

Your Patient Information - Privacy Notice

The Royal United Hospitals Bath NHS Foundation Trust Privacy Notice (for Patients)

The Royal United Hospitals Bath NHS Foundation Trust provides treatment and care for around 500,000 people in Bath, and the surrounding area in North East Somerset and Western Wiltshire.

The Trust employs over 6,500 staff, some of who also provide services at local community hospitals in Bath & North East Somerset, Somerset and Wiltshire. This fulfils part of the Trust's aim to provide high quality care to people in their local communities.

Our Trust is registered with the Information Commissioner's Office (This is the organisation we report to about the handling of your information) to process personal and special categories of information under the Data Protection Act 2018 (subject to parliamentary approval) and our registration number is Z8889967.

The Royal United Hospitals Bath (RUH Bath) NHS Foundation Trust collects information about you when you are referred by your GP for treatment and during your clinical consultation. We also collect information when you voluntarily complete customer surveys, provide feedback and speak to a member of our team.

As a healthcare provider we need to hold information about our patients to help ensure that they receive proper, necessary and effective treatment. We firmly believe that information should be held securely and should only be available on a 'need to know' basis. The information includes:

- your full name, date of birth and address, phone number, email address
- your next of kin contact details
- medical test results, symptoms and diagnoses
- details of contact we have had with you, such as referrals
- details of the services you have received
- patient experience feedback and treatment outcome information you provide
- notes and reports about your health and any treatment you have received or need, including clinic and operational visits and medicines administered

Working in Partnership with Your GP

As a trusted Healthcare partner the RUH Bath clinical staff have been granted read only access to a limited view of your GP electronic patient record when supporting your care.

In conjunction with your GP practice we will ensure access to your GP electronic record is strictly controlled and monitored. If you wish to prevent the hospital from accessing your GP electronic record please contact your GP practice who can arrange.

How and why do we collect personal information about you?

Here at the RUH Bath we take your privacy seriously and will only use your personal information when caring for you and to give you any products and services you have asked for. The Trust will not disclose any information about you other than in exceptional circumstances where we are required to do so by law.

Personal information about you is collected in a number of ways. This can be from referral details from your GP or another hospital, directly from you or from your authorised representative.

We are likely to hold the following basic personal information about you: your name, address (including letters sent to you), telephone numbers, date of birth, emergency or next of kin contacts

and your GP details. We might also hold your email address, partnership or marriage status, occupation, your status (if you are a patient who is an overseas visitor), place of birth and preferred name or maiden name.

CCTV is used throughout the hospital for the following purposes:

- To assist in the prevention and detection of crime against both persons and property.
- To facilitate the identification, apprehension and prosecution of offenders in relation to crime.
- To ensure the security of property belonging to the Trust, employees and visitors.
- In the case of a missing patient.

In addition to the above, we may hold sensitive personal information about you which could include:

□ Notes and reports about your health, treatment and care, including:

- your medical conditions
- results of investigations, such as x-rays and laboratory tests
- future care you may need
- personal information from people who care for and know you, such as relatives and health or social care professionals
- other personal information such as whether you smoke, or if you have any disabilities
- Your religion and ethnic origin
- Whether or not you are subject to any protection orders regarding your health, wellbeing and human rights (safeguarding status).

It is important for us to have a complete picture of you as this will assist staff to deliver appropriate treatment and care in accordance with your needs.

What is our legal reason for handling your personal information?

As a healthcare provider we access your healthcare information to provide direct care in accordance with Articles 6 and 9 of the General Data Protection Regulations (GDPR).

The information we hold about you helps us to:

- provide a good basis for all health decisions made by you and your healthcare professional
- make sure your care is safe and effective □ work effectively with others providing you with care.

We may also use your information to:

- analyse how visitors use our website to improve services;
- assess the quality of care we give you
- protect the health of the general public
- monitor NHS spending
- manage health services
- help investigate any concerns or complaints you or your family have about your healthcare
- report infectious diseases
- help with accounts and auditing
- secure clinical funding from your GP and the Clinical Commissioning Group □ report fraudulent claims for NHS treatment.

The Trust uses approved specialist companies which are accredited to provide any diagnostic tests or services you might need; for example, genetic testing and specialist tests.

We work closely with many organisations in order to provide you with the best possible care. This means that with your consent, and when it is beneficial to your health or in your vital interests, your information will be shared with organisations including:

- your GP practice

- other hospitals and community organisations providing care services
- Clinical commissioning groups responsible for the management of your local NHS budget
- specialist companies providing diagnostic and testing services you might need; for example, blood test, X-ray, and ultrasound scans.

Health professionals should share information in the best interests of their patients. This means that where necessary we will also share your health information with other health care providers and professionals involved in your care.

