


POLICY DOCUMENT	QMSIG08
Cheswold Park Hospital	Patient Privacy Notice
CLASSIFICATION:	UNCLASSIFIED



<b>QMSIG08 Patient Privacy Notice</b>	
<b>VERSION:</b>	03
<b>DATE LAST UPDATED:</b>	June 2023
<b>REVIEW DATE:</b>	September 2024 (2 years)
<b>RELATED DOCUMENTS:</b>	QMSIG09 Privacy Notice – Employees, relatives Visitors QMSIG11 Subject Access Requests and Disclosure of Personal Data Policy QMSIG12 Data Retention Policy
<b>OWNER / LEAD INDIVIDUAL:</b>	Chief Executive
<b>DOCUMENT APPROVAL:</b>	Systems Oversight Committee (10/09/22)
<b>PATIENT ACCESS:</b>	
<b>SECURITY INFORMATION (PUBLIC, INTERNAL, CONFIDENTIAL):</b>	Public

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NOT CONTROLLED IF PRINTED

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**Version Control Sheet**

Policy Name:	Supervision Policy	Policy Reference:	QMSOR08
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Version	Date	Comment
02	Sept 22	Annual review. Amended review cycle to 2-yearly. Minor changes to Covid information collection to include other public health emergencies. Structured the policy into 4 parts
03	June-23	Opt-Out statement

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## Introduction

A Privacy Notice is a statement by the Hospital to employees, relatives and visitors, that describes how we collect, use, retain and disclose personal information which we hold.

Personal data means any information relating to an identified or identifiable, living natural person. An identifiable person is one who can be identified, directly or indirectly, for example by reference to an identifier such as a name. Cheswold Park Hospital (Riverside Healthcare Limited) provides services & therapies for people diagnosed with Personality Disorder, Mental Illness and Autism.

As part of the services we offer, we are required to process personal data about our candidates and staff. "Processing" can mean:

- 📁 Collecting
- 📁 Recording
- 📁 Organising
- 📁 Storing
- 📁 Sharing
- 📁 Destroying data

We are the Data Controller for the information which we hold. Our Head Office address is Cheswold Park Hospital, Cheswold Lane, Doncaster, DN5 8AR.

## What data do we have?

We are committed to providing transparent information on why we need your personal data and what we do with it. This information is set out in this privacy notice. It will also explain your rights when it comes to your data.

We may ask for or hold personal confidential information about you which will be used to support our recruitment process and staff throughout employment and for 6 years after employment has ceased.

We may record the following types of data about you:

- Your personal details e.g. name, address, date of birth, marital status, nearest relative, NHS number;
- Contacts such as nearest relative, main carer, next of kin, external health professionals and your Solicitor;
- Bank details if you wish to have a CPH finance account or we need to send money to you;
- Information from people who care for you and know you well, such as health professionals and relatives;
- Education and learning records;
- Photographs;
- CCTV footage;

We also record the following data which is classified as "**special category**":

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- Health and social care data about you, which might include both your physical and mental health data, including any medical condition, diagnosis, care plans, clinical notes, medication,
- We may also record data about your race, ethnic origin, sexual orientation or religion.
- Information about criminal convictions and offences

### **Why do we have this data?**

We collect personal information about you when you are referred or admitted to our hospital. We also create personal data while you are under our care.

We require this data so that we can provide high-quality care and support. It is important for us to have a complete picture, as this information assists staff involved in your care to deliver appropriate treatment and care plans, to meet your needs. We also require some of this data so we can submit assessments and compliance reports about patients to our Commissioners, Case Workers or other professionals involved in your care.

### **Lawful basis for processing**

By law, we need to have a lawful basis for processing your personal data.

We process your data because:

- We have a legal obligation to do so – generally under the Health and Social Care Act 2012, Mental Capacity Act 2005, The Mental Health Act 2007 and subsequent editions, supplements or guidance;
- We have a legitimate interest in processing your data – for example we operate a CCTV scheme for the purpose of detecting an incidence of crime, assisting investigations of incidents, protecting and maintaining the safety & wellbeing of patients, staff and visitors;

We process your special category data because:

- processing is necessary for the purposes of preventive or occupational medicine, medical diagnosis, the provision of health or social care or treatment;
- It is necessary due to social security and social protection law;
- It is necessary for us to provide, manage and report on social care services;
- We are required to provide data to our regulator, the Care Quality Commission (CQC), and other external review bodies (Safeguarding etc.)

