

Privacy Notice – Patient Records

We are Queen Victoria Hospital NHS Foundation Trust ('QVH'). We aim to provide you with the highest quality care. To do this, we must keep records about you and the care we provide for you.

Health records are held on paper and electronically and we have a legal duty to keep these confidential, accurate and secure at all times in line with data protection laws.

Our staff are trained to handle your information correctly and protect your privacy. We aim to maintain high standards, adopt best practice for our record keeping and regularly check and report on how we are doing. Your information is never collected for direct marketing purposes, and is not sold on to any other third parties. Your information is not processed overseas.

Sometimes your care may be provided by members of a care team, which might include people from other organisations such as health; social care; education; or other care organisations.

What information do we collect?

We may collect the following information about you:

Personal details	including your name, data of birth, gender and NHS number;
Contact details	including your address, email address and telephone number;
Information contained in your medical records	which may include sensitive information about your race or ethnic origin, your religious beliefs, your sex life and sexual orientation, information about criminal convictions and offences (for example, if you received care or treatment whilst in prison) and healthcare information including: any disabilities or special requirements which you may have; medical records such as medication requirements, allergies and health conditions; your medical history, including information around previous health issues, any medical care you have received, including operations and medications and previous hospital visits; other records such as risk assessments, care plans and records of the care we provide to you; and details of your support and care needs;
Information about your family and friends	such as dependents, next of kin and emergency contact numbers;
Information about your care preferences	to enable us to ensure that we are providing you with the care that you want;
Information about external healthcare providers	such as your GP and practice details;
Information you provide in consultations	such as concerns discussed and any decisions made in relation to your healthcare;
Security information	such as CCTV footage; and

How we collect your information

QVH may collect the above information about you in a variety of ways, including:

- from you directly via any direct access with our healthcare services;
- from your friends and relatives who provide us with information about you;
- from anyone who has the authority to act on your behalf such as a power of attorney or deputy;
- from your GP;
- from other healthcare professionals and officers in the local authority, social services department and emergency services; and
- from any other (current and/or previous) healthcare and care providers.

Storing your information

Information is held for specified periods of time as set out in the [Records Management Code of Practice for Health and Social Care](#).

Why do we process your personal data?

QVH needs to process your personal data for a number of purposes, each of which has a basis in law. We have set out below the different purposes for which we collect and use your personal data, along with the lawful bases we rely on to do so.

Why we use your information	Our lawful basis for using your information
<p>To keep and maintain an accurate record of your medical history: to help inform decisions that we make about your care, including diagnosis, decisions around medical intervention and prescriptions and to plan your care and treatment.</p>	<p>Necessary to meet legal / regulatory obligations.</p> <p>Necessary for the performance of a task carried out in the public interest or in the exercise of our official authority.</p> <p>Necessary for the purposes of medical diagnosis, and the provision of health or social care or treatment.*</p>
<p>To provide you with safe and effective care and treatment: to provide you with safe, appropriate and personalised care and treatment and ensure that we meet your individual requirements, including using your personal information for the following reasons:</p> <ul style="list-style-type: none"> • delivering the healthcare and personal care you require; • determining your capacity for decision making; • assessing your condition against a set of risk criteria to ensure you are receiving the best possible care; • meeting your dietary requirements; and • reviewing care provided to ensure it is meeting your needs. • 	<p>Necessary to meet legal / regulatory obligations.</p> <p>Necessary for the performance of a task carried out in the public interest or in the exercise of our official authority.</p> <p>Necessary for the purposes of medical diagnosis, and the provision of health or social care or treatment.*</p>
<p>To work effectively with other organisations who may be involved in your care: to send information regarding your health to others, such as commissioners in the funding of your care, your GP and other healthcare and/or social care providers for continuity of care and to ensure that your needs are being met appropriately.</p>	<p>Necessary to meet legal / regulatory obligations.</p> <p>Necessary for the performance of a task carried out in the public interest or in the exercise of our official authority.</p> <p>Necessary for the purposes of medical diagnosis, and the provision of health or social care or treatment.*</p>
<p>To communicate with you: to contact you/anyone who has authority to act on your behalf regarding your health, care, treatment, appointments and/or test results.</p>	<p>Necessary to meet legal / regulatory obligations.</p> <p>Necessary for the performance of a task carried out in the public interest or in the exercise of our official authority.</p> <p>Necessary for the purposes of medical diagnosis, and the provision of health or social care or treatment.*</p>
<p>For security: the reporting of crimes or incidents that put our staff, patients and visitors at risk and through the capturing of images of you as part of our security processes to ensure the safety of our staff, service users and members of the public,</p>	<p>Necessary for our legitimate interests to ensure our premises are secure and to protect our organisation, employees, patients and visitors.</p>

