



HERTFORDSHIRE PARTNERSHIP UNIVERSITY NHS FOUNDATION TRUST

JOB DESCRIPTION FORMAT

Title:	Information Rights Officer
Band:	5
Directorate:	Information Management and Technology
Responsible to:	Information Governance Manager
Accountable to:	Information Governance Manager
Base:	99 Waverley Road with some travel throughout the Trust.

Job Summary:

The post holder will undertake day to day responsibility for formal access to information requests under Data Protection Legislation, Freedom of Information Act 2000 and the Environmental Information Regulations 2000.

They will also manage requests from the Police, Courts, and other statutory bodies.

The post holder will highlight any legal or other queries with the Information Governance Manager and ensure that all requests are processed in line with Trust Policy, and the appropriate legislation.

All staff should comply with the Trust's Anti-Discrimination Statement, Employee Charter, Trust Policies and Procedures, Code of Conduct and Equality and Diversity statement.

Job Responsibilities:

Provide advice to members of the public (including service users and carers) who may need assistance with an information request. This includes advise on the following Information Rights Law:

- Data Protection Act
 - General Data Protection Regulation
 - Access to Health Records
 - Freedom of Information
 - Environmental Information Regulations
-
- Provide advice and guidance to all levels of staff on access to information processes e.g: the formal access to service user records process, Freedom of Information Act 2000 and Environmental Information Regulations.
 - To be responsible for responding to requests under Data Protection laws in relation to a person's care and treatment.
 - To be responsible for the management of Freedom of Information requests, from receipt to closure.
 - Identify and flag any issues that may arise through changes in legislation e.g. changes required to standard documents.
 - Answer telephone and email queries in relation to information management and confidentiality issues.
 - Update knowledge of new developments in legislation surrounding care records management systems technologies, Freedom of Information Act 2000 and Environmental Information Regulations 2000, Data protection legislation, and associated topics.
 - Ensure requests from police are accompanied with appropriate paperwork e.g. consent from the service user, Section 212 exemption under the Data Protection Act 2018 or a Sealed Court Order.
 - Manage and maintain the Trust's hard copy archive, under instruction from the Information Governance Manager.

Working Relationships and Communication Requirements of the Job

Working relationships

1. The post holder is required to develop and maintain sound professional relationships with internal and external stakeholders in order to successfully fulfil their job role.
2. The post holder will be required to liaise with clinicians and senior managers, Directors and Caldicott Guardian on issues concerning consent to sharing information under Freedom of Information Act 2000, Environmental Information Regulations 2005 and Data Protection legislation.
3. Track and request relevant information and documents from managers.
4. The post holder is expected to flag any requests which concern information held within another department with the appropriate manager / Head of Service to ensure the request is dealt with appropriately.
6. Expected to work with staff at all levels throughout the Trust and be prepared to deal with complex problems on a regular basis. This will entail working on their own initiative.
9. Liaise with Communications Department and service areas to ensure information regularly requested under the Freedom of Information Act 2000 is made available on the public website.
10. Liaise with other health and social care organisations on complex applications involving services managed by both organisations to ensure all necessary permissions are obtained.
11. Link with Trust solicitors in cases where legal advice is required.

Internal Relationships

- Clinicians
- Risk Manager
- Incidents and Complaints Manager
- Caldicott Guardian
- Directors and Senior Managers in service areas
- Operational staff
- Head of Communications
- Head of Safeguarding

External Relationships

- Service users/Carers
- Solicitors
- Members of the public.
- Colleagues across the health and care community

- Colleagues across Public authorities i.e. Police and Hertfordshire County Council regarding Access to information issues.
- Information Commissioner's Office
- National Archives Office

Communication requirements

1. Regular communication is required with members of the public, service users and carers who request access to service user records under the Data Protection legislation, Access to Health Records Act 1990 and other information requested under the Freedom of Information Act 2000 and Environmental Information Regulations 2000.
2. The post holder must have the ability to communicate complex scenarios to clinical and senior managers regarding Access to Records requests, Freedom of Information Act and Environmental Information Regulations requests.
3. The post holder will be required to work with very sensitive and highly confidential information.
4. Advise applicants to apply to other public body where it is evident that the information requested is not managed by HPFT.

Leadership and Staff Management Responsibility

At time of writing, this post does not have any line management responsibility. However, the post holder may be asked to undertake line management of staff, subject to the needs of the service.

This will include:

- a. Undertake regular supervision sessions with line staff and manage staff performance.
- b. Manage sickness and absence in accordance with Trust policy.
- c. Undertake first line disciplinary procedures in accordance with Trust policy.
- d. Provide safe working environment for the protection of staff, ensure equipment used is fit for purpose and maintained; comply with health and safety obligations.

