

## Patient and Carer Privacy Notice (June 2018)

### PATIENTS & CARERS: How we use your personal information.

We hold your details electronically in line with the Data Protection Act 2018. We take every care to safeguard confidential information. In May 2018 an update to the Data Protection rules came into force. The General Data Protection Regulations (GDPR) aims to give each person more control of their data wherever it is held.

In line with the GDPR requirements you are entitled to have the following information:

What you need to know	Phyllis Tuckwell's response
<b>The Caldicott Guardian responsible for the security of your information</b>	Dr Cate Seton-Jones <a href="mailto:Cate.seton-jones@pth.org.uk">Cate.seton-jones@pth.org.uk</a>
<b>The Data Controller responsible for overseeing the protection of your data and for the implementation of the data protection rules</b>	Paul Batten <a href="mailto:Paul.batten@pth.org.uk">Paul.batten@pth.org.uk</a>
<b>What information do we hold about you?</b>	We hold personal data on you e.g. your name and address, as well as information relating to your diagnosis, care and treatment. We have collected this from meetings with you, or it has been sent to us by health and social care professionals who already know you.
<b>What is the purpose that Phyllis Tuckwell Hospice use my data?</b>	<p>Your information will be shared across the Phyllis Tuckwell Multi-disciplinary Hospice Care Team to ensure all the healthcare professionals can provide good care.</p> <p>Sometimes your clinical information will need to be shared with other healthcare professionals such as your GP, community nurses, hospital teams and social services, in order that they can provide the care you need.</p> <p>We may also use your information in the following ways</p> <ul style="list-style-type: none"> <li>• We are regulated by the Care Quality Commission and we are required by law to submit patients' contact details on request, unless patients have requested otherwise.</li> <li>• We provide fully anonymised grouped information about how patients use our services for national monitoring and evaluations.</li> <li>• We undertake regular audits of patient care so that we can monitor and improve our standards of care. Staff outside of the immediate care team may be involved in this process and they will also keep patient information confidential.</li> <li>• We may use anonymous data e.g. number of patients, percentage of patients etc to apply to funding organisations to gain additional resources.</li> <li>• If we need to use very specific personal information about you this will always be with your signed consent.</li> </ul>
<b>What is the lawful use?</b>	We carry out our data processing in accordance with current legislation and guidance, including the Data Protection Act and the

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	<p>General Data Protection Regulations (GDPR) incorporated within. The law allows us to process your data for one or more of the following reasons:</p> <ul style="list-style-type: none"> <li>• <i>it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority (GDPR Article 6(1)(e))</i></li> <li>• <i>....medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services (GDPR Article 9(2)(h))</i></li> <li>• <i>The processing is necessary in order to protect the vital interests of the data subject</i></li> <li>• <i>Your rights under English Law collectively known as the "common law duty of confidentiality".</i></li> </ul>
<b>Does this only apply to electronic information?</b>	<p>PTHC uses an electronic record system to record your clinical and care information. The GDPR requirements apply equally to paper records and PTHC will manage the use and access any personal information held on paper to the same high standards as your electronically held records.</p>
<b>Who will have access to my personal information?</b>	<p>The data will be shared only with health and social care professionals and relevant administrative support staff involved with your diagnosis, treatment and care.</p>
<b>Can I object?</b>	<p>You have the right to object to some or all of the information being processed under the GDPR regulations Article 21<sup>1</sup>. Please discuss this with the PTHC Data Controller. You should be aware that this is a right to raise an objection, but that this is not the same as having an absolute right to have your wishes granted in every circumstance.</p>
<b>Can I say who you share information with?</b>	<p>You are entitled to state if you do not wish any of your details discussed with your next-of-kin, other family member or carers. Our staff will not divulge any information relating to patients and their families to the media or anyone else without consent.</p>
<b>Can I see my own records?</b>	<p>In line with the Access to Health Records Act 1990, you have a legal right to access your own records. Please ask to speak to the Medical Director or the Director of Patient Services for further details.</p>
<b>What if the information is incorrect?</b>	<p>You have the right to access your data that is being shared and have any inaccuracies corrected. There is no right to have accurate clinical records and clinical opinions deleted except where this is ordered by a court of law.</p>
<b>Will my data will be transferred outside the European Union, or be sold on to other organisations?</b>	<p>The personal information that we collect from or about you will not be transferred to, or stored at, a destination outside the European Economic Area (EEA) third countries or international organisations, unless we have your explicit consent to do so. We do not sell, rent or share your data with any other organisations to be used for their own purposes.</p>
<b>How long will my data be kept?</b>	<p>Your data will be retained in line with law and national guidance. The guidance is set out in "Records Management Code of Practice for Health and Social Care 2016" which is available at: <a href="https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-">https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-</a></p>

<sup>1</sup> GDPR Article 21 - <http://www.privacy-regulation.eu/en/article-21-right-to-object-GDPR.htm>

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	<p><a href="#">practice-for-handling-information-in-health-and-care/records-management-code-of-practice-for-health-and-social-care-2016</a></p> <p>On average patients healthcare records are kept for 10 years after they have stopped being used.</p>
<p><b>What if I have a complaint?</b></p>	<p>You have the right to complain. Please contact the Phyllis Tuckwell Caldicott Guardian, Dr Cate Seton-Jones, <a href="mailto:Cate.seton-jones@pth.org.uk">Cate.seton-jones@pth.org.uk</a>, 01252 729400.</p> <p>You can also complain to the Information Commissioner's Office. The website has all the information you may need: <a href="https://ico.org.uk/global/contact-us">https://ico.org.uk/global/contact-us</a> or you can call their helpline on 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p>

### Privacy Notice contact details

If you have any questions, comments or suggestions, the contact details are as follows:

Caldicott Guardian (Dr Cate Seton-Jones)  
 Phyllis Tuckwell Hospice Care  
 Waverley Lane  
 Farnham  
 Surrey  
 GU9 8BL  
 Tel: 01252 729400