Why we use your information	Our lawful basis for using your information
such as through the use of CCTV systems.	Necessary for the management of health and social care services .*
To conduct clinical audits: to check the quality of care provided to you to identify areas where we may need to improve by collecting information from the records of groups of patients who have similar conditions or have received similar treatments, and comparing this with what we know are the best standards of care, to help us to identify areas where we need to make improvements (information is anonymised as soon as possible).	<p>Necessary for the performance of a task carried out in the public interest or in the exercise of our official authority.</p> <p>Necessary for the purposes of medical diagnosis, and the provision of health or social care or treatment.*</p>
To improve our services: you may choose to complete our patient survey or contact our Patient Experience team, to help us to improve the services we provide to you and others.	We will only use your information in this way if you have provided your consent/explicit consent for us to do so.*
To conduct medical research: to help plan services, improve care provided and to conduct research into developing new treatments and preventing diseases, understanding more about disease risks and causes, improving diagnosis and improving patient safety (where we have sought permission from the Confidentiality Advisory Group (appointed by the NHS Health Research Authority)).	<p>Necessary for the performance of a task carried out in the public interest or in the exercise of our official authority.</p> <p>Necessary for the purposes of medical diagnosis, and the provision of health or social care or treatment.*</p> <p>Necessary for scientific research purposes.*</p>
Where we have a legal duty: such as registering births, reporting some infectious diseases, reporting wounding by firearms, complying with court orders and in the safeguarding of vulnerable adults and children	<p>Necessary to meet legal / regulatory obligations.</p> <p>Necessary for the management of health and social care services.*</p> <p>Necessary in the interest of public health.*</p>
To investigate concerns, complaints or untoward incidents: to ensure that any concerns or complaints you may have about your healthcare are appropriately investigated and responded to.	<p>Necessary to meet legal / regulatory obligations.</p> <p>Necessary for the performance of a task carried out in the public interest or in the exercise of our official authority.</p> <p>Necessary for the provision of health or social care or treatment.*</p>
To comply with regulatory obligations: including preparing statistics on our performance for the Department of Health and other regulatory bodies.	<p>Necessary to meet legal / regulatory obligations.</p> <p>Necessary for the performance of a task carried out in the public interest or in the exercise of our official authority.</p> <p>Necessary for the provision of health or social care or treatment.*</p>
For staff training and service planning: to appropriately train our staff, plan services to meet	Necessary to meet legal / regulatory obligations .

Why we use your information	Our lawful basis for using your information
the needs of the population and ensure we have staff available to meet those needs.	<p>Necessary for the performance of a task carried out in the public interest or in the exercise of our official authority.</p> <p>Necessary for the provision of health or social care or treatment.*</p>
To collect data about public health matters: to protect against serious cross-border threats to health or ensuring high standards of quality and safety of health care, medical products or devices.	<p>Necessary to meet legal / regulatory obligations.</p> <p>Necessary in the interest of public health.*</p>
<p>* This is an additional lawful basis which we need to rely on in order to use special categories of data such as information about your health.</p>	

If we need to use your personal information for any reason beyond those stated above, we will inform you of this.

Sharing your information

Your data is kept securely and access is only given to authorised personnel on a strictly need to know basis. Any disclosures of personal data are always made on a case-by-case basis, using the minimum personal data necessary for the specific purpose and circumstances and with the appropriate security controls in place. Where information is shared to parties outside of QVH, it is only to agencies / bodies who have a "need to know", where there is a legal obligation to share, or where you have consented to the disclosure of your personal data to such persons.

The types of organisations with whom we may share your personal information include:

- **Your friends, family and others:** including anyone who has the authority to act on your behalf such as a power of attorney or deputy, where appropriate to do so for the provision of your health or social care, in the vital interests of you or others (or with your consent where applicable);
- **Other healthcare providers and multi-disciplinary teams:** for direct care purposes, we will share information about you with other healthcare providers such as your GP, hospital staff, emergency services etc. We may also share information about you with other NHS Trusts or private hospitals where your care is provided by them;
- **Regulators / safeguarding authorities / commissioners:** we share your personal data with these public bodies where we are required to do so by law or a regulatory obligation. This includes data sharing within the NHS to enhance, prioritise and progress the clinical services we provide to you.
- **The Police and other law enforcement agencies:** in limited circumstances we may share your personal data with the Police if required for the purposes of criminal investigations and law enforcement or where we are reporting a crime in which you are involved;
- **Service providers:** such as external IT providers, systems maintenance providers, language and sign language interpretation/translation and telephone call recording for monitoring purposes;
- **Professional advisors:** such as lawyers, in the exercise or defence of legal claims;
- **Charitable organisations:** such as organisations that can help with support for you and your family, provision of hospice care and funding of treatments, with your consent; and
- **Bulk mailing providers:** in order to communicate with patients to satisfy our legal obligations and provide you with relevant healthcare information.

The National Data Opt-Out

If you do not wish your data to be used for anything other than direct care, you can register a data opt out at <https://www.nhs.uk/your-nhs-data-matters/manage-your-choice/> or call NHS England on 0300 3035678.

Your rights

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information.
- **Request correction** of your information if it is inaccurate or incomplete.
- **Request deletion** of your information in certain circumstances, where there is no need for us to continue processing it.
- **Object to the processing** of your information
- **Request the restriction of processing** of your information.
- **Request the transfer** of your information to another organisation's IT system in a safe and secure way, without impacting the quality of the information.
- **Challenge automated decision making**, i.e. any decisions made without human intervention.
- **Withdraw your consent** where we are using your data for a particular purpose based on your consent.

Please visit our website for further details.

Access to records and queries

Should you have any queries on our use of your information, or wish to enforce any of your rights set out above, please speak to your health professional or our Data Protection Officer:

Data Protection Officer
Queen Victoria Hospital NHS Trust
Holtye Road
RH19 3DZ

Email: qvh.dataprotection@nhs.net

Should you wish to lodge a complaint about the use of your information, please contact the Patient Experience team on 01342 414355.

You have the right to complain to the Information Commissioner's Office (the "ICO") if you are not satisfied with the way we use your information. You can contact the ICO by writing to The Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF - Telephone: 01625 545700.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.