

JOB DESCRIPTION

POST TITLE: FOI and Subject Rights Officer

BAND 5

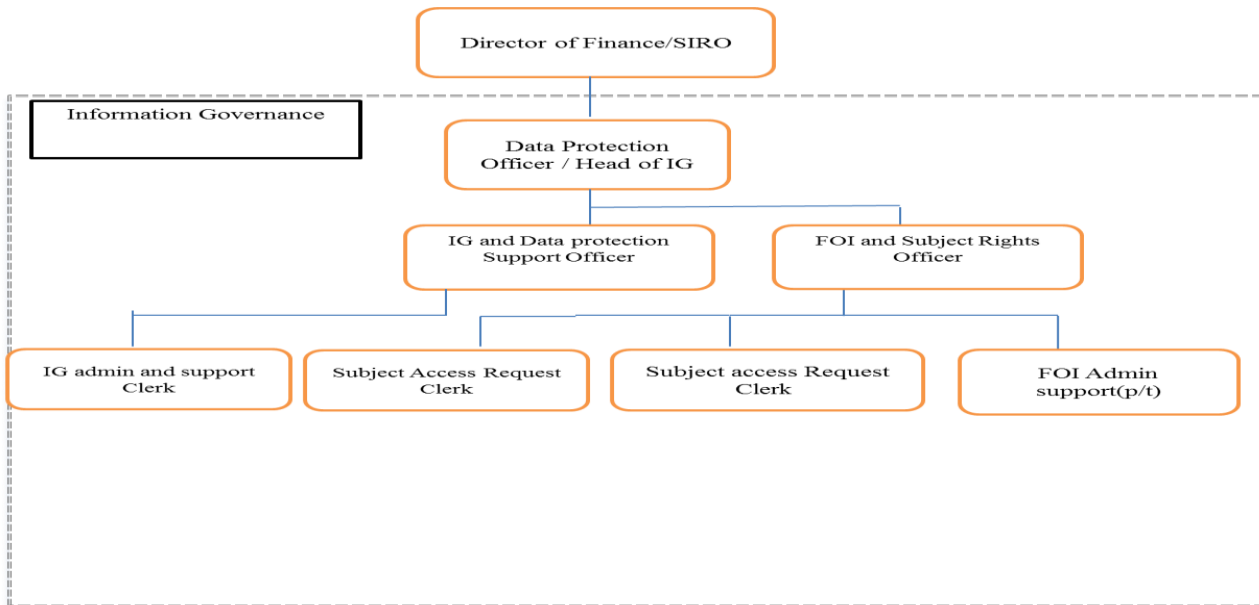
DIVISION: Finance/ Corporate

BASE: RBH

REPORTS To: Head of Information Governance/ Data Protection Officer

RESPONSIBLE FOR: Subject Access & Rights Clerks

ORGANISATION CHART



JOB SUMMARY

The post holder will Establish, monitor and maintain procedures and evidence to ensure that the Trust complies with the requirements of the Freedom of Information Act. Update and maintain the Trust wide policy for responding to Freedom of Information (FOI) Requests and the Policy for Subject Rights and Access. The post holder will receive and respond to all Freedom of Information Requests ensuring compliance with regulations and the FOI Act. Provide advice to all staff within the organisation on dealing with Freedom of Information Act requests and be a member of any appropriate Trust wide Committees. The post holder will also manage the process, the systems and staff to ensure appropriate and timely responses to Subject Access and Rights requests. The post holder will ensure that the Trust adheres to the General Data Protection Regulations, Freedom of Information Act and the Data Protection Act in relation to servicing the rights of data subjects under the regulations and Acts set out above. The post holder will also ensure that the FOI requests and responses are visible to the public via the Trust Internet.

