

Data Protection

Body Worn Camera Usage in Clinical Areas

About this Notice

This notice gives you information about the way our clinical staff use body worn cameras to help reduce the number of violence and aggression incidents against staff. The Notice will tell you what we (Sandwell and West Birmingham NHS Trust) will do with the information collected, how we will look after it and who we may share it with. We also explain your rights in respect of your information and the choices you can make about the way your information is used and how you can object to us processing your personal data for this purpose.

We are happy to provide any additional information or explanation needed. Please see the section entitled [Sandwell and West Birmingham Hospitals NHS Trust Contacts](#) below.

Letting you know when things change

We check these details regularly to make sure that they are up to date and tell you how we are using your information. The last time these details were checked was May 2020.

Who we are and what we do

Sandwell and West Birmingham NHS Trust is an integrated care organisation. We are dedicated to improving the lives of local people, to maintaining an outstanding reputation for teaching and education, and to embedding innovation and research. Together with Sandwell and West Birmingham Clinical Commissioning Group we are responsible for the care of 530,000 local people from across North-West Birmingham and all of the towns within Sandwell.

The Trust is registered as a Controller with the Information Commissioners Office. A Controller is an organisation which is responsible for deciding how your information is handled and making sure that your information is protected and used appropriately. The Information Commissioner's Office is the organisation which makes sure that your information is handled properly.

Our Data Protection Registration Number is **Z6719634**. You can view our Data Protection Registration here: <https://ico.org.uk/ESDWebPages/Entry/Z6719634>.

The Use of Body Worn Cameras

When a violent and aggressive incident occurs against staff at Sandwell or City Hospitals, clinical staff wearing body worn cameras will advise the aggressor that unless they calm down and stop abusing staff the body worn camera will be switched to record, and their actions will be visually and audibly recorded; any other person in the area may be captured by the recording. If the Police then request a copy of the footage to pursue a prosecution against the offender the faces of any person not involved in the incident will be blurred out so they are unidentifiable. Although footage may be shared with the Police unless you are the perpetrator of the crime they will not be able to identify you; your anonymity will be protected.

The legal basis we rely upon to process your personal data

We process data in accordance with Article 6(1)(e) of the General Data Protection Regulations, this is because the data is necessary for the performance of a task carried out in the public interest or in the exercise of official authority invested in the controller. Article 9(2)(f) also applies, as the data may be necessary for the establishment, exercise or defence of legal claims.

How we make sure that your information is protected

Keeping your information safe and secure

We do a number of things to make sure that your information is safe, this includes controlling access to our buildings, making sure that the people we employ are honest and trustworthy and understand how they should handle your information safely.

We ensure that laptops are encrypted, which means that any information held on them is scrambled so that someone who does not have the key cannot gain access to it.

We make sure that the computer systems we use are secure and protected against people who should not have access to your information being able to see it.

We have appointed a Data Protection Officer who, along with our Caldicott Guardian and Senior Information Risk Owner are responsible for the management and protection of personal information within Sandwell and West Birmingham NHS Trust.

Monitoring

We carry out regular checks to make sure that the protection we have put in place is working properly and that your information is safe and secure.

External organisations

We make sure that any organisations who provide services to us, or who we work with, are honest and trustworthy and have the same sort of protection in place as we do, including making sure that the people they employ are fully trained and that checks have been made to make sure that they are trustworthy and honest before they are employed.

Sharing information with external third party suppliers

The footage we record, video and audio, during violent and aggressive incidents is stored for 30 days in a cloud storage system based in the UK provided by a third party. If the data is required for prosecution purposes, the data is stored in an electronic folder for use by the Police and is then destroyed when a prosecution is complete. The data is encrypted when it is electronically transmitted to the cloud, remains encrypted whilst in store and encrypted when it comes back to us if it needed by the Police. The cloud storage is provided by a reputable CCTV Company.

Securely destroying your information when it is no longer needed

If the recorded footage is not required for evidential purposes, it is automatically deleted after 30 days. If it is required for evidential purposes it will be destroyed when the courts have decided on an outcome of any trial, and we have been notified of that fact.

Before any electronic storage devices are disposed of, the device will either be physically destroyed, so that information cannot be retrieved from it, or the information held on the device will be overwritten multiple times which results in the deleted information being completely removed from the device.

Location of processing

All personal data processed as part of recording of violent and aggressive incidents or assaults is processed within the UK.

What to do if you are unhappy with the way we use your information

If you are concerned, or not happy with the way we have collected or used your information, you can contact the [Data Protection Officer](#), or the [Information Governance Team](#) using the contact details below.

You can also raise a complaint with our [Complaints Team](#) using the contact details above.