We may also process your data with your consent. If we need to ask for your permission, we will offer you a clear choice and ask that you confirm to us that you consent. We will also explain clearly to you what we need the data for and how you can withdraw your consent.

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## Who else may see your data or where do we process your data?

So that we can provide you with high quality care and support we need specific data. This is collected from or shared with:

1. Cheswold Park Hospital team members (people that are involved in your care);
2. You or your legal representative(s);
3. Third parties involved in your care, in any review and any inspections thereof.

We do this face to face, via phone, via email, via our website, via post, via application forms.

Third parties are organisations we have a reason to share your data with. These include:

- Other parts of the health and care system such as local hospitals, the GP, the pharmacy, social workers, clinical commissioning groups, and other health and care professionals,
- Other organisations involved in your care or are responsible for your funding
- The Local Authority;
- Organisations we have a legal obligation to share information with i.e. for safeguarding, the CQC;
- The police or other law enforcement agencies if we have to by law or court order;
- Secure email providers (e.g., Egress Switch, Criminal Justice Secure email, NHS email service).
- Other "data processors", as we sometimes subcontract our services to other providers like: Incident Management System Provider, Medication Administration System, Patient Care Records Provider, Independent Advocacy Service, systems provided by the NHS/ICS, Documents Scanning etc. None of our third-party service providers are allowed to use your personal data for their own purposes.

When using the services of any third party the Hospital will ensure that the third party will provide suitable technical and organizational measures to protect the personal data as required by the applicable law.

## HOW DO WE KEEP YOUR INFORMATION SAFE

We are committed to keeping your information secure and have operational policies and procedures in place to protect your information. Cheswold Park Hospital is accredited to Industry Standard ISO27001 which is an internationally recognised information security framework.

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The Hospital completes an annual mandatory information assurance return to NHS Digital -the Data Security and Protection Toolkit. The Data Security and Protection Toolkit is a tool that enables organisations to measure performance against the National Data Guardian's ten data security standards.

Cheswold Park Hospital has a Caldicott Guardian, who is responsible for protecting the confidentiality of patient information and enabling the appropriate sharing of information.

The Hospital has also appointed a Data Protection Officer (DPO) who is responsible for ensuring that the Organisation is able to demonstrate its compliance with the General Data Protection Regulation and Data Protection Act 2018.

When transferring any personal information, we will use a secure means whenever possible (unless specifically requested otherwise by yourself). Those means include secure emails, like Egress Switch, NHS mail, recorded delivery, using strong encryption and password protecting documents, etc.

All employees and our partner organisations are legally bound to respect your confidentiality, all employees must comply with our security operating procedures. All employees are required to undertake annual information governance training and to be familiar with information governance policies and procedures. Any breach of these is treated seriously and could result in disciplinary action.

## **HOW LONG DOES the Hospital keep your DATA**

All records held by Cheswold Park Hospital are subject to our Data Retention and Records Information Policies. These documents set out guidance on how long we should keep your information before we are required to review it and dispose of it securely. The Data Protection Act 2018 requires us to keep records for no longer than necessary. The length of time for retaining records will depend on the type of record, its importance to the Hospital's business functions, and legal requirements.

For example, care records where the person has been cared for under the Mental Health Act 1983 are as standard kept for 20 years, however in certain circumstances this period can be altered.

## **Your rights**

The data that we keep about you is your data and we ensure that we keep it confidential and that it is used appropriately. You have the following rights when it comes to your data: -

1. The right to access to the information we hold about you.  
You have the right to request a copy of all of the data we keep about you. This is known as a "Data Subject Access Request". You will not have to

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pay a fee to access your personal information. However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. We may not be able to supply you with some information if for example it has been provided by someone else who has not given permission for you to see it or it could cause physical or mental harm to you or someone else.

