

# Agenda for Change Band 5 Nurse Job Re-evaluation PowerApp Privacy and Data Protection Notice

The following notice applies from June 2024

## 1. About the Agenda for Change Band 5 Nurse Job Re-evaluation PowerApp

The Agenda for Change Band 5 Nurse Job Re-evaluation PowerApp (“the PowerApp”) facilitates the capture of the necessary information relating to the Band 5 Nursing Roles job re-evaluation. The re-evaluation is part of the pay settlement for Agenda for Change staff in 2023-24 as detailed in the NHS Circular [PCS\(AFC\)2024/3](#)<sup>1</sup>. Within the Circular, the PowerApp is referred to as the “online digital portal”.

The PowerApp is operated and managed by NHS Education for Scotland (NES). Please see our corporate [Privacy Notice](#)<sup>2</sup>.

## 2. What types of personal information is collected

The set of personal data we use contains information about your:

- Name
- Payroll number
- National Insurance number
- Health Board
- Job role title and description

## 3. Sources of your personal information

The data we process comes from:

- You when you complete the application form within the PowerApp.

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<sup>1</sup> <https://www.publications.scot.nhs.uk/files/pcs2024-afc-03.pdf>

<sup>2</sup> <https://www.nes.scot.nhs.uk/legal-and-site-information/privacy/>

- Some details are pre-populated and are taken from your M365 user account i.e. the account you use to login and access many systems in your job role. This account is managed by your Health Board.

#### **4. What is the purpose of processing your personal information**

NES requires to process your personal data and job role details within the PowerApp as part of the end-to-end process for the review of Band 5 nursing roles.

NES processes your personal data and job role details in its role as a lead digital provider for the provision of, and management of, systems and services to Health Boards.

These data are processed by NES as the Processor for the PowerApp. NES processes these data on behalf of your employing Health Board who is the Controller.

#### **5. Our legal basis for using personal information**

NES considers that processing in the PowerApp is in the public interest. So, when using your personal information our legal basis is that its use is necessary for the performance of a task carried out in the public interest, or in the exercise of official authority vested in us [UK GDPR Article 6(1)(e)].

#### **6. Sharing personal information with others**

The sharing of your data entered in the PowerApp is necessary to enable other activities in the end-to-end job re-evaluation process to be carried out.

Your personal data is shared with the following people and departments.

- Your line manager

- You enter your line manager's name and email address when completing the application in the PowerApp. When you select "Send to Manager", the information is emailed to your line manager for review and discussion with you.
- Your local Health Board Human Resources Team
  - This is determined when you select which Health Board you work in. When you select "Submit to Local HR Team", the information is emailed to your local HR team. They will review the information and pass to the Job Evaluation Panel.
- Job Evaluation Panel
  - The Job Evaluation Panel carries out the job re-evaluation based on the information they receive and decides an outcome. You are advised of the outcome in writing.

## **7. Transferring personal information abroad**

All data processing takes place in the UK.

## **8. Retention periods for the information we hold**

We only keep your information for as long as is necessary to fulfil the purposes for which the personal information is collected.

This includes for the purposes of meeting any legal, accounting, or other reporting requirements or obligations.

## **9. Security of your personal information**

We take our duty to protect your personal information and confidentiality very seriously and we are committed to taking reasonable measures to ensure the confidentiality and security of personal data for which we are responsible for.

All NES staff are required to undertake annual information governance training and to be familiar with information governance policies and procedures.

## **10. Your rights regarding your personal information**

You have rights regarding how we process your personal data:

- The right to be informed
- The right of access
- The right to rectification
- The right to object
- The right to restrict processing
- The right to portability
- The right to erasure
- Rights in relation to automated decision making and profiling.

With regards to the processing within the PowerApp, you may contact your local Data Protection Officer (DPO) ([contact details on NHS Inform](#)) or the DPO in NES (contact details below). Where NES receives a request, this will be forwarded to the staff member's local DPO. NES will only act on instruction from the Health Board.

## **11. How to access your personal information**

You have the right to access the information which NES holds about you, and why. You can do this by submitting a Subject Access Request (SAR) to your local area health board DPO or to the NES DPO.

NES will inform your local area health board DPO of the request as they are the Controller of your data. NES will provide information under SAR on instruction from your local area health board.

Requests must be made in writing, and 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.

We will aim to comply with requests for access to personal data as quickly as possible. We will ensure that we deal with requests within 30 days of receipt unless there is a reason for delay that is justifiable.

## **12. Your right to complain**

Complaints regarding the handling of your personal data should be submitted to your Health Board Data Protection Officer in the first instance using local procedures available via your Health Board's website or staff intranet.

Alternatively, you can contact the NES Data Protection Officer if you are unhappy with the way in which your personal information is used for the processing within the PowerApp at this email address:

[nes.informationassurance@nhs.scot](mailto:nes.informationassurance@nhs.scot)

Or through our Edinburgh postal address:

Data Protection Officer, Westport 102, West Port, Edinburgh, EH3 9DN

If you believe your complaint has not been answered, you have the right to complain about how we use your personal information to the Information Commissioner's Office (ICO).

Details about this are on their website at <https://ico.org.uk/your-data-matters/how-to-make-a-data-protection-complaint/>.