

1. JOB DESCRIPTION

Job Title: Data Protection Assistant

Department(s): Information Governance

CAJE ID: ADMIN061IM&T.18

No. of Job Holders: 1

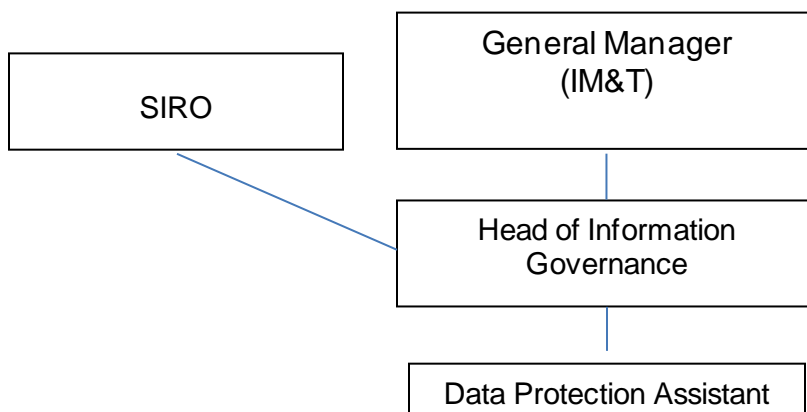
2. JOB PURPOSE:

The Data Protection Assistant will assist the Head of Information Governance to ensure that NHS Dumfries & Galloway remains compliant with current data protection regulations, supporting confidentiality legislation and professional guidance on all issues relating to the processing of personal data by NHS Dumfries & Galloway. As part of this role the post holder will be expected to keep abreast of current legislation and guidance.

The post holder will have a general awareness of current data protection legislation and will assist all staff, including GP practices, with enquiries in relation to routine data requests, providing guidance on data protection, data sharing and confidentiality.

The post holder will assist with general organisational training in data protection legislation to all departments, independent contractors, GP practices and partner organisations.

3. ORGANISATIONAL POSITION:



4. SCOPE AND RANGE:

The Information Governance Team provide professional support throughout the organisation including acute, corporate and community settings on the extended use of information technology to enhance patient care, including appropriate use of patient/staff personal data within the legal and ethical structures governing its use.

5. MAIN DUTIES/RESPONSIBILITIES:

- Assist the Head of Information Governance in providing specialised support, advice and expertise to departments within NHS Dumfries & Galloway, and General Practitioners, on all information governance issues. Information Governance includes records management, data protection, Caldicott, Data Quality and Information Security.
- Work closely with all service and functional areas to support their compliance with current legislative requirements and national guidelines.
- Assist the Head of Information Governance, in developing policies, standards, guidelines and monitoring performance within NHS Dumfries & Galloway.
- Deputise for the Head of Information Governance in their absence, including attendance at meetings, and acting as Deputy Data Protection Officer for the Board and General Practitioners.
- Assist with the processing of complex Subject Access Requests within the required legislative timescales
- Manage the Subject Access Request/Legal Request administration activities, and support the Data Protection Administrative Assistant and Legal Request Administration Assistant, to ensure that a high quality service is delivered to requestors.
- Provide advice as required to the SIRO, Caldicott Guardian and Information Assurance Committee members.
- The post holder will attend and take minutes at the Information Assurance Committee, and any other committee, as required/requested by senior management
- Assist services, functional areas and GP practices to conduct Data Protection Impact Assessments when a new project starts or when significant changes are made to existing processes, and to support the development of the relevant data processing agreements etc.
- Conduct risk assessments on the processing of personal data where required, often in relation to the use of mobile devices.
- Assist with the development of documentation to support information sharing with partner agencies, such as Information Sharing Protocols, Non-Disclosure Agreements etc.
- Maintenance of the Information Governance page on Beacon to provide useful up to date information and guidance to staff.
- Ensure that Information Governance information is up to date and made available to the public via the NHS Dumfries & Galloway website, leaflets, etc.
- Conduct audits of access to personal information on clinical systems to identify potential inappropriate activity and ensure that this activity is challenged.
- Provide guidance on investigation of breaches of data protection legislation, including working to identify solutions to prevent recurrence, and reporting such breaches to the Head of Information Governance, making recommendations to mitigate future risk.
- Provide guidance on investigation of complaints where this relates to alleged breaches of data protection legislation, ensuring investigation and findings report produced where applicable.
- Deliver an effective awareness training programme to all NHS Dumfries & Galloway staff and GP practices on Information Governance.
- Develop and maintain effective working relationships with departmental managers and staff, including GP practices, and ensure that there is effective communications on all information governance matters.
- The post holder will be expected to maintain an up to date knowledge of developments in information governance case law, national developments and local initiatives.
- Responsible for the safe use of laptop and multimedia projector equipment.

6. EQUIPMENT & MACHINERY

- The post holder requires to use a PC and multi-function devices as part of their daily duties.

- The post holder routinely will use other IT equipment including multi-media projector during training or presentations.
- The post holder requires to use a mobile phone.

7. SYSTEMS:

Frequent use of the full range of Microsoft office products at an advanced level including word, excel, email, and PowerPoint.