Bath and North East Somerset, Swindon and Wiltshire Integrated Care Record (BSW ICR) is a digital care record system for sharing information in Bath and North East Somerset, Swindon and Wiltshire. It allows instant, secure access to your health and social care records for the professionals involved in your care.

Relevant information from your digital records is shared with people who look after you. This gives them up-to-date information making your care safer and more efficient.

The RUH Bath uses the system in the following way:

- We can access your data stored within the system and provide relevant information about you and your health

If you would like to learn more about BSW ICR and how your information is being used please click <https://bsw.icb.nhs.uk/your-health/your-care-record/>

At the RUH Bath, we are committed to providing the best possible care and in order to do that we have signed up to the WiSC (Wiltshire information Sharing Charter) The Wiltshire Information Sharing Charter (WiSC) assists in the lawful and integrated sharing of information between partner organisations for the residents of Wiltshire.

The WiSC will establish consistent and robust protocols and becoming a partner member gives reassurance that each partner is working by the same process. For more information regarding the WiSC please visit <http://www.wiltshire.gov.uk/wisc>

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Federated Data Platform Products

At trust level, the NHS FDP provides frontline staff with access to the information they need – in one secure place – so that the most up-to-date information about a patient is easily available for teams to review.

Staff can view information in near real time, which helps to manage waiting lists, schedule operations and better plan care.

The platform enables users to access shared applications designed to support planning, pathway management and direct care whilst also supporting each NHS organisation's information governance responsibilities.

This approach puts NHS organisations in control, so that they can work better and smarter together. It supports leaders across the NHS to make better decisions without sensitive information needing to leave a secure data environment.

Specific FDP Product privacy notices will be provided as they are deployed in the Trust and can be accessed here:

[FDP LCC Privacy Notice](#)

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For more information please refer to the [about us](#) page.

We are committed to keeping your personal information secure. We have put in place physical, electronic and operational procedures to safeguard and secure the information we collect. All our employees and partner organisations are legally bound to respect your privacy and the confidentiality of your information. Access to your information is strictly controlled and only accessible to employees on a need to know basis.

All internet activity is monitored to quickly identify any abnormalities so that immediate action can be taken to address any potential problem as quickly as possible. NHS Digital can identify the affected device in real time so that alerts can be provided nationally and locally in order to minimise the threat to the NHS, staff and patients.

A full copy of our data protection registration details can be accessed via the link:

<https://ico.org.uk/about-the-ico/what-we-do/register-of-fee-payers/>

The RUH Bath is registered with the Department of Health (DOH) and our security and confidentiality compliance is assessed by the completion of the Data Security and Protection Toolkit (DSPT). This is an online system which allows organisation's information security, data protection, and confidentiality processes and procedures to be assessed against the 10 Data Security Standards required by NHS Digital and the Care Quality Commission.

For more information regarding the DSP Toolkit please visit <https://www.dsptoolkit.nhs.uk/>

The national data opt-out:

NHS Digital is developing a new system to support the national data opt-out which will give you more control over how your identifiable health and care information is used. The system will offers you and the public the opportunity to make an informed choice about whether you wish your personally identifiable data to be used just for your individual care and treatment or also used for research and planning purposes.

How the NHS and care services use your information

The Royal United Hospitals Bath is one of many organisations working in the health and care system to improve care for patients and the public.

Whenever you use a health or care service, such as attending Accident & Emergency or using Community Care services, important information about you is collected in a patient record for that service. Collecting this information helps to ensure you get the best possible care and treatment.

The information collected about you when you use these services can also be used and provided to other organisations for purposes beyond your individual care, for instance to help with:

- improving the quality and standards of care provided
- research into the development of new treatments
- preventing illness and diseases
- monitoring safety
- planning services

This may only take place when there is a clear legal basis to use this information. All these uses help to provide better health and care for you, your family and future generations. Confidential patient information about your health and care is only used like this where allowed by law.

Most of the time, anonymised data is used for research and planning so that you cannot be identified in which case your confidential patient information isn't needed.

You have a choice about whether you want your confidential patient information to be used in this way. If you are happy with this use of information you do not need to do anything. If you do choose to opt out your confidential patient information will still be used to support your individual care.

To find out more or to register your choice to opt out, please visit www.nhs.uk/your-nhs-data-matters.

On this web page you will:

- See what is meant by confidential patient information
- Find examples of when confidential patient information is used for individual care and examples of when it is used for purposes beyond individual care • Find out more about the benefits of sharing data
- Understand more about who uses the data
- Find out how your data is protected
- Be able to access the system to view, set or change your opt-out setting
- Find the contact telephone number if you want to know any more or to set/change your opt-out by phone
- See the situations where the opt-out will not apply

You can also find out more about how patient information is used at:

<https://www.hra.nhs.uk/information-about-patients/> (which covers health and care research); and

<https://understandingpatientdata.org.uk/what-you-need-know> (which covers how and why patient information is used, the safeguards and how decisions are made)

You can change your mind about your choice at any time.

