

NHSmail Transparency / Fair Processing Information

For England Users

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About us

NHS Digital is the Controller for personal data processed for the purposes of the NHSmal Live Service. The NHSmal Live Service provides secure email and directory capabilities to publicly funded health and care organisations.

The information we provide within this document relates to our use of your personal information collected from you via the NHSmal Portal at www.nhs.net when registering your NHSmal account and the contact details published within the NHS Directory, part of the NHSmal service.

NHS Digital manage a contract (on behalf of all Controllers) with Accenture (Processor) to run and maintain the NHSmal Live Service.

You can contact us on 0300 303 5678, by email to enquiries@nhsdigital.nhs.uk or in writing at NHS Digital, 1 Trevelyan Square, Boar Lane, Leeds, LS1 6AE.

This Transparency / Fair Processing Information relates to England users only.

Your personal data

If your employing organisation uses NHSmal, your personal details will be entered into the NHSmal Portal to register an account on your behalf. Your contact details, submitted as part of the registration process, will be used for populating the NHS Directory.

If your employing organisation uses the portal registration tool, or submits an application form to register for NHSmal, additional data authentication information will be supplied to authenticate you as a health and care worker and to enable the safe and secure transfer of your new NHSmal credentials to you.

We collect the following information about you:

Information	What it is used for
Name	NHSmal Live Service – account setup
Address	NHSmal Live Service – account setup Work address
Postcode	NHSmal Live Service – account setup Work address
Date of birth	NHSmal Live Service – account setup Data authentication prior to account provision
Professional training / awards	NHSmal Live Service – account setup Data authentication prior to account provision
Email address	NHSmal Live Service – account setup Personal email address as data authentication prior to account provision NHSmal email account stored on NHS Directory

Information	What it is used for
Personal mobile phone number	NHSmail Live Service – account setup Personal mobile telephone number as data authentication prior to account provision
Work mobile and phone	NHSmail Live Service – account setup Personal mobile phone as data authentication prior to account provision and as self-service password reset and unlock multi-factor authentication. Work contact number stored on NHS Directory
Education / professional training	NHSmail Live Service – account setup Work role / directorate stored on NHS Directory

The legal basis for using your personal data

The Secretary of State for Health and Social Care has instructed NHS Digital to set up the NHSmail Live Service as the national secure email service approved for sharing sensitive information. This legal obligation is known as a ‘direction’ and a copy of this is available on the [NHS Digital website](#).

How we use your personal data

The use of personal data falls into two main categories:

1. Personal data which is used to run and maintain the NHSmail Live Service.

NHS Digital processes your personal data in order to run and maintain the NHSmail Live Service. The service does not, itself, retain copies of or archives of emails and should not be considered an information storage or archiving solution. Organisations using the service are responsible for providing archiving and back-up solutions for mailboxes they control.

The service retains audit logs about individual users and their access to the service.

Users calling the NHSmail helpdesk should note that all calls are recorded and stored for two months for quality purposes.

2. Data processing that takes place by local organisations using the NHSmail Live Service to securely send and receive sensitive or official data (including patient identifiable data).

The secure email service contains email correspondence sent and received by users / staff in publicly funded health and care organisations. These emails often contain personal and sensitive data, including patient data. Each organisation using the service is responsible for determining the types of personal data it processes through the NHSmail service via local policies and processes. You can find out more about this by contacting your local organisation.

Sharing your personal data

Your personal data in the NHS Directory will be shared with:

- NHS and health and social care staff using NHSmail.
- Organisations that have entered into a partnership agreement with the NHSmail Live Service.
- The Processor (service supplier, Accenture) and approved (by NHS Digital) sub-contractors (Processors) for the purposes of supporting the NHSmail Live Service. Full details of sub-contractors are available via feedback@nhs.net.
- NHS Directory information is available to anyone with an N3 / HSCN connection, since its purpose is to improve communication (except mobile numbers that have been hidden by the owner).

