browser add-on](https://tools.google.com/dlpage/gaoptout) that allows you to choose for this information to not be recorded.