

# Privacy Notice

## *Patients*

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# How we manage and protect information about you?

Open Medical collects information about you to help your health provider give you the best possible care.

Our aim is to maintain full and accurate records of the care is provided for you and keep this information confidential and secure.

## What information do we collect?

We collect information about you such as your name, address, NHS number, GP and contact details (including your email address and mobile number where you have provided these) alongside any health related information required for the delivery of healthcare services, for example:

- Details and records of treatment and care, including notes and reports about your physical or mental health;
- Results of x-rays, blood tests and diagnosis;
- Information on medication or any allergies;
- Any other relevant contact details, for example a family member.

We may also collect personal sensitive information such as your ethnicity, religion, sexuality, so that we can build up a complete picture of you in order to enable the clinical staff to provide you with the best care possible and to effectively deliver your treatment and care needs.

We may also receive written or electronic information about you from other health and social care providers in order to support the care you receive. This will enable your doctors to provide the appropriate care and treatment that you need. We might also collect information to monitor the provider's compliance with their legal obligations relating to equality and diversity.

This information will be recorded electronically on a computer or other electronic device.

## Who processes your information?

We process your information on behalf of your healthcare provider to facilitate the provision of health care services. We may also engage in the processing of your data in order to facilitate the delivery of our services.



## **On what basis are we entitled to process your information?**

We process your information on behalf of your healthcare provider which is lawfully permitted your information as there is a legal obligation for them to do so under various legislation, including the NHS Act 2006 and the Health and Social Care Act 2012, among others. It also processes your information as an authority acting in the public interest. Information about your health or care is known as “Special Category Data” under the data protection legislation and healthcare providers are lawfully entitled to process this data as an authority for the purposes of providing you with care and when undertaking health research. You do have the right to say “no” to the use your information but this could have an impact on your healthcare provider’s ability to provide you with care.

## **How do we use the information we collect to help you?**

We may use the information we collect to help your healthcare provide to deliver services to you in the following ways:

- Doctors, nurses or healthcare professionals involved in your care need accurate and up-to-date information about you to assess your health and deliver the care you need;
- To ensure information is available if you need to be referred to another health professional or if you move to a different area;
- To assess the type and quality of care you have received and require in the future;
- To support clinic and treatment appointments by sending you electronic and or paper based appointment reminders;
- To ensure your concerns can be properly investigated if you are unhappy with the care you have received.

## **Do we share information about you with anyone?**

There are times when it is appropriate for us to share information about you and your healthcare with others. We may lawfully share your information with the following:

- GPs;
- NHS Trusts and other healthcare providers;
- Department of Health;
- NHS England;



- Local Child Health Information Service (this is a regional programme which supports the transfer of child clinical records across the area);
- NHS Digital – an organisation that utilises technology and information systems to support the delivery of patient care across the NHS;
- Health Research Authority – to support research in health and care. The HRA have published their own privacy statement for patients - <https://www.hra.nhs.uk/information-about-patients/>

We may also need to share your information with other non-healthcare organisations, where it is required in compliance with legal duties. For example, where you are receiving care from a local authority, we would need to share your information with a social worker to support the provision of your care. Other occasions where we may need to share your information include:

- Reporting some infectious diseases;
- To help prevent, detect or prosecute serious crime;
- If a court orders us to do so;
- When you have expressly agreed – e.g. for an insurance medical;
- Registering births or deaths;
- If there is a concern that you may be putting either yourself, another person (including a health or social care professional) or a child at risk of harm.

Where information is shared with non-healthcare organisations we may request that they enter into an information sharing agreement to ensure that the information shared with them is handled appropriately and complies with the relevant legislation. The information from your patient record will only be used for purposes that benefit your care – we would never share your personal information for marketing or insurance purposes.

In all cases where we must pass on health care related information, we will only share the minimum amount of information required. Anyone who receives information also has a legal duty to keep it confidential.

If you need further information on how your data is shared please email our Data Protection Officer at the contact details below.

## **How else could your information be used?**

Your information may also be used to help us:

- Review the care provided;
- Audit accounts or services;
- Arrange payments for the person who treats you;
- Prepare statistics or other performance data on the quality of care being delivered;
- Investigate incidents, complaints or legal claims;
- Facilitate research and development;
- Make sure our services can meet patient needs in the future;



- Teach and train healthcare professionals;

Your data will not be transferred outside the European Economic Area to “Third Countries”.

## **What if I object to your processing of my information?**

GDPR confirms that you have the right to object to the processing of your information. Any objection made by you to processing of your data will be considered by the Provider’s Data Protection Officer, who will make a decision whether or not we should cease processing your data. You have the right to make a complaint to the ICO if you disagree with the decision, or you may be able to bring legal proceedings to appeal the decision should you wish to do so.

GDPR also contains a general right to request that an organisation erase personal data, however, this does might not apply to data which is being processed for the purposes of delivering healthcare.

## **Can you see the information we collect about you?**

The data protection legislation gives you the right to know what personal data we hold about you, what we use it for and if the information is to be shared, who it will be shared with.

You have the right to apply for access to the information we hold about you free of charge and we have a duty to provide this information in a format that is accessible to you and in a way that you can understand. Your request must be made in writing and we may ask you to provide proof of identity before we can disclose personal information.

In certain circumstances your right to see some details in your health records may be restricted, for example if the information refers to someone else who hasn’t given their permission, or could cause physical or mental harm to you or someone else (including any health or social care professional) were it to be disclosed; or if the information is being used to detect or prevent crime.

After having viewed your records, if you believe any information is inaccurate or incorrect, please inform us of this in writing and we will take steps to rectify any inaccuracies as quickly as possible and within one month maximum.



## How 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. We protect your information in the following ways:

**Training** - Staff are trained to understand their duty of confidentiality and their responsibilities regarding the security of patient information. Staff are also obliged to undertake regular training in data security and confidentiality on an annual basis to demonstrate that they understand and are complying with our policies on confidentiality.

**Access controls** - Staff only have access to patient identifiable information where it is relevant and necessary for them to do so.

**Audit trails** - We keep a record of anyone who has created, accessed, or updated a health record.

**Investigation** - If you believe your information is being viewed inappropriately we will investigate and report our findings to you. If we find that someone has deliberately accessed records about you without permission or good reason, we will tell you and take action. This can include disciplinary action, or bringing criminal charges.

**Legislation** - There are laws in place to protect your information, including the General Data Protection Regulation 2016 and the Data Protection Act 2018) and the Human Rights Act 1998.

**Data Protection Officer (“DPO”)** – Our Data Protection Officer’s role it is to ensure that we have in place appropriate mechanisms and procedures to protect your information and to ensure that personal data is processed lawfully.

Our DPO is Harry Lykostratis who may be contacted at the following details:

Tel: 0203 475 2955

Email: [ig@openmedical.co.uk](mailto:ig@openmedical.co.uk)

To get further advice or to report a concern directly to the UK’s information regulatory authority you can do this by making contact with:

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

Tel: 0303 123 1113

Website: [www.ico.org.uk](http://www.ico.org.uk)

