Fair Processing: Patient Information

York Teaching Hospital NHS Foundation Trust (the Trust) processes information about you in order to provide health care services, and in doing so has to comply with the requirements of the General Data Protection Regulation. This means that data held about you must only be used for specific purposes as defined by law.

This Fair Processing Notice has been created to inform you about the types of information held about you, why that information is held about you, and to whom that information may be shared.

Why we collect information about you

Your clinical care team and other health and care professionals caring for you, keep records about your health and any treatment and care you receive from the NHS. These help ensure that you receive the best possible care from us.

They may be written down (manual records), or held on a computer. The records may include:

- Basic information about you, such as name, address, date of birth, NHS number and next of kin details
- Contacts we have had with you, such as day care clinics and/or home visits
- Notes and reports about your health and any treatment and care you need
- Details and records about the treatment and care you receive
- Relevant information from other health and social care professionals, local authorities, voluntary organisations, relatives or those who care for you and know you well.
How your personal information is used

Your records are used to direct, manage and deliver the care you receive to ensure that:

- The clinical care team and other healthcare professionals involved in your care have accurate and up to date information to assess your health and decide on the most appropriate care for you

- The clinical care team and other healthcare professionals have the information they need to be able to assess and improve the quality and type of care you receive

- Your concerns can be properly investigated if a complaint is raised; and

- Appropriate information is available if you see another member of the clinical care team, or are referred to a specialist or another part of the NHS.

How your records are used to help the Trust

Your information will also be used to help us manage the Trust and protect the health of the public by being used to:

- Review the care we provide to ensure it is of the highest standard and quality

- Ensure our services can meet service user needs in the future

- Investigate service users’ queries, complaints and legal claims

- Prepare statistics on the Trust’s performance

- Audit Trust accounts and services

- Undertaking health research and development (with your consent - you may choose whether or not to be involved)

- Helping to train and educate healthcare professionals.

Some of this information is held centrally within the Trust, but where this is used for statistical purposes stringent measures are taken to ensure that individual service users cannot be identified.
Anonymous statistical information may also be passed to organisations with a legitimate interest, including Universities and Research Institutions.

Where it is not possible to use anonymised information, personally identifiable information may be used for essential NHS purposes. They may include research and auditing services. This will only be done with your consent, and/or the consent of your carer or next of kin, unless the law requires information to be passed on to improve public health.

How we keep your records confidential and secure

Everyone working for the NHS has a legal duty to keep information about you confidential and secure. You may be receiving care from other organisations as well as the NHS e.g. Social Services and the Voluntary Sector.

We may need to share some information about you so we can all work together for your benefit. We will only ever use or pass on information about you if others involved in your care have a genuine need for it. When we pass on any information we will ensure it is kept confidential and secure.

Anyone who receives information from us is also under a legal duty to keep it confidential and secure.

We are required by law to report certain information to the appropriate authorities. This is only provided after formal permission has been given by a qualified health professional.

Occasions when we must pass on information include:

- Notification of births and deaths
- Where we encounter infectious diseases which may endanger the safety of others such as meningitis or measles
- Child Protection cases
- Where a formal court order has been issued
- Benefits Agency cases
• National Treatment Agency for Substance Misuse to monitor the availability, capacity and effectiveness of treatment for drug misuse in England.

Who do we share your information with?

Everyone working within the NHS has a legal duty to keep information about you confidential. Similarly, anyone who receives information from us has a legal duty to keep it confidential.

We will share information with the following main partner organisations:

• Other NHS trusts, hospitals that are involved in your care
• Clinical Commissioning Groups and other NHS bodies
• General practitioners (GPs)
• Ambulance trusts

You may be receiving care from other service providers as well as the NHS, for example Social Care Services.

We may need to share some information about you with them so we can all work together for your benefit if they have a genuine need for it as part of your care or we have your permission.

Therefore, we may also share your information with:

• Social Care services
• Education services
• Local Authorities
• Voluntary and private sector providers working with the NHS

We share information in line with the legislation from the Health and Social Care Act 2015 and we process/share your information under the new GDPR (General Data Protection Regulation) legislation of article 6(1)(c), 6(1)(d), 6(1)(f) and article 9 EU GDPR (processing of special categories of personal data). 9(2) (h) - Processing is
necessary for the purposes of preventative or occupational medicine, for assessing the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services on the basis of Union or Member State law or a contract with a health professional.

For overseas visitors, your information may be shared with government agencies such as the Home Office and the Department of Health and Social Care.

Patient surveys

If we hold your mobile number or email address, we may occasionally send you a text message or email asking you to be involved in surveys about our services.

This feedback helps the Trust to identify what we are doing well and areas where we may need to improve.

Retention periods

We follow the Trust and the DOH policies and guidance in regards to the retention periods of data and information that we hold. If you have any questions in regards to your information and how it is used, please contact the IG department and we will do our best to help: InformationGovernanceTeam@york.nhs.uk

If your issues cannot be resolved by the IG department in regards to your query, and you are still not happy with our response, please see the Trust complaints department details below and the ICO details (Information Commissioners Office)

Tel: 01904 726262 / Email: pals@york.nhs.uk

ICO (Information Commissioners Office)

Call our helpline on 0303 123 1113 (local rate - calls to this number cost the same as calls to 01 or 02 numbers). Or see the ICO website - https://ico.org.uk