Occasional use of Microsoft Publisher and Project.

NHS Dumfries & Galloway intranet, Beacon, Clinical Portal, Fairwarning.

Use of Datix incident reporting system for producing reports on information governance breaches and risks.

8. DECISIONS & JUDGEMENTS:

The post holder will be involved in making decisions and judgements which can be time critical and must be based on a sound knowledge and understanding of the complexities contained within current data protection legislation, local policy and national guidelines, for example with police enquiry request notes for a patient without patient consent or knowledge. This is fundamental in order to achieve the delicate balance between the legitimate needs of the Board to collect and use personal information for business purposes against the right of individuals to respect their privacy of personal details. Work will be directed by the Head of Information Governance.

9. COMMUNICATIONS & RELATIONSHIPS:

To develop and maintain good working relations with staff within NHS Dumfries & Galloway and external partners, including GP practices, in dealing with sensitive and confidential information, for example inappropriate access to patient files by others members of staff (Fairwarning), developing effective working relationships and promoting team working, efficient practice and timeous decision making. At all times the post holder must be aware of the need to maintain the corporate identity of NHS Dumfries & Galloway in any communications that they have.

The Data Protection Assistant will maintain effective working relationships with:

Internal

- Management teams and Heads of Service, Fairwarning or advice on other data protection issues.
- IT Security Manager, reviewing Information Risk Assessments with technical aspects.

External

- The Scottish Government eHealth Division Policy Adviser on confidentiality and data protection.
- The NHS Scotland Data Protection Adviser on confidentiality and data protection.
- GP practices

10. DEMANDS OF THE JOB: (physical, mental, emotional)

Physical Effort

- Light to moderate: includes moving light equipment, e.g. briefcase/laptop, projectors for presentations; using keyboards on a daily basis for word processing, spread sheets, etc. and email.
- Frequent requirement for sitting in restricted position (word processing) for long periods i.e. daily, for example taking and transcribing minutes.
- Required to use visual display equipment throughout the day.
- Delivering training sessions can involve prolonged (up to 4 hours) periods of standing.
- Daily travelling, which may occasionally be for extended periods of time in adverse traffic conditions.

Mental Effort

- Need to meet tight deadlines. Dealing with frequent interruptions often associated with potentially serious, sensitive, or contentious issues.

Emotional Effort

- Often exposure to distressing circumstances, for example investigating data protection aspects of Child Protection cases.
- Involves from time to time dealing with conflicting situations e.g., in emotionally charged meetings.
- Dealing regularly with challenging problems requires sustained emotional energy/resilience.

11. MOST CHALLENGING/DIFFICULT PARTS OF THE JOB:

To ensure that management and staff are kept fully aware of the importance of the data protection legislation, and associated law, and to maintain its high profile.

To understand and interpret data protection related legislation, national guidance and best practice to support all service and functional areas across NHS Dumfries & Galloway to comply.

Recommending and influencing changes to practice to support compliance with data protection requirements, where operational staff may be resistant to or hesitant to adopt such changes.

Analysing and interpreting data sharing and access requests in relation to differing database network systems and the concept of "need to know".

12. KNOWLEDGE, TRAINING AND/OR EXPERIENCE REQUIRED TO DO THE JOB:

Essential

- Educated to HND level or equivalent with the ability to demonstrate this within the knowledge and skills acquired through significant experience in business administration and information management.
- Prior and significant experience working within a complex environment which includes working to legislative time scales and highly sensitive issues.
- Ability to devise detailed administrative processes, for example Data Protection Impact Assessment Register, Information Asset Register
- To have an awareness of current data protection legislation or other area of compliance.
- Maintain the highest levels of confidentiality at all times
- Willing to learn new skills
- Good presentation, communication and interpersonal skills.
- Good team player.
- Ability to work on own initiative.

- Well organised and able to work under pressure delivering high quality work in constrained timescales.
- Driving Licence.

Desirable

- A wide knowledge of the NHS in Scotland.
- Knowledge of Datix System for producing reports on breaches and risks.

Data Protection Assistant
Person Specification

Essential	Desirable
<p>Qualifications Educated to HND level or equivalent with the ability to demonstrate this within the knowledge and skills acquired through significant experience in business administration and information management</p> <p>Driving Licence</p>	
<p>Skills Good presentation, communication and interpersonal skills Ability to devise detailed administrative processes, for example Data Protection Impact Assessment Register, Information Asset Register Maintain the highest levels of confidentiality at all times</p>	
<p>Experience Prior and significant experience working within a complex environment which includes working to legislative time scales and dealing with highly sensitive issues. Taking Formal Minutes at Meetings, transcribing and following up Actions from the Minutes</p>	<p>Previous experience handling Health records</p>
<p>Knowledge To have an awareness of current data protection legislation or other areas of compliance</p>	<p>A Knowledge of Datix System for producing reports on breaches and risks</p> <p>A wide knowledge of the NHS in Scotland</p>
<p>Personal Characteristics Good Team Player Ability to work on own initiative Well organised and able to work under pressure delivering high quality work in constrained timescales Willing to learn new skills</p>	