Financial Responsibility

1. The post holder does not have any financial responsibility.

Service Development and Improvement

1. Assist in ensuring information governance standards are complied with across the Trust.
2. Assist in the development of policies on information rights law that require implementation throughout the organisation.
3. Implements departmental policies within own work area, proposes changes to working practices as a result of new guidelines or legislation.
4. Maintain Information Rights guidance pages on the HIVE

Formatted: Indent: Left: 0.63 cm, No bullets or numbering

Analytical and Judgemental Skills

1. High levels of concentration and judgement required, particularly when:
 - Investigating whether we hold information for Freedom of Information Act and Data Protection Act requests.
 - Analysing information to ensure that responses are not subject to an exemption either under to the Freedom of Information or Data Protection Acts.
2. Scrutinize documents received from clinicians and service managers ensuring that any exemptions are applied and raise queries and Information Governance Manager.
3. Analyse, interpret and present data to highlight issues and risks to and Information Governance Manager.
5. The post holder will be required to ascertain which legislation applies to individual requests and apply the correct access regime.

Planning and Organisational Skills

1. Plan and organise requests in order of complexity and timescale to ensure that requests are processed in accordance with time limits set under the Freedom of Information Act 2000 and Data Protection legislation.
2. Provide quarterly reports to the Information Governance Manager and Head of Information Rights and Compliance.

Physical Working Conditions and Environment

The post is based at 99 Waverley Road, St Albans and travel throughout Hertfordshire is required. During visits to acute mental health and learning

disabilities units the post holder may encounter verbal or physical threats from service users.

The post holder will also be using a VDU for extended periods of time.

Information Resources

1. Manage Ulysses [Data Base](#) for Freedom of Information and Subject Access Requests ensuring that all details relating to every request are logged effectively.
2. Draft reports summarising status on issues, appraising outcomes and providing progress reports to Head of Information Management & Compliance.
3. Responsible for creating application forms and templates for Access to Information processes for the Information Rights & Compliance team to use.
4. Update and develop the Freedom of Information Publication Scheme in accordance with best practice and national guidelines.
5. A high standard of IT skills is required for this post.

Additional Information:

Knowledge and Skills Framework:

The post holder will be expected to meet the requirements of the NHS Knowledge and Skills Framework (KSF) appropriate outline for the post.

Approved outlines are available on the HPT e-ksf local library

Health and Safety

The post holder has a duty of care to themselves and to others with whom they come into contact in the course of their work as laid down in the Health and Safety at Work Act 1974 and any subsequent amendment or legislation.

Infection Control

All Trust staff will:

Act as a role model and champion for the highest standard of all aspects of infection prevention and control and implementation of all Infection Prevention and Control Trust policies and guidelines.

Demonstrate respect for the roles and endeavours of others, in implementing good standards of hand hygiene.

Value and recognise the ideas and contributions of colleagues in their endeavours to reduce the incidence of healthcare associated infection.

Values and Behaviours

Our values and behaviours have been developed by over 800 service users, carers and members of staff. They describe how we aim to be with service users, carers and each other. By living our values we will deliver our ambition to be a leading provider for everyone we work with.

- We are **welcoming** so you feel valued as an individual
- We are **kind** so you can feel cared for
- We are **positive** so you can feel supported and included
- We are **respectful** so you can feel listened to and heard
- We are **professional** so you can feel safe and confident

Our values set the tone for:

- The way we plan and make decisions.
- The way we behave with service users and each other.
- The kind of colleagues we recruit.
- The way we induct, appraise and develop our staff.

Equality and Diversity

Hertfordshire Partnership University NHS Foundation Trust is committed to providing an environment where all staff, service users and carers enjoy equality of opportunity.

The Trust works to eliminate all forms of discrimination and recognise that this requires, not only a commitment to remove discrimination, but also action through positive policies to redress inequalities.

Providing equality of opportunity means understanding and appreciating the diversity of our staff, service users & carers and ensuring a supportive environment free from harassment. Because of this Hertfordshire Partnership University NHS Foundation Trust actively encourages its staff to challenge discrimination and promote equality of opportunity for all.

Confidentiality

All staff must be aware of the Data Protection Act 1984, and its subsequent amendments, which is now in force. This means that protection of data about individuals is a requirement of the law and if any employee is found to have permitted unauthorised disclosure, the Trust and the individual may be prosecuted.

