

PATIENT & PUBLIC PRIVACY NOTICE

When we process your personal data, Nottingham University Hospitals Trust (NUH) is the Data Controller. As a Data Controller, the Trust has a duty to comply with the General Data Protection Regulation (GDPR), which requires that processing of your personal data is **fair, lawful** and **transparent**. This means we must:

- Keep sufficient information to provide services and fulfil our legal responsibilities
- Keep your records secure and accurate
- Only keep your information as long as necessary
- Collect, store and use the information you provide in a manner that is compatible with the data protection legislation.

Furthermore, we have a legal obligation to respect the common law duty of confidentiality. All of our staff are contractually bound to this obligation through their terms and conditions of employment. Healthcare professionals are further committed to maintaining confidentiality through their professional registration.

The Trust is registered as a data controller with the Information Commissioner's Office – registration number **Z9330681**. Our registration entry can be seen [here](#).

Why do we need information about you?

In order to provide you with the highest quality of healthcare we need to keep records about you. Health records comprise information relating to your physical or mental health, created by a healthcare professional to support your care. Health records consist of electronically-held information, such as radiology images and test results, and include paper records which have been scanned. Records also include referral and discharge letters, observation charts, outpatient/inpatient clinical notes, and relevant information from people who care for you and know you well such as health professionals and relatives/carers.

How your personal information is used

The people who provide healthcare to you, such as your doctor, nurse or other healthcare professional will use your records to:

- Confirm who you are when we contact you, or when you contact us
- Make decisions about your ongoing care and treatment
- Make sure your care is safe and effective, for example, for clinical audits.

Who do you share my information with?

We recognise our duty to share information about our patients with healthcare professionals from other organisations to ensure safe and effective continuity of your care. We do so under a formal agreement about how it will be used and kept confidential. Some examples are:

- This Trust is part of a group of NHS hospitals in the East Midlands that have a shared NHS radiology system. This will enable healthcare professionals in other NHS hospitals in the East Midlands to access your radiology record when necessary, to ensure you receive consistent, safe and effective clinical care and treatment, irrespective of where you receive your care. For further

information click [here](#).

- The Trust participates in the Nottinghamshire Health and Care Portal. The community portal enables providers to electronically share your health and social care information, such as hospital and GP attendances, test results, medication and care plans with other Nottinghamshire health and social care providers. With your explicit consent, health and social care professionals, or staff who are supervised by health and social care professionals, will be able to access this information to better coordinate and provide care to you. Access is strictly controlled and the shared record is hosted by Nottingham University Hospitals NHS Trust in our secure data centre.
- We manage health records for Circle Nottingham on the QMC campus. If you have an appointment at Circle Nottingham we will make sure your records are available to them.
- When Children and Young People attend NUH information may be shared with relevant health care professionals e.g. Health Visitor, School Nurse
- We may also share relevant information about you with other NHS organisations such as:
 - Other hospitals and healthcare providers that are involved in your care and treatment
 - Your GP.
- If you are receiving care from other services outside the NHS, for example social care services, we may need to share information about you so we can all work together for your benefit. For example, we may share your information with:
 - Social Care Services
 - Local Authorities
 - Voluntary and private sector providers working with the NHS.

Do I have a choice?

If you wish to receive safe and appropriate care and treatment at our hospital we must maintain an accurate record of relevant information about you. If you have any concerns about providing information, or how we share it with other health and social care providers, please discuss this with our staff so that you fully understand the potential impact on your care or treatment.

Do you ever share my information without my consent?

We will not disclose your information to any other third parties for non-care purposes without your consent unless there are exceptional circumstances or where we are legally required to report information to the appropriate authorities. For example:

- Notifications of:
 - new births
 - diagnosis of infectious diseases such as meningitis or measles (but not HIV or AIDS) which may put other people at risk
- To comply with a court order

- Public interest, for example, if there is a risk of death or serious harm
- A legal need to share it, for example:
 - to protect a child under the Children Act and Local Safeguarding Procedures
 - to support investigations by the NHS Counter Fraud Agency
- A legitimate enquiry from the police under data protection legislation for information relating to a serious crime
- To comply with Confidentiality Advisory Group approvals under Section 251 of the NHS Act 2006, which permits the collection of health information for patients with specific conditions without consent for the benefit of research and other important activities. Examples include the National Cancer Registry, the Trauma Audit and Research Network, the National Congenital Anomaly, Rare Disease Registration Service, and the NHS Patient Survey Programme. If you wish to opt out of your information being used for these purposes, please contact the Trust's Data Protection Officer.