MAIN DUTIES

The holder of the post will:

- Manage the process for the delivery of a high quality service in relation to appropriate and timely response to Freedom of Information (FOI) requests
- Provide advice and support to staff responding to FOI requests and escalate any complex matters as necessary.
- Ensure all Freedom of Information responses are of high quality and signed off at senior level.
- Manage the delivery of a high quality service for Subject Access Requests (SARs) and Subject Rights Requests (SRRs)
- Manage three members of staff to ensure SARs and SRRs are delivered within timescales set out by law, regulations and guidance from the Information Commissioner's Office.
- Set objectives and complete an annual PDR with staff managed.
- Maintain and update expertise in line with changes to law, regulations or guidance
- Maintain appropriate work and activity logs for evidential purposes.
- Produce monthly and annual reports on performance within delegated areas of work.
- To provide support on issues related to Data Protection legislation
- To complete audits across the organisation so as to ensure that all areas of the Trust meet their requirements for Data Security & Protection Toolkit return, the Freedom of Information and Data Protection legislation.
- To support IG manager with assessing and meeting the requirements of the Information Governance standards under the Data Security & Protection Toolkit working closely with all areas of the Trust to ensure a high level of compliance is reached and maintained. This includes the collation of information, coordination of inspections and liaison with auditors.
- To lead other appropriate IG compliance work streams within the Trust as delegated by The Head of IG.
- Authorised signatory for small cash/financial payments includes e.g. 'signing off' travel expenses, overtime payments, agency/bank staff time sheets for staff managed within FOI and SRRs team
- Work as part of the Information Governance team to ensure timely completion of the Data Security & Protection Toolkit.

- Provide advice to staff and patients on their rights as data subjects as required. This will include articles for newsletters, production of leaflets and advice on the Trust intranet.

COMMUNICATION/ KEY WORKING RELATIONSHIPS

Divisional staff
Clinical staff
Information Governance Staff
Head of Information Governance/ Data Protection Officer
Senior clinical and non-clinical staff across the Trust
Quality and Safety Team
Communications Team
Counterparts in external organisations
Information Commissioners Office
Head of legal Services and team
Health Records Department
Informatics and I.T departments
Internal and External Auditors

TRAINING AND DEVELOPMENT

Attend all mandatory training relevant for post.

- Identify own training needs, in consultation with line manager, and attend relevant courses / study days to enhance personal development.
- Attend and actively participate in an annual Personal Development Review.
- Be willing to demonstrate your duties to new starters or less experienced staff

ORGANISATIONAL RESPONSIBILITIES

- To be aware of/maintain an up to date knowledge of information governance, data protection and confidentiality and to incorporate it into daily practice at all times.
- To ensure managers and staff understand and adhere to the FOI/SAR requests in line with the Trust's Policies.

PROFESSIONAL RESPONSIBILITIES

Follow Trust Policies

- C079 Information Governance Policy
- C031 Freedom of Information Policy
- C134 Subject Access Request Policy

EMPLOYMENT ACTS AND CODES OF PRACTICE

All employees are required to comply with employment legislation and codes of good practice.

Equality and Diversity

We are an Equal Opportunities employer and will do all we can to make sure that job applicants and employees do not receive less favourable treatment because of their age, sex, marital status, faith, race, disability or sexual orientation, or for any other reason that is not justified.

Health and Safety

In accordance with the Health and Safety at Work Act 1974, and other supplementary legislation, all employees are required to follow Trust Health and Safety policies and safe working procedures, take reasonable care to avoid injury during the course of their work, and co-operate with the Trust and others in meeting statutory requirements.

Infection Control

All employees must comply with Prevention and Control of Infection policies and attend any related mandatory training.

Sustainability and Corporate Social Responsibility

The Trust attaches great importance to Sustainability and Corporate Social Responsibility. It is the responsibility of all members of staff to ensure that the Trust's resources are used efficiently with minimum wastage throughout their daily activities

Risk Management

Employees are required to report every incident where the health and safety of self or others has been jeopardised (including near misses) and to carry out or participate in investigations into such incidents as required.

Safeguarding

All employees have a responsibility for safeguarding and promoting the welfare of children and adults. Further guidance can be sought from your Line Manager.

Data Protection Act

All members of staff are bound by the requirements of the Data Protection Act 2018.

Rules, Regulations, Policies, Standing Orders and Financial Instructions

All employees are required to comply with the rules, regulations, policies, standing orders and financial instructions of the Trust.

Research and Development Projects

Whenever you decide to undertake a piece of research, either as a Principal Investigator or Local Researcher, or Assistant Researcher, you must comply with the principles of Clinical Governance and the Research Governance Framework.

Development Review

Key performance objectives, development needs and compilation of a Personal Development Plan will be discussed and agreed at Annual Development Review meetings.

Training

Post holders are required to attend any relevant and mandatory training for the post.

