

Privacy Notice

Who we are

We are a foundation trust and provide a wide range of integrated health services including:

- 12 community hospitals and the minor injuries units
- Community and inpatient mental health services
- Specialist learning disability services
- Community integrated service, including:

speech and language therapy, diabetes education, safeguarding children, sexual health promotion, wheelchair services, addiction services, podiatry, health visitors, school nursing, end of life care, district nurses, dermatology, orthopaedics, community brain injury services and audiology.

We serve a population of over 700,000 people and organise ourselves across 13 locality areas. We employ over 5,000 staff covering a range of expertise and specialisms

What is a privacy notice?

A Privacy Notice is a statement by the Trust to patients, service users, visitors, carers, the public and staff that describes how we collect, use, retain and disclose personal information which we hold. It is sometimes also referred to as a Privacy Statement, Fair Processing Statement or Privacy Policy. This privacy notice is part of our commitment to ensure that we process your personal information/data fairly and lawfully.

Why issue a privacy notice?

Dorset HealthCare University NHS Foundation Trust recognises the importance of protecting personal and confidential information in all that we do and takes care to meet its legal and regulatory duties. This notice is one of the ways in which we can demonstrate our commitment to our values and being transparent and open, and commitment to our values of Respecting Diversity, Acting with Integrity, Demonstrating Compassion, Striving for Excellence and Listening and Supporting Others.

This notice also explains what rights you have to control how we use your information.

What are we governed by?

The key pieces of legislation/guidance we are governed by are:

Data Protection Act 1998
Human Rights Act 1998 (Article 8)
Access to Health Records Act 1990

Freedom of Information Act 2000
Health and Social Care Act 2012, 2015
Public Records Act 1958
Copyright Design and Patents Act 1988
The Re-Use of Public Sector Information Regulations 2015
The Environmental Information Regulations 2004
Computer Misuse Act 1990
The Common Law Duty of Confidentiality
The Care Record Guarantee for England
The Social Care Record Guarantee for England
International Organisation for Standardisation (ISO) – Information Security Management Standards (ISMS)
Information Security Management – NHS Code of Practice
Records Management – Code of Practice for Health and Social Care 2016
Accessible Information Standards (AIS)
General Data Protection Regulations (GDPR) – post 25th May 2018

Who are we governed by?

Department of Health - <https://www.gov.uk/government/organisations/department-of-health>

Information Commissioner's Office - <https://ico.org.uk/>

Care Quality Commission - <http://www.cqc.org.uk/>

NHS England - <https://www.england.nhs.uk/>

Our consultants, doctors, nurses, healthcare professionals and registered support staff are also regulated and governed by professional bodies including numerous royal colleges.

Why and how we collect information

We may ask for or hold personal confidential information about you which will be used to support delivery of appropriate care and treatment. This is to support the provision of high quality care.

These records may include:

- Basic details, such as name, address, date of birth, next of kin.
- Contact we have had, such as appointments and home visits.
- Details and records of treatment and care, including notes and reports about your health
- Results of x-rays, blood tests, etc.
- Information from people who care for you and know you well, such as health professionals and relatives.

It may also include personal sensitive information such as sexuality, race, your religion or beliefs, and whether you have a disability, allergies or health conditions. It is important for us to have a complete picture, as this information assists staff involved in your care to

deliver and provide improved care, deliver appropriate treatment and care plans, to meet your needs.

Information is collected in a number of ways, via your healthcare professional, referral details from your GP or directly given by you.

How we use information

- To help inform decisions that we make about your care.
- To ensure that your treatment is safe and effective.
- To work effectively with other organisations who may be involved in your care.
- To support the health of the general public.
- To ensure our services can meet future needs.
- To review care provided to ensure it is of the highest standard possible.
- To train healthcare professionals.
- For research and audit.
- To prepare statistics on NHS performance.
- To monitor how we spend public money.

There is huge potential to use your information to deliver care and improve health and care services across the NHS and social care. The information can be used to help:

- Improve individual care.
- Understand more about disease risks and causes.
- Improve diagnosis.
- Develop new treatments and prevent disease.
- Plan services.
- Improve patient safety.
- Evaluate Government, NHS and Social Care policy.

It helps you because;

- Accurate and up-to-date information assists us in providing you with the best possible care.
- If you see another healthcare professional, specialist or another part of the NHS, they can readily access the information they need to provide you with the best possible care.
- Where possible, when using information to inform future services and provision, non-identifiable information will be used.

How information is retained and kept safe?

Information is retained in secure electronic and paper records and access is restricted to only those who need to know.

It is important that information is kept safe and secure, to protect your confidentiality. There are a number of ways in which your privacy is shielded; by removing your identifying information, using an independent review process, adhering to strict contractual conditions and ensuring strict sharing or processing agreements are in place.

The Data Protection Act 1998 regulates the processing of personal information. Strict principles govern our use of information and our duty to ensure it is kept safe and secure. Dorset HealthCare University NHS Foundation Trust is registered with the Information Commissioners Office (ICO). Details of our registration can be found on <https://ico.org.uk/esdwebpages/search> Enter our registration number (Z7485161) and click 'search register'. Z8054274

Technology allows us to protect information in a number of ways, in the main by restricting access. Our guiding principle is that we are holding your information in strict confidence.