2. The right to be informed how we collect, use, store and share your information in a clear and transparent manner.
3. The right to rectification in specific circumstances. You have the right to ask us to correct any data we have which you believe to be inaccurate. It is important that the information we hold about you is accurate. Please inform us about any changes so we can update our records accordingly. You can also request that we restrict all processing of your data while we consider your rectification request.
4. You have the right to request that we erase any of your personal data which is no longer necessary for the purpose we originally collected it for. We retain our data in line with the Hospital's Retention Policy. We will not keep your personal data for longer than is necessary for the purpose.
5. You may also request that we restrict processing if we no longer require your personal data for the purpose, we originally collected it for, but you do not wish for it to be erased.
6. You can ask for your data to be erased if we have not asked for your consent to process your data. You can withdraw consent at any time – please contact us to do so.
7. If we are processing your data as part of our legitimate interests as an organisation or in order to complete a task in the public interest, you have the right to object to that processing. We will restrict all processing of this data while we look into your objection.
8. You have the right to request the transfer of your personal information to another party (The right to data portability)
9. The right not to be subject to automated decision-making. Cheswold Park Hospital does not use your information to make automated decisions about you, nor to undertake profiling.

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**The national data opt-out - statement of compliance**

Cheswold Park Hospital does not currently have any data disclosures which require the application of national data opt-outs. Should any changes occur, that may require the Hospital to apply national data opt-outs this will be facilitated in line with the National Opt-out requirements. Any requests to disclose patient data for purposes beyond a patient’s individual care must be approved by the CEO or Medical Director.

Patients can view or change their national data opt-out choice at any time by:

- using the online service at [www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters),
- clicking on "Your Health" in the NHS App, and selecting "Choose if data from your health records is shared for research and planning",
- calling 0300 303 5678,
- complete a paper form and post it. The form can be downloaded from [www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters) or requested by calling the telephone service on 0300 303 5678.

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If you need further information or would like to exercise any of your rights, please contact our **Data Protection Officer:**

<b>Data Protection Officer</b>	
Cheswold Park Hospital Cheswold Lane Doncaster DN5 8AR	Tel: 01302762862 <a href="mailto:dpo@cheswoldparkhospital.co.uk">dpo@cheswoldparkhospital.co.uk</a>

### Complaints

You can submit a complaint through the Hospital's Complaints Procedure, by writing to:

<b>Complaints Co-ordinator</b>	
Quality Team Cheswold Park Hospital Cheswold Lane Doncaster DN5 8AR	Tel: 01302762862 <a href="mailto:complaints@cheswoldparkhospital.co.uk">complaints@cheswoldparkhospital.co.uk</a>

To get further advice or report a concern directly to the UK's independent authority you can do this by making contacting with:

<b>Information Commissioner's Office</b>	
Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF	Tel: 03031231113 <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a>

### Changes to our policies and notices

We review our information security policies and practices on a regular basis, so this privacy notice will be updated periodically.

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**IMPACT EQUALITY ASSESSMENT**

1. Screening			
How relevant is this policy and its associated procedures to promoting equality and eliminating discrimination? (indicate in boxes below)			
	Not relevant	Partly relevant (state which parts)	Very relevant
Race/ethnic group	✓		
Disability <sup>1</sup>	✓		
Gender	✓		
Age	✓		
Sexual Orientation	✓		
Religion	✓		
Other (please state)			
2. Assessing Impact (to be completed where the policy and associated procedures has been determined as relevant in the screening process)			
Please specify, in the rows below, anything that you have included in this policy and its associated procedures to ensure that equality is promoted and that no-one will be unlawfully disadvantaged (discriminated against) as a result of this policy.			
Race/ethnic group			
Disability <sup>1</sup>			
Gender			
Age			
Sexual Orientation			
Religion			
Other (please state)			

<sup>1</sup> Disability covers physical, sensory and mental impairments which include mental illness and learning disability. Long term conditions such as cancer, HIV and Multiple Sclerosis are included and any other normal condition at the point at which it begins to have an impact on a person's capacity to carry out normal day to day activities.

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