

## **Staff Privacy Notice: Sharing of Employee Liability Information for TUPE Purposes**

### **Introduction**

One LSC is a shared service run by the NHS for the NHS.

It will bring together services drawn from the following functions from our five provider NHS trusts:

- Blackpool Teaching Hospitals NHS Foundation Trust
- East Lancashire Hospitals Trusts
- Lancashire and South Cumbria NHS Foundation Trust
- Lancashire Teaching Hospitals NHS Foundation Trust
- University Hospital of Morecambe Bay NHS Foundation Trust

Digital and Information (IM&T), Estates and Facilities, Finance, Human Resources, and Procurement and Logistics.

This privacy notice explains how Lancashire Teaching Hospitals NHS Foundation Trust handles and shares Employee Liability Information (ELI) in compliance with the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) and the Data Protection Act 2018 (DPA). This sharing of information is vital for the successful TUPE of staff into East Lancashire Hospitals NHS Trust as part of the formation of One Lancashire and South Cumbria (OneLSC).

### **What is TUPE?**

TUPE is designed to protect employees' rights when a business or service provision is transferred to a new employer. Under TUPE, certain information about employees must be shared with the new employer to ensure a smooth transition.

### **What Information Will Be Shared?**

The following employee liability information will be shared with East Lancashire Hospitals NHS Trust as the new employer.

- Identity and age of employees
- Employment particulars (e.g., pay, hours of work, holidays)
- Information on any disciplinary actions or grievances within the last two years
- Details of any collective agreements affecting the employees such as salary sacrifice and childcare vouchers

- Information on relevant grievances against the employer in the last two years

It should be noted that initially no special category data will be shared. Special Category data includes:

- Ethnicity
- Sexual Orientation
- Trade Union Membership

When we move closer to the TUPE deadline special category data will be shared as this forms part of your employment record.

### **Purpose of Sharing Information**

The purpose of sharing this information is to comply with legal obligations under TUPE and to facilitate the transfer process, ensuring that employees' rights are protected, and that the new employer has the necessary information to continue employment seamlessly.

Information at identifiable level will only be used for TUPE processes.

### **Legal Basis for Sharing Information**

The legal basis for sharing ELI under TUPE is compliance with a legal obligation and within your legitimate interests as the data subjects.

Further information on our legal obligation can be found on the Information Commissioner website.

### **How Will Information Be Shared?**

ELI will be shared securely and with East Lancashire Hospitals Trust as the new employer. We will ensure that all data protection principles are adhered to, including accuracy, confidentiality, and security of the information. It should be noted that all information will be retained in line with Records Management code of practice for Health and Social Care.

### **Your Rights**

You have the right to:

- Access the personal data we hold about you
- Request correction of any inaccurate data
- Object to the processing of your data in certain circumstances

For more information on your rights or to exercise them, please contact the Trust's Data Protection Officer – [dpo@lthtr.nhs.uk](mailto:dpo@lthtr.nhs.uk)

### **Contact Us**

If you have any questions or concerns about this privacy notice or how your data is handled, please contact the Trust's Data Protection Officer – [dpo@lthtr.nhs.uk](mailto:dpo@lthtr.nhs.uk)

If you wish to discuss OneLSC please contact your Line Manager or a member of you Leadership Team.