You can also tell the organisation which is responsible for making sure that your information is handled properly, this organisation is called the **Information Commissioner's Office** who can be contacted at:

Postal Address:	Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF
Telephone Number:	08456 30 60 60 or 01625 54 57 45
Website Address:	www.ico.org.uk

Your rights

Under the General Data Protection Regulations you have a number of rights over how we handle the personal information we process about you as part of the processing data collected to reduce violence and aggression against staff. they are:

The right to object

The right to object does not apply in this situation.

The right of access

You have the right to request a copy of the personal data we hold about you; this will be free of charge. If you want to request a copy of the personal data we hold about you, please contact the Directorate General Manager – Portering and Security through the hospital switchboard on 0121 544 3901 or e-mail mark.stankovich@nhs.net.

The right to rectification

The right to rectification does not apply in this situation,

The right to restriction of processing

If there is a disagreement regarding the accuracy or completeness of your personal data, access to your data can be restricted until the accuracy of your data has been confirmed.

You can also request that a restriction on processing is placed on your personal data if you need us to keep it longer than we normally would, so that you can establish, exercise, or defend any legal claims, or if you have objected to the processing and you are awaiting confirmation that your request has been actioned.

The right to lodge a complaint with the Information Commissioner's Office

If you are unhappy with the way we handle your personal information, you can make a complaint to the Information Commissioner's Office, who are the Regulator for the General Data Protection Regulations and the Data Protection Act 2018.

Further information

If you have any queries, or want to know more about the way we use any recorded footage of you, or if you don't want us to use your information in any of the ways listed below, please contact us using the details for the [Information Governance Team](#) below.

Sandwell and West Birmingham Hospitals NHS Trust Contacts

Although all NHS staff have a legal duty to keep your personal information confidential, the Trust has identified specific people who are responsible for making sure that your information is handled properly and your rights and wishes are respected. If you have any concerns or queries about how we collect, use, and share your information, you can contact the people below directly.

Caldicott Guardian

We have a person called a Caldicott Guardian who is responsible for making sure that your information is handled properly in line with your rights and the law. Our Caldicott Guardian is:

Caldicott Guardian:	Dr David Carruthers
Postal Address:	Sandwell and West Birmingham Hospitals NHS Trust Lyndon West Bromwich B71 4HJ
Telephone Number:	0121 553 1831
E-mail Address:	igovernance@nhs.net

Senior Information Risk Officer (SIRO)

We have a Senior Information Risk Officer (known as a SIRO) who is responsible for ensuring that your information is handled securely. Our SIRO is:

Senior Information Risk Owner:	Kam Dhami
Postal Address:	Sandwell and West Birmingham Hospitals NHS Trust Lyndon West Bromwich B71 4HJ
Telephone Number:	0121 553 1831
E-mail Address:	igovernance@nhs.net

Data Protection Officer

We have a Data Protection Officer (known as a DPO), reporting directly to the highest level of management within the Trust.

Data Protection Officer	
Postal Address:	Trust Headquarters Health and Wellbeing Centre Sandwell General Hospital Lyndon West Bromwich B71 4HJ
Telephone Number:	0121 507 3837
E-mail Address:	swbh.swbdpo@nhs.net

The Data Protection Officer acts independently and is responsible for informing and advising the Trust and our staff of their obligations under Data Protection law. The DPO is also responsible for awareness-raising, staff training, the provision of advice, and monitoring the Trust's compliance with all European and UK data protection law and the Trust's data protection related policies.

Information Governance Team

The Information Governance Team is responsible for supporting the Caldicott Guardian, Senior Information Risk Officer and the Data Protection Officer in ensuring that your personal information is collected, used and shared appropriately, securely and in line with the law.

Sandwell and West Birmingham Hospitals NHS Trust - Information Governance Team:	Sandwell and West Birmingham Hospitals NHS Trust – FAO Information Governance Team
Postal Address:	Sandwell and West Birmingham Hospitals NHS Trust Lyndon West Bromwich B71 4HJ
Telephone Number:	0121 507 4681/0121 507 3782
E-mail Address:	igovernance@nhs.net

Complaints Team

The Complaints Team is responsible for handling any complaints or concerns you may have about the handling of your information.

Sandwell and West Birmingham Hospitals NHS Trust - Complaints Team:	Sandwell and West Birmingham Hospitals NHS – FAO Quality Team
Postal Address:	Complaints Department Sandwell & West Birmingham Hospitals NHS Trust City Hospital Dudley Road Birmingham B18 7QH
Telephone Number:	0121 507 4346 (10 am until 4 pm, Monday to Friday)
E-mail Address:	swbh.complaints@nhs.net