Sharing information with your family

With your agreement we will share information about your current care with your family or carer. It is important that we know which family members or carers to involve in your care, and who we can share your information with. This person does not need to be related to you but they should be able to tell us your wishes in case you are unable to do so yourself.

Call recording

Telephone calls to Nottingham University Hospitals are routinely recorded to:

- Prevent crime or misuse
- Make sure that staff act in compliance with Trust procedures
- Ensure quality control and improve services
- Train staff.

CCTV

Security cameras are installed at various locations at the City Hospital, Queens Medical Centre and Ropewalk House to prevent and detect crime, and for the protection of staff, visitors and patients and their property. Requests for copies of recordings should be directed to the Data Protection Administration Office.

Short Message Service (SMS) text messaging

When attending the Trust for an outpatient appointment or a procedure you may be asked to confirm that the Trust has an accurate contact number and mobile telephone number for you. With your agreement your mobile number can be used to provide appointment details via SMS text messages.

Use of your information for other purposes

Relevant information about you may also be used to help us to:

- Receive funding and keep track of spending

- Teach and train our staff (but you can choose whether or not to be involved)
- Manage and plan our services
- Help investigate concerns or complaints that you or your family may have.

Wherever possible we use information that would not identify you personally (the information will be anonymised).

Using your information for research

Research has a vital role to play in the development of healthcare and health service delivery. The Trust is a proactive research institution and this is reflected in our aims and values. The Trust's Research and Innovation Department must approve research before it takes place. If we wish to use your personal information and health data for research, we would only do so with your explicit consent and will provide information beforehand regarding how your data will be processed.

How long do you keep my records?

There are national records management standards in the NHS for how long we need to keep information about you. This varies depending on the type of information. Typically, your health record is destroyed or deleted **8 years** following the end of treatment, or death. Records for some patients, e.g. children's records, are kept much longer. Our policy on the Retention and Disposal of Health Records is available [here](#).

How do I update the personal information you have about me?

It is essential that we have your correct details to ensure the appropriate care, treatment and follow up is provided to you. If you change your name, address, phone number, or GP, please let our staff know so that your records can be updated. You should also tell us if any of your information we hold is incorrect.

How do we keep your information secure and confidential?

You have the right to confidentiality under data protection legislation, the Human Rights Act 1998 and the common law duty of confidence. Everyone working in the NHS has a legal duty to keep information about you confidential. Anyone who receives information from us is also under a legal duty to keep it secure and confidential.

Your information is held in secure systems in both paper and electronic format. Our electronic systems record when, and by whom, your record was accessed.

New systems are subjected to a data protection impact assessment to ensure any risks to privacy are mitigated.

All staff complete annual data protection and confidentiality training, supplemented by related policies and procedures. These policies can be found on our [website](#).

Transferring data abroad

Very occasionally your data may be transferred outside of the UK. If this is necessary for direct care purposes it is done so under contract, and a data processing agreement will stipulate the required protection required under data protection laws.

Your rights

GDPR affords patients, as data subjects, a number of rights in relation to the information we hold about them in health records, which are defined as a special category of personal data under GDPR. These rights are explained [here](#).

Upon request we will inform you whether your personal data is processed by the Trust and will send you a copy of that data. Click [here](#) to see the request form.

Useful contacts

Nottingham University Hospitals Data Protection Administration

Post: Data Protection Officer, Data Protection Administration Office,
Nottingham University Hospitals, Queen's Medical Centre, Derby Road,
Nottingham, NG7 2UH

Tel: 0115 9249924 ext 63975

Email: dpo@nuh.nhs.uk

Information Commissioner

If after exhausting our internal processes you believe that we have not complied with the data protection legislation you may wish to seek advice from the Information Commissioner.

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

Fax: 01625 524 510

Tel: 01625 545 700

Email: mail@ico.gsi.gov.uk