Standards of Business Conduct and Conflicts of Interest

The Trust has adopted a Standards of Conduct Policy, which reflects NHS Management Executive Guidelines. It is the responsibility of staff to ensure that they do not abuse their official position for personal gain or seek to advantage or further private business or other interests in the course of their official duties. Staff should be informing their line manager if they are working for any other organisation to ensure that this Trust complies with the Working Time Regulations.

Information and Records Management

The postholder must be competent in using IT and have the relevant skills to carry out the activities required for the post.

To comply with the Data Protection laws, Freedom of Information Act 2000 and Department of Health Code of Confidentiality in line with Trust procedures.

To adhere to the Trust's policies on records management including creation, use, storing and retention and disposal of records.

Adhere to the Trust's Corporate Identity (using the standard templates – available on the HIVE).

Safeguarding Adults and Children

The Trust is committed to ensuring adults and children are protected and come to no harm from abuse. All employees have a responsibility to be aware of national and local policies, their individual responsibilities with regards to the protection and safeguarding of both adults and children, and must adhere to them at all times.

Organisational Change

As services develop and change, the post holder may be required to undertake other responsibilities within the Trust.

Review:

This job description is an outline, which reflects the present requirements of the post and is not intended to be an inflexible or finite list of duties and responsibilities. As these duties and responsibilities change and develop the job description will be amended from time to time in consultation with the post holder.





HERTFORDSHIRE PARTNERSHIP UNIVERSITY NHS FOUNDATION TRUST

PERSON SPECIFICATION FORMAT

The person specification must detail the level at which a person should have reached before you recruit them. You should use the dimensions and levels for the second gateway subset of the relevant KSF outline to assist with developing the person specification.

Successful candidates MUST have the potential to achieve the knowledge and skills requirements of their second gateway.

Job Title: DPA/FOI Officer

Department: Information Rights Law & Compliance Team

Date last reviewed: 11/7/2016

CRITERIA	ESSENTIAL	DESIRABLE
KNOWLEDGE, TRAINING AND EXPERIENCE:	Knowledge of administrative procedures and information analysis Minimum of 2 years' experience of in relevant field.	Previously worked in similar position within the public sector
AREAS OF EXPERIENCE AND KNOWLEDGE:	High standard of IT skills including working knowledge of Microsoft Word, Excel and Access packages Experience of working with staff at all levels including clinicians Self-disciplined, proven ability to work	Knowledge of audit and research Evidence of training individuals and groups Specialist knowledge of the: <ul style="list-style-type: none"> • Data Protection legislation • Access to

	<p>with minimal supervision</p> <p>Excellent organisational and prioritising skills</p> <p>Able to work under pressure and complete tasks within agreed deadlines</p>	<p>Health Records Act 1990</p> <ul style="list-style-type: none"> • Freedom of Information Act 2000 <p>Environmental Information Regulations 2005</p>
COMMUNICATION SKILLS	<p>Ability to be adaptable and work within a team.</p> <p>Negotiating, networking and persuasive skills.</p>	<p>Ability to pull together comprehensive draft reports, data and letters.</p> <p>Negotiating, networking and persuasive skills.</p>
ANALYTICAL SKILLS	<p>An eye for detail, meticulous working practices</p> <p>Problem solving skills and ability to respond to sudden unexpected demands.</p>	<p>Excellent time management skills with the ability to re prioritise.</p> <p>Able to absorb and formulate new information quickly</p>
PHYSICAL SKILLS		<p>Car driver (unless you have a disability as defined by the Equality Act 2010 which prevents you from driving)</p>
<p>PHYSICAL EFFORT</p> <p>Include office or ward base, amount of travel, main work location, e.g. in patient homes. Specify the requirements for moving and handling and the availability of equipment to</p>		<p>Physically able to handle boxes/bulky archive records.</p>

assist. Applicants who have a disability should still be shortlisted regardless of any “physical” strength if there is a ‘reasonable’ adaptation that can be made to the post.		
MENTAL EFFORT Regular requirement to concentration, frequency and consequences of interruptions. Include if the patient group has limited understanding or challenging behaviour.	Experience of dealing and working with confidential information	Ability to maintain concentration for prolonged periods
EMOTIONAL EFFORT Regular requirement to deal with distressing or emotionally charged situations.	Able to deal with information which can be distressing or emotional, with peer and management support available.	
GENERAL Describe any personal characteristics not already mentioned.		Flexible, professional and proactive approach to work. Willing to undertake further learning and development.

NB: ALL INDICATORS SHOULD BE SUPPORTED BY APPROPRIATE EVIDENCE WHICH IS CLEAR AND CHECKABLE AT INTERVIEW

