



Children's 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.

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 does this Trust have to do to comply with this parental consent requirement?

In order to prepare for the children's data protection requirements, set out by the GDPR, Croydon Health Services will undertake the following steps:

- Analyse how these new rules on children are likely to affect us.
- If we offer services (or information) directly to children, ensure we know if there are additional national rules that apply to you;
- For services offered directly to children, make sure these are accompanied with clear information that can easily be understood by children and their parents / guardian.
- Ensure there is a process in place to identify the age of the children on arrival for treatment at our Hospital sites.
- Deliver robust processes to identify and confirm that someone is indeed the parent/guardian of the child that wishes to use our services.
- Appropriately store parental consent information and ensure it is made available to parents just as easy as the consent was given.

How we look after your records

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.

What do we collect?

For us to look after younger patients we must keep a record of their name, address, date of birth and family doctor.

We have to record information about their medical condition, related tests and treatment, drugs given or operations. We may record information about the illnesses of other family members, information from GPs, or other hospitals where treatment has been received.

- The Data Protection Act requires all the information to be kept safely and also gives all young patients certain rights.
- Children's guardians, have the right to see the information which we keep.
- You have the right to ask for us to correct incorrect data
- You have the right to lodge a complaint with the Supervisory Authority in the U.K. in relation to Data Protection concerns. This is the Information Commissioners Office.

How long do we keep health records kept for?

We usually keep the health records for children and young people until the patient is 25 (or 26 if they are 17 when treatment ends) or eight years after their death, if sooner. However some types of records need to be kept for a longer period of time. Further information can be found in the Records Management Code of Practice for Health and Social Care 2016.

Who might we share your information with?

The Trust may have to share information with your GP, other hospitals, social services or schools. Our young patients require care from other organisations who 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. The information may not identify individual children as it is mostly required to help plan future needs of the health service and to ensure the Trust is performing satisfactorily in terms of effective treatment for our young patients.

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 a child's name, but if this is the case, parents / guardian's consent will be requested.

Some organisation process information for us

Some facilities at Trust are operated in partnership with private contractors, and information about our younger 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

Children's parents / guardians have the right to request that we do not share their 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. Please note the Trust has a duty of care to share data appropriately to enhance the wellbeing of children; and may still share the information.

Opting out of processing where we have gained your consent

Where the Trust has gained your explicit consent to process a child's data outside of processing for direct care purposes e.g. research, studies etc. a parent / guardian has the right to withdraw consent at any time.

If we have an incident or complaint

Sometimes we need to use patient information to help us investigate incidents, complaints or legal claims; if a child is identified, they or their parent / guardian will be informed.

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

How you can get access to your health records?

Children and their parents /guardians are entitled to apply for copies of their 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 SARS team at the following address: ch-tr.infogov@nhs.net.
- (c) Telephoning our SARS 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

Keeping your records up to date

Parents / Guardians, please help us to keep our information about your child up to date by informing us if you change your address, GP or contact details.

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