Outside Employment / Outside Interests

Any other work or outside interests must not conflict with the duties and responsibilities of your attendance for work as an employee of East Lancashire Hospitals Trust. In accordance with legislation

on working time, it is a condition of employment that all staff must inform their line manager before taking up any private practice, work for outside agencies or other employers, other work for this Trust (including bank work) and / or voluntary work. This is to ensure there is no conflict of interest with your NHS duties.

Review of Job Description

This is not intended to be a comprehensive description of the duties of the post. Due to the Trusts commitment to continuous improvement it is likely that the post will develop over time. These duties will be subject to regular review and any amendments to this job description will be made in consultation and agreement with the post holder

STANDARDS OF CONDUCT

Conduct duties with regard to values underpinning the Trust’s Vision “to be widely recognised for providing safe, personal and effective care”:-

Values:-

- Respecting the individual
- Putting patients and customers first
- Promoting positive change
- Acting with integrity
- Serving the community

Underpinning the Trust’s vision and values are the following key operating principles that influence the way in which the Trust does business:-

- Understand the world we live in and deal with it
- We are clinically led and management supported
- Support departments support the front line
- Everything is delivered by and through Divisions
- Compliance with standards and targets are a given. They are the things we do to help secure our independence and influence
- Quality is our organising principle – driving quality up and cost down is not mutually exclusive
- We deliver what we say we need to

Post holders are expected to work flexibly within their pay band. They should only be expected to carry our activities for which they are competent. Alternatively they may carry out the additional duties if they are receiving support or training in order to obtain the recognised level of competence.

The Trust operates a Tobacco Control Policy.

ACCEPTANCE OF JOB DESCRIPTION

I confirm I accept the duties contained in the above job description.

NAME:
(PRINT)

SIGNED:

DATE:

PERSON SPECIFICATION

FOI and Subject Rights Officer

Knowledge, Experience and Training required for the Post	Essential at Recruitment √	Desirable/Developed within the Role √	Measured By A – Application I – Interview P – Presentation T - Test
Qualifications Educated to degree level (or equivalent) Data protection or Freedom of Information qualification or equivalent work experience	√ √		A/I A/I
Experience Experience of dealing with difficult situations including the resolution of conflict and influencing others to accept demanding outcomes.	√		A/I
Knowledge and Skills Building and maintaining strong working relationships Strong IT skills incl use of Word, Excel, Adobe and PowerPoint Excellent written and verbal communication skills incl a good telephone manner Well-developed listening skills Ability to produce reports that evaluate and present complex data in an understandable way Able to provide and receive complex, highly sensitive or contentious information, where persuasive, motivational, negotiating, training, empathic or re-assurance skills are required Able to work and communicate effectively with clinical and senior divisional staff to develop strong relationships	√ √ √ √ √ √ √		A/I A/I A/I A/I A/I A/I

Understanding of the NHS and key issues affecting the service		√	A/I
Knowledge of data protection principles and standards relating to healthcare data	√		A/I
Excellent understanding of the NHS Governance agenda		√	A/I
High level of resilience, tenacity, self-belief and integrity	√		A/I
Handling confidential and delicate information with sensitivity	√		A/I
Other			
Some flexibility in regards to working hours	√		A/I

EFFORT FACTORS

PHYSICAL EFFORT

What physical effort is required for the job?	How Often?	For How Long?	What weight is involved?	Any mechanical Aids?
The post holder will be required to undertake manual moving and handling activities in the setting up of venues and equipment	Monthly	Up to one hour	Variable	As necessary

Is the job holder expected to sit / stand in a restricted position?	How Often?	For How Long?	What activity is involved?
Yes	Every shift	More than 20 mins On each occasion	

MENTAL EFFORT

Are there any duties requiring particular concentration?	How Often?	For How Long?
Yes – the post holder will be required to maintain a high level of attention to detailed and complex discussions in meetings with senior staff,	Weekly	Up to 4 hours
Are there any duties of an unpredictable nature?	How Often?	For How Long?
Yes as FOI and Subjects rights involve public staff and dealing with queries of an unpredictable nature due to new laws and legislation	Daily	4 hours per day

EMOTIONAL EFFORT

Does the job involve dealing with any distressing or emotional circumstances?	Direct / Indirect Exposure	How Often?
Yes as harm arising from breaches of legislation can be distressing and can cause harm	Direct with staff or members of public	Every day

WORKING CONDITIONS

Does the job involve exposure to unpleasant working conditions?	How Often?
Yes as office accommodation is cramped	Every day