

Your personal data and your rights

Information for patients



As part of your care at University Hospital Southampton (UHS) we will need to collect information about you. This data is vital to us providing high quality care, conducting the best research and doing it in the most efficient way possible.

Contents

What information do you collect?	page 3
Who will see my information?	page 4
How is my information stored?	page 5
What are my rights?	page 7

What information do you collect?

When you come into hospital, we will need to collect information about you, so that we can provide the best treatment and care. In most cases we will need to collect some of your basic personal details, such as:

- name
- address
- date of birth
- place of birth
- overseas status
- marital status
- gender
- preferred name and/or maiden name
- occupation
- telephone number(s)
- email address
- contact details for your next of kin
- contact details for your GP
- religion
- ethnicity

We may also need to keep a record of other personal information about you relating to your hospital care and needs, such as:

- details of your medical conditions
- results of investigations, such as x-rays and laboratory tests
- details of the future care you may need
- personal information from people who care for and know you, such as relatives and health and social care professionals
- details of any protection orders regarding your health, wellbeing and human rights
- other notes and reports about your health, treatment and care.

Who will see my information?

We may need to share your personal information with staff within the hospital and with other organisations to enable us to give you the best care possible.

We may in some instances receive information from third parties which would be recorded on your medical records, this could include the police, social services and local safeguarding teams. This information will be stored and protected in the same ways as the information you or your representatives supply to us.

We take our responsibility to protect your confidentiality very seriously and will never use or share more information than necessary. We will always try to make your personal information anonymous if possible, so that you cannot be personally identified.

Your information will be seen and used by hospital staff. This may include:

- staff involved in your care, such as doctors, nurses, pharmacists and therapists
- staff involved in the administration of your care
- healthcare students and professionals who are training
- pathology and radiology staff who are analysing data
- staff who are conducting local clinical audits
- clinical research staff

In some cases we may need to share your information with healthcare professionals or services outside UHS. These might include:

- other professionals or services involved in your care, such as your GP or another hospital
- organisations who provide services on behalf of UHS, such as administration service providers and other care providers
- health authorities, such as NHS England
- NHS commissioners of care
- external researchers (only if we have either explicit consent from you, the researchers are part of your care team or a special derogation from the Department of Health)
- other welfare and education public sector bodies (only if we believe the reasons for sharing override our obligation of confidentiality)

There may also be situations where we are under a duty to share your information, due to a legal requirement. This includes, but is not limited to:

- disclosure under a court order
- sharing information with the Care Quality Commission for inspection purposes
- sharing information with the police for the prevention or detection of crime
- where there is an overriding public interest to prevent abuse or serious harm to others
- other public bodies, such as HMRC for the misuse of public funds in order to prevent and detect fraud.

If it is necessary to transfer your data internationally, we will make sure that your data is protected.

How is my information stored?

At UHS we are increasingly using electronic formats to store your information. This allows clinicians to quickly locate your information and provide efficient appropriate care. Some information may be stored as paper records.

How long will you keep my information?

We will retain your information for as long as medically necessary, in line with NHS national medical record retention periods. These are set out in a document called 'Records Management Code of Practice' by the Information Governance Alliance.

How will my information be used?

We may collect and process your health and medical information under the Data Protection Act 2018 and the General Data Protection Regulations for the following purposes:

- public interest and medical diagnosis, the provision of health and social care or treatment, or the management of health and social care systems and services
Article 6(1)e and Article 9(2)h*
- Public interest and public health. This would include where there is a clear public health reason for processing or making public personal health information. This is likely to apply in very limited circumstances.
Article 6(1)e and Article 9(2)i*
- Public interest and research. For world leading research that informs our work and furthers the interests of the provision of healthcare.
Article 6(1)e and Article 9(2)j*
- Public interest and defense of legal claims.
Article 6(1)e and Article 9(2)f*

We may collect other personal information about you for the following purposes:

- Protect the vital interests of patients and staff. We process and record CCTV and body camera images of patients and staff to ensure UHS continues to be a safe and secure environment. This is in the interests of the public using the hospital and the staff who work there.
Article 6(1)d*

*General Data Protection Regulations article reference

What are my rights?

