
Patient Privacy Notice

Notice updated: 22/05/2018

What is a Privacy Notice?

A privacy notice is a statement issued by an organisation to explain how personal and confidential information about patients, staff and service users is collected, used, retained and disclosed. This particular notice is focused on our patients, and Croydon Health Services NHS Trust is issuing this statement to advise on how we collect patient information as a responsible medical service provider. To ensure we process your personal data appropriately, the Trust is required to inform all our patients about:

- Why we need your personal data
- How the data will be used
- Who the data will be shared with

GDPR

From 25th May 2018 there's a big change happening to privacy laws in the UK. A new European data regulation called the General Data Protection Regulation (GDPR); which gives children (with the aid of their parents / guardians) more control over how their personal information is used, comes into effect. GDPR will supersede the existing data legislation - the Data Protection Act 1998 and align regulators under one authority.

In view of GDPR's imminent arrival, Croydon Health Services or the "Trust" as it will be referred to on many occasions in this Privacy Notice, has reviewed this Privacy Policy to accommodate the expanded rights included within GDPR.

Six Privacy Principles of GDPR

There are six key areas that Croydon Health Services will embed within its' operations in compliance with GDPR, these are:

- Lawfulness, Fairness and Transparency - Informing our patients of what data processing is being undertaken.
- Purpose Limitation – Advising on what can be obtained for specified, explicit and legitimate purposes.
- Data Minimisation – Laying emphasis on the fact that data processed must be adequate, relevant and limited to the main intention for processing.
- Accuracy – All data processed must be updated and accurate.
- Storage Restrictions – Personal data should not be stored for longer than necessary.
- Integrity and Confidentiality – The processing of all personal data must be securely handled to protect against unlawful processing, accidental loss or destruction.

What information do we collect about you?

We collect information such as personal details, including name, address, next of kin, records of appointments, hospital visits, e-mails, telephone calls, your health records, treatment and medications, test results, X-rays, etc. and any other relevant information to enable us to deliver effective medical care.

Why do we collect information about our patients?

The information is used to assist provide you with the best possible healthcare. It is vital in helping us to have all the information necessary for assessing your needs and for making decisions with you about your care details such as referrals, appointments, the treatment you have received, assess the quality of care we give you, thoroughly investigate if you and your family have a concern or a complaint about your treatment or healthcare professionals involved in your care, obtain accurate and up-to-date information about you and your next of kin, and to track your medical treatment throughout your hospital entire medical pathway or history; to ensure only the best healthcare is delivered.

How we will use your information?

Your data is collected for the purpose of providing direct patient care; however, we can disclose this information if it is required by law, if you give consent or if it is justified in the public interest. The practice may be requested to support research; however, we will always gain your consent before sharing your information with medical research databases or others in compliance with the law. We also perform reviews ourselves to help improve investigation and treatment, referred to as is Clinical Audit. Some conditions or infectious diseases are required to be added to national registers. Sometimes this does require details such as name, address, date of birth and other demographical information but your consent will be requested first.

How do we keep your medical records confidential and safe?

All staff working for the NHS are subject to the Common Law Duty of Confidentiality. Information provided in confidence will only be used for the purposes advised with consent given by the patient, unless there are other circumstances covered by the law. The NHS Digital Code of Practice on Confidential Information applies to all our staff and they are required to protect your information, inform you of how your information will be used, and allow you to decide if and how your information can be shared. All our staff are expected to comply with these legal principles and receive annual mandatory training as assurance to enhance their awareness and knowledge on the subject. We also ensure external data processors that support us are legally and contractually bound; and are committed to protecting your privacy through adhering to the following legal statutes and regulations:

- Data Protection Act 1998
- General Data Protection Regulation 2018
- Human Rights Act 1990
- Records Management *Code* of Practice for Health and Social Care 2016
- Common Law Duty of Confidentiality
- NHS Codes of Confidentiality and Information Security
- Health and Social Care Act 2015

We abide by the NHS's strict standards for protecting and processing individuals' data. Everyone in the NHS has a legal duty under Data Protection legislation to handle information about our young patients appropriately. All staff are required to be trained every year on keeping information secure. We also issue regular reminders to staff and conduct audits to ensure good practice is upheld

How long do we keep health records kept for?

All patient records held by the NHS are subject to the Records Management Code of Practice for Health and Social Care Act 2016 (the Code). The Code sets out best practice guidance on how long we should keep your patient information before we are able to review and securely dispose of it. The retention of your medical records is determined by this code.

Who might we share your information with?

The Trust may have to share information with your GP, other hospitals or social services. Sometimes patients require care from other organisations that will need information from us in order for the best plan of treatment to be delivered. In addition, the Trust shares information within the NHS to ensure that treatment is properly funded and carried out. Some facilities within the Trust are operated in partnership with private contractors, and information about our patients may be seen by their employees. These organisations are required to work to the same standards of confidentiality as all NHS employees, and we have agreements and contracts in place to ensure these standards are maintained.

You can request to opt out of sharing

You have the right to request that we do not share your information. We may have a discussion with you with regards to the impact not sharing this information may have. The National Data Guardian, Dame Fiona Caldicott, recommended a new opt-out model for data sharing in her Review of data security, consent and opt-outs in 2016. The aim is to allow patients to make an informed decision about how their personal data will be used. It is part of a vision to improve patients' trust and confidence in how data is looked after by the health and social care system. The National Opt-out ties in with other work on data security and making sure data is only used for the benefit of people's health and care.

Sharing information to assess compliance with standards

The Care Quality Commission (CQC) monitor, inspect and regulate NHS services to make sure they meet fundamental standards of quality and safety. The CQC currently inspect NHS hospitals at least once a year against a set of agreed standards. As part of the CQC's inspection, the inspectors may look at a small number of patient notes, incident forms and complaints. The aim is to ensure that these documents are managed in accordance with appropriate policies and procedures. More information about the CQC and the inspection process can be found on the CQC website: www.cqc.org.uk

Keeping your records up to date

Please help us to keep our information about you up to date by informing us if you change your address, GP or contact details.

How you can get access to your health records?

You are entitled to apply for copies of your health records electronically on a secured disc or in paper format. You can do this by:

- (a) Completing the form on the trust website at: <https://www.croydonhealthservices.nhs.net/>
- (b) Emailing our SAR team at the following address: ch-tr.infogov@nhs.net.
- (c) Telephoning our SAR for a form on 0208 401 3475
- (d) Collecting a form at the Trust's main reception at the address below:

**Croydon Health Services NHS Trust,
530 London Road,
Greater London CR7 7YE
Tel: 0208 401 3475**

NB: SARs refers to Subject Access Request

Caldicott Guardian

The Caldicott Guardian at this trust is responsible for ensuring information about you is processed in a confidential, legal and appropriate manner. If you have any concerns about the use of your information, you can contact the Caldicott Guardian at: Nnenna.osuji@nhs.net