Your personal data used for NHS authentication will be shared with:

- NHSmail Live Service (NHS Digital) who oversee the NHSmail registration process.
- The service supplier, Accenture, and other sub-contractors for the purpose of supporting the NHSmail Live Service.

Your personal email data will be shared with:

- NHS and health and social care staff using NHSmail.
- Organisations that have entered into a partnership agreement with the NHSmail Live Service.
- The service supplier, Accenture, and other sub-contractors for the purpose of supporting the NHSmail Live Service.
- Other contacts or organisations that you are permitted to email according to local organisation policies and procedures.

Where your personal data is stored and processed

Personal data controlled by the NHSmail Live Service:

Data controlled by the NHSmail Live Service is stored and processed within the United Kingdom. Access and administration of the data can take place both within and outside the United Kingdom. Further details are available via feedback@nhs.net.

Personal data exchanged via the NHSmail service:

Data exchange by individuals using NHSmail can take place between anyone in any location but should be in accordance with local governance and information management policies, to ensure the protection of personal data.

How long we hold onto your personal data

Personal NHS Directory data:

This information is retained until contact details are deleted within the NHS Directory by the organisation employing the staff member.

Personal authentication data:

This information is retained for the lifetime of the NHSmail account.

Personal email data:

- Kept indefinitely until deleted by the individual.
- Central copies of email sent / received are retained for 180 days for forensic audit purposes.
- Message summaries (when and who an email is sent to / from) are kept for two years.

The NHSmail [Data Retention and Information Management Policy](#) sets out the detailed data storage periods for the service.

Your rights

The General Data Protection Regulation (GDPR) provides a collection of rights for individuals. The following rights are applicable to the personal data processed for the purposes of the NHSmail Live Service.

It is recommended that you contact your Local Administrator in the first instance, should your request relate to personal data processed as a result of using NHSmail. [Guidance](#) on finding your Local Administrator is available.

Requests which relate to personal data processed by NHS Digital can be submitted using the contact details at the top of this notice.

Access

You are also entitled to request a copy of the personal data we hold about you (also known as a 'subject access request'). NHSmail account holders can view data held about them in the NHS Directory or the Outlook Web Application (OWA).

Subject access requests regarding data shared within emails should be directed to the relevant NHSmail organisation for authentication purposes prior to processing.

Rectification

If the NHSmail Live Service has recorded your personal details within the service, including the NHS Directory, incorrectly or it is incomplete, you can make a request to your NHSmail Local Administrator who can make the necessary amendments. Alternatively, you can contact NHS Digital to request amendments to personal data processed for the purposes of operating the NHSmail Live Service.

Restriction

You have the right to request a restriction, for example, a temporary stop of the processing of your personal data where:

- you think the data is inaccurate and it should not be used until it is corrected
- you think we are using your personal data unlawfully and you want your data kept while a complaint / investigation takes place
- you require us to keep your personal data and not delete it while you make or defend a legal claim

- you have objected to our use of your data and you think we do not have legitimate grounds to override your objection.

Your NHSmal Local Administrator has access to your NHSmal account set-up and can manage changes or removals.

Data Protection Officer (DPO)

NHS Digital's Data Protection Officer assists NHS Digital in monitoring its compliance with Data Protection legislation and its own policies in relation to the protection of personal data.

The Data Protection Officer can be contacted via nhsdigital.dpo@nhs.net.

Complaints

If you have a complaint about the way your personal data has been handled, you can contact NHS Digital using the details at the top of this notice.

If you are not satisfied with the response or believe your data is not being processed in accordance with the law, you can complain to the Information Commissioner's Office (ICO).

The ICO is the regulator for Data Protection and upholds information rights. More information is available on the ICO website <https://ico.org.uk/>

Further information

NHSmal users in Scotland should see the separate information published in the GDPR section within the policy and guidance section of the NHSmal [Portal help pages](#).

Local organisations that use NHSmal will provide information on how personal data is managed at a local level. Please contact your local organisation for further details.

For further details about NHS Digital, please visit the [website](#).