Data being used or shared for purposes beyond individual care does not include your data being shared with insurance companies or used for marketing purposes and data would only be used in this way with your specific agreement.

Health and care organisations have until 2020 to put systems and processes in place so they can be compliant with the national data opt-out and apply your choice to any confidential patient information they use or share for purposes beyond your individual care. Our organisation 'is / is not currently' compliant with the national data opt-out policy.

What information does the national data opt-out apply to..?



How do you opt out and find more information?

By contacting NHS Choices website or telephone contact centre: <https://www.nhs.uk/using-the-nhs/nhs-services/the-nhs-app/help/ndop/>

Your Rights:

If we hold information about you as a patient you have the right to:

1. **Be informed:**

Individuals, which include patients and staff, have the right to be informed about the collection and use of their personal data.

2. Right of access:

You have the right to find out what information we hold about you as a member of staff or as a patient. This is called a right of access. You exercise this right by asking us for a copy of the information we hold about you.

We are required to supply this information to you within 30 calendar days from the date the Trust received the request.

3. The right to get your data corrected:

You have the right to have any inaccurate personal information about you corrected within 30 calendar days.

You can make this request verbally and in writing.

In certain circumstances the Trust can refuse the request for rectification.

4. Your right to get your personal information deleted:

You have the right to ask the Trust to delete any personal information we hold about you in certain circumstances. This is known as the 'right to be forgotten'.

This right is not absolute and can only apply in certain circumstances.

You don't have to ask a specific person within the hospital. We do recommend that you follow up any verbal requests in writing by contacting the Trust's Data Protection Officer explaining your concerns, providing evidence and stating your desired solution.

5. Right to limit how we use your information:

You can limit the way the hospital uses your personal data if you are concerned about the accuracy of the data or how it is being used.

In certain circumstances you can make a request for the hospital to limit the use of your personal information. This could include:

- Temporarily removing information from a system
- Making it unavailable to users, or
- Temporarily removing it from a website, if it has been published.

The Trust may refuse a request to limit the use of your information if we believe that your request is unfounded or excessive. We won't do this without letting you know and if your request is 'manifestly unfounded'. We may ask for a reasonable fee to cover administration costs.

6. Right to data portability:

You have a right to get your personal information from the hospital in an accessible format, paper, electronic or CSV file.

You can also ask the hospital to transfer your electronic information to another healthcare provider if it is technically feasible.

How long will I need to wait for my data to be transferred?

The hospital has one month to respond to your request. We may need extra time to consider your request and this may take up to two months but we will let you know.

7. Right to object:

You have the right to object to the use of your information in some circumstances.

Your request can be verbal or in writing. We recommend that you follow up any verbal requests in writing by contacting the Trust's Data Protection Officer explaining your request.

8. Rights relating to decisions made about you by a computerised system.

Automated decisions:

This is called automated decision making and profiling for example, completing an online aptitude test using a pre-programmed algorithm and or criteria when applying for a job vacancy with the hospital. You can ask for information to understand the reasons behind the automated decisions. The request can be made verbally or in writing. We recommend that you follow up any verbal requests in writing by contacting the Trust's Data Protection Officer explaining your request.

Profiling:

Profiling means information about you is used to analyse or predict things like:

Your performance at work

Your personal financial status

Your health, personal preferences and interests.

You can object to the collection of profiling information if it includes direct marketing.

It will take the hospital a month to respond to your request, but in certain circumstances, we may need more time which can take up to an extra two months. We will let you know within the 30 days if it might take longer.

Children's information:



Privacy Notice children
Nov 2019.p

Raising a concern:

You have a right to be confident that the hospital handles your personal information responsibly and securely.

If you would like to speak to someone, about any concerns you may have please call the Information Governance Team 01225 826268 or the Trust's Data Protection Officer on 01225 824416. You can also seek advice from or make a complaint to the Information Commissioner's Office (ICO) who is the UK data protection regulator:

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

Helpline: 0303 123 1113

If you would like to receive a copy of your medical records, report a concern or inaccuracy within your record or would like to restrict who your medical data is shared with, please speak to your clinician or contact any of the people listed below. They will be happy to help:

Graeme Temblett-Willis
Data Protection Officer
Royal United Hospitals
Combe Park
Bath BA1
3NG

Tel: 01225 824416

Mark Hawkins
Medical Records Manager
Royal United Hospitals Bath
Combe Park
Bath BA1
3NG

Tel: 01225 824094

Senior Information Risk
(SIRO)
Jon Lund
Royal United Hospitals
Combe Park
Bath BA1
3NG

Tel: 01225 428331

Caldicott Guardian
Dr Sarah Richards
Royal United Hospitals Bath
Combe Park
Bath BA1
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Tel: 01225 428331