

Privacy Notice

When we process your personal data, Derbyshire Healthcare NHS Foundation Trust is the Data Controller.

Registration Number: Z8416831

Date Registered: 04 March 2004 Registration Expires: 03 March 2018

Data Controller: Derbyshire Healthcare NHS Foundation Trust.

Address:

Kingsway Hospital
Kingsway
Derby
DE22 3LZ

As a Data Controller, the Trust has a duty to:

- keep sufficient information to provide services and fulfil our legal responsibilities
- keep your records secure and accurate
- only keep your information as long as is required
- collect, store and use the information you provide in a manner that is compatible with the Data Protection Act and other applicable legislation.

Things you can do to help us:

- make sure we have identified you correctly by letting us know when you change your details. This could include your address or name, telephone number, preferred correspondence address, GP, or carer details and
- tell us if any of your information we hold is wrong.

What is personal data?

Personal data is information about an identifiable living person such as name, address, telephone number, date of birth, bank details, and information held about that person in files. This can include but is not limited to written correspondence, emails, photographs, audio recordings and video recordings.

Information classed as *sensitive* personal data includes details of ethnic origin, religious beliefs, sexual orientation, trade union membership, health data, and biometric and genetic data.

Why we collect and store personal data

For some of our services, we need to collect personal data so we can get in touch, or provide the service. The Trust is allowed to use your personal data only in line with law. The legal framework includes:

- The Data Protection Act 1998
- The NHS Act 2006
- The Health and Social Care Act 2012
- The Human Rights Act 1998
- Access to Health Records Act 1990; and
- From 25th May 2018, the European Union General Data Protection Regulation

There are many more laws surrounding data protection. In many cases there is a statutory requirement to process your data without your consent, but we must always act within the law and never pass on your details without your consent or with another legally justifiable reason.

Where we do not directly provide the service, we may need to pass your personal data onto the organisations that do. These providers are under contract and have to keep your details safe and secure, and use them only to provide the service.

Using your personal data

We will use the information you provide for the following purposes:

- Provision of Trust services.
- Healthcare and Regulatory functions which we are obliged to undertake.
- All financial transactions to and from us, including payments
- Where you have agreed for the purpose of consulting, informing and gauging your opinion about our services.
- To ensure we meet our statutory obligations, including those related to diversity and equal opportunity.

Joined-up Services within the Trust

We share basic information between services within the Trust so that we can keep our information on you as up-to-date as possible and so that we can improve our services to you. For example, if you tell a clinical team you have moved house, they will pass this information on to other parts of the Trust such as the Records Management Team.

Even though our systems are joined-up, we ensure that staff within the Trust can only access the information they need to do their job.

Organisations We Share Data With

There are a number of information sharing agreements in place which are designed to assist with the legitimate sharing of your information between the Trust and other organisations appropriately and always in line with the law.

Under certain laws, we are required to pass your data to law enforcement organisations such as, but not limited to, the Police, the Immigration Service or Her Majesty's Revenue & Customs.

We also have to make data submissions and statistical collections to several Government departments by law.

Transferring Data Abroad

Your personal data may be transferred outside of the UK, for example, if the Trust uses a cloud service that has host servers located in the United States. If your data is transferred, it is done so under contract, and a Data Processing Agreement states what the required protection to your personal data under EU Data Protection laws is.

Public Health

Derbyshire Healthcare Foundation Trust has a duty to improve the health of the population we serve.

To help us do this, we use data and information from a range of sources including the Office for National Statistics, NHS Digital, Clinical Commissioning Groups and hospitals to understand more about the nature and causes of ill health in Derby.

We may also share personal data without consent to prevent the spread of infectious diseases, in the vital interests of any individuals or when it is in the overriding public interest.

Preventing and Detecting Fraud

The Trust is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Social Care

We are working more closely in partnership with health (doctors, hospitals etc.) as health and social care services become more joined up. The Government says that we must share your NHS number with each other. When we work closely with our health partners on things such as the Better Care Together Programme, we will try, wherever possible, to do so with your consent. Social Workers will share data with health professionals as part of your care team for your direct care. Sometimes we may need to share without telling you, for legal reasons, or when it is in your vital interest.

New Technologies

We may introduce new technologies that capture and store personal data e.g. biometric scanners, body worn video cameras etc. A Data Protection Impact Assessment will be carried out when such technologies, or new systems that capture personal data, are introduced by us.

Website and Social Media

We will use the Internet to communicate with the public and promote public participation. Through our social media accounts and website, we will post photos, videos, and sound recordings of our work and events, which may sometimes include personal data. Although we often try to seek consent, this may not always be possible when capturing large crowds or public street scenes. If you are ever unhappy about being included in any of these publications, please contact us.

Registration and Authentication

We may require you to register and be authenticated with us in order for you to access certain services on our internet. Our [privacy statement](#) sets out our commitment to you when you access our services via the internet.

E-Newsletters and Texts Alerts

Information you give us will not be used for sending you marketing e-newsletters or other electronic promotions e.g. text alerts, unless you have opted in to receive them. We may however send you service announcements in this way.

Your Rights

We will only hold your personal information for as long as necessary for business purposes or if we are required to keep it by law.

Upon a request for information from you we will inform you whether your personal data is processed by the Trust. A copy of this information can be requested and subject to relevant law, will be provided

You can find the address below if you want to ask for a copy.

You can also use this address to ask the Trust to

- correct your data if you think it is wrong;
- stop processing your data if you think it is no longer necessary to do so;
- stop processing your data until it is corrected;
- ask that no automated processing takes place with your data
- ask for any automated portable electronic data file we hold on you; or
- consider any complaint you have about how we have used your data

Requests for Information or Complaints

If you wish to ask the Trust about a data protection issue, request a copy of your data, or you have concerns about the processing of your personal data by the Trust, you may contact the Trust's Records Management Team at:

The Records Management Team
IM&T and Records
East Wing
Kingsway House
Kingsway Hospital
Derby
DE22 3LZ
Email: dhcft.accesstohealthrecord@nhs.net

If you have any queries or concerns about how we use your information, please speak to the staff involved in your care. More detailed questions about how we use your information which cannot be discussed or resolved by a member of staff can be discussed with the Patient Experience Team on **01332 623751** or **0800 027 2128**.

For more information about Data Protection, or if you are unsatisfied with the way the Trust has handled your personal information after you have complained, you can contact the national regulator, the Information Commissioner's Office, at:

The Office of the Information Commissioner
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AX
www.ico.org.uk
Email: casework@ico.org.uk

Changes to this Privacy Notice

We keep our privacy notice under regular review. This privacy notice was last updated on 6th September 2017.