Under the Data Protection Act 2018, you have certain rights to control and prevent the use of your information. Some of these apply to the medical context, but others don't.

Your right to access

You have a right to request a copy of your personal information as stored by UHS. We will not charge you to provide this information (except in very rare specific instances). We will reply to any request for copies of personal information within one month, unless the request is particularly complex. If this is the case, we will inform you of the extension within one month.

We can also provide further information about the purpose of processing your information, the categories of information we hold, details of your rights and how long we will keep your information for.

If you would like to request your information, please contact our information team:

UHS Disclosures Team
Unity 12
9-19 Rose Road
Southampton
SO14 6TE

Telephone: **023 8120 4885** or **023 8120 4886**
Email: **disclosures@uhs.nhs.uk**

Your right to rectification

You have a right to have information about you corrected if it is incomplete or inaccurate. It may not always be possible to change information, but we will let you know if this is the case and explain the reasons. If you make a request, then we must respond within one month. If you would like information about you to be amended please speak to your doctor or nurse, or contact the UHS data protection officer.

Your right to erasure

You have a right to request that information about you is erased. However, it is very unlikely that we will be able to delete any of your medical information because it will be required for any ongoing treatment, for public health purposes and to comply with other guidelines and regulations. If you would like to discuss any issue you have with your medical records, please contact the data protection officer.

Your right to restrict processing

You have a right to block or restrict processing of your personal information. It may not always be possible to restrict the processing of your information, but if you would like to request a restriction to be placed on your information please contact the data protection officer.

Your right to data portability

You have the right for some personal information to be passed to you in a form which makes it easy to pass to another organisation. This right will only apply to medical information in a very limited set of circumstances. However, if you would like to discuss the portability of your information please contact the data protection officer.

Your right to object

You have a right to object to any processing of your personal information. This right will only apply in a limited set of circumstances. If you would like to discuss any objections you have to the processing of your personal information, please contact the data protection officer.

Your rights related to automated decision-making

These rights relate to decisions taken automatically, without human involvement. You have rights to prevent this type of decision-making in limited circumstances. If you would like to discuss automated decision-making please contact the data protection officer.

Your right to withdraw consent

You have a right to withdraw consent to process personal information. In most instances consent is not required or sought to process medical information. However, if you are considering withdrawing consent and would like more information about where this maybe applicable, please contact the data protection officer.

Your right to complain

If at any time you are not happy with UHS's handling of your personal information then you have a right to contact the information commissioner's office:

Information commissioner's office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Email: casework@ico.org.uk

If you decide to withhold personal information about yourself, then please discuss it with the data protection officer. It is likely that this decision would severely limit the ability of UHS to provide effective care or treatment.

Our data protection team

At UHS we have a team of people who are responsible for making sure that your information is properly protected.

Data protection officer

The data protection officer makes sure that all information is collected, stored and used in accordance with the Data Protection Act 2018 and the General Data Protection Regulations. The data protection officer role is carried out by the UHS associate director of corporate affairs. If you have any concerns, questions or issues with how your information is published, contact the data protection officer:

Data protection officer
Trust Headquarters
University Hospital Southampton
Tremona Road
Southampton
SO16 6YD

Email: dataprotection@uhs.nhs.uk

Telephone: **023 8120 4743**

Caldicott guardian

The Caldicott guardian is responsible for protecting the confidentiality of patient information. This role is carried out by the director of nursing.

Senior information risk owner (SIRO)

The SIRO is responsible for managing information risks. This role is carried out by the director of transformation and improvement.

Contact us

If you would like any more information about how we handle your information, please contact the data protection officer.

Data protection officer

Trust Headquarters

University Hospital Southampton

Tremona Road

Southampton

SO16 6YD

Email: dataprotection@uhs.nhs.uk

Further information

You can find more information about your rights and how organisations should process personal information on the information commissioner's website:

www.ico.org.uk

If you need a translation of this document, an interpreter or a version in large print, Braille or on audiotape, please telephone 023 8120 4688 for help.

www.uhs.nhs.uk

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