How do we keep information confidential?

Everyone working for the Trust is subject to the Common Law Duty of Confidentiality and the Data Protection Act 1998. Information provided in confidence will only be used for the purposes to which you consent to, unless there are other circumstances covered by the law.

Under the NHS Confidentiality Code of Conduct, all staff are required to protect information, inform you of how your information will be used and allow you to decide if and how your information can be shared. This will be noted in your records.

All Trust staff are required to undertake annual training in data protection, confidentiality, IT/cyber security, with additional training for specialist, such as healthcare records, data protection officers and IT staff.

Teaching clinicians - Some medical files are needed to teach student clinicians about rare cases. Without such materials, new doctors and nurses would not be properly prepared to treat you.

Clinical placements - Clinical placements for students commonly take place within the NHS. Students, such as student nurses, medical students, social work students, could be receiving training in the service that is caring for you. This may be when you are an inpatient, in a community setting such as a day hospital, or when you are being visited by health or social care staff at home.

If staff would like a student to be present they will always ask for your permission before that meeting or episode of care. The treatment or care you receive will not be affected if you refuse to have a student present during your episode of care.

Occasionally, for assessment purposes, students may request that their supervisor be present. You may refuse this if it makes you feel uncomfortable.

Who will the information be shared with?

To provide best care possible, sometimes we will need to share information about you with others. We may share your information with a range of Health and Social Care organisations and regulatory bodies. You may be contacted by any one of these organisations for a specific reason; they will have a duty to tell you why they have contacted you. Information sharing is governed by specific rules and law.

Sharing with non-NHS organisations

For your benefit, we may also need to share information from your records with non-NHS organisations, from whom you are also receiving care, such as social services or private healthcare organisations. However, we will not disclose any health information to third parties without your explicit consent, unless there are exceptional circumstances, such as when the health or safety of others is at risk or where the law requires the disclosure of information.

We may also be asked to share basic information about you, such as your name and parts of your address, which does not include sensitive information from your health records. Generally, we would only do this to assist them to carry out their statutory duties (such as usages of healthcare services, public health or national audits). In these circumstances, where it is not practical to obtain your explicit consent, we are informing you through this notice, which is referred to as a Privacy Notice, under the Data Protection Act.

Where patient information is shared with other non-NHS organisations, an information sharing agreement is drawn up to ensure information is shared in a way that complies with relevant legislation.

Non-NHS organisations may include, but are not restricted to: social services, education services, local authorities, the police, voluntary sector providers and private sector providers.

Your right to withdraw consent for us to share your personal information

You have the right to refuse/withdraw consent to information sharing at any time. We will fully explain the possible consequences to you, which could include delays in you receiving care.

Contacting us about your information

Each organisation has a senior person responsible for protecting the confidentiality of your information and enabling appropriate sharing. This person is known as the Caldicott Guardian. You can contact Dorset HealthCare University NHS Foundation Trust, Caldicott Guardian by using the Contact Us section of this website.

If you have any questions or concerns regarding the information we hold on you, the use of your information or would like to discuss further, please contact the Information Governance team.

Information Governance Team
Sentinel House
Nuffield Trading Estate
4-6 Nuffield Road
Poole
BH17 0RB
Email: chris.gray2@nhs.net
Phone: 01202 277327

Can I access my information?

Under the Data Protection Act 1998 a person may request access to information (with some exemptions) that is held about them by an organisation. For more information on how to access the information we hold about you please refer to

www.dorsethealthcare.nhs.uk

Your NHS number, keep it safe

Every person registered with the NHS in England and Wales has their own unique NHS number. It is made up of 10 digits for example 123 456 7890.

Your NHS Number is used by healthcare staff and service providers to identify you correctly. It is an important step towards improving the safety of your healthcare.

Always bring your NHS number with you to all hospital appointments or quote it if you need to telephone the hospital for any enquires. This will allow staff to check that they have the right patient details by checking this against your NHS number.

To improve safety and accuracy always check your NHS number on correspondence the NHS sends to you.

How to find out your NHS number

If you do not know your NHS number, contact your GP. You may be asked for proof of identity, for example a passport or other form of identity. This is to protect your privacy. Once you have obtained your NHS Number, write it down and keep it safe

Further information

NHS Choices - <http://www.nhs.uk/pages/home.aspx>

Contacting us if you have a complaint or concern

We try to meet the highest standards when collecting and using personal information. We encourage people to bring concerns to our attention and we take any complaints we receive very seriously. You can submit a complaint through the Trust's Complaints Procedure, which is available on our web site, or you can write to:

The Complaints Department
Sentinel House
Nuffield Industrial Estate
4-6 Nuffield Road
Poole
BH17 0RB

If you remain dissatisfied with the Trust's decision following your complaint, you may wish to contact:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Their web site is at www.ico.gov.uk The Information Commissioner will not normally consider an appeal until you have exhausted your rights of redress and complaint to the Trust.

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Information Policy Team
The National Archives
Kew, Richmond
Surrey
TW9 4DU

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If you need further clarification, please contact the Information Governance team on 01202 277327 or email chris.gray2@nhs.net

Where any contact details are given for members of Trust staff, notice is hereby given, under Section 11 of the Data Protection Act 1998, on behalf of the individual or individuals that this personal information may not be used for the purposes of direct marketing.