

Patient Privacy Notice

Solent NHS Trust takes your confidentiality and privacy rights very seriously. This notice explains how we collect, process, transfer and store your personal information and forms part of our accountability and transparency to you under the General Data Protection Regulation (GDPR) 2018.

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How will we meet the principles of GDPR?

We will process your personal information fairly and lawfully by ensuring we only using it if we have a lawful reason and when we do, we make sure you know how we intend to use it and tell you about your rights;

We do not rely on consent to use your information as a ‘legal basis for processing’. We rely on specific provisions under Article 6 and 9 of the General Data Protection Regulation, such as ‘...a task carried out in the public interest or in the exercise of official authority vested in the controller.’ This means we can use your personal information to provide you with your care without seeking your consent. However, you do have the right to say ‘NO’ to our use of your information but this could have an impact on our ability to provide you with care.

We also;

- ensure that only the minimal amount of information needed will be passed on
- ensure that anyone receiving information about you is under an obligation to keep it confidential and to only use the information for the specified purpose
- ensure that information sharing agreements between organisations will control the way your information shared
- not normally disclose your personal information without your consent, unless it is in your best interests or required by law
- have secure systems in place to prevent unauthorised access to patient information held on its computers

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What information do we collect from you?

Health and social care professionals working with you – such as doctors, nurses, support workers, psychologists, occupational therapists, social workers and other staff involved in your care – keep records about your health and any care and treatment you receive. This may include:

- Basic details such as name, address, date of birth, phone number, and email address - where you have provided it to enable us to communicate with you by email
- Contact Solent NHS Trust has had with the patient such as appointments or clinic
- Next of Kin
- Notes and reports about health, treatment and care
- Relevant information from carers, health professionals and relatives
- We need to collect details of your ethnicity because different racial and cultural backgrounds show a different pattern of disease and have different health needs.

Most of your records are electronic and are held on a computer system and secure IT network. New models of service delivery are being implemented, with closer working with GPs and other healthcare and social care providers. To assist this, the use of other electronic patient record systems to share your information will be implemented. **You will be given the opportunity to say no and to opt-out of this sharing by informing your treating healthcare professional.**

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Why do we collect this information about you?

Your information is used to guide and record the care you receive and is vital in helping us to;

- have all the information necessary for assessing your needs and for making decisions with you about your care
- have details of our contact with you, such as referrals and appointments and can see the services you have received
- can assess the quality of care we give you
- can properly investigate if you and your family have a concern or a complaint about your healthcare

Professionals involved in your care will also have accurate and up-to-date information and this accurate information about you is also available if you:

- Move to another area
- Need to use another service
- See a different healthcare professional

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Who might we share your information with?

Health and Social Care Professionals – You may receive care from other organisations, for example Social Care Services, and other NHS Trusts and therefore Solent NHS Trust may need to share information to ensure consistent and appropriate care and support is provided. This is only shared if there is a genuine need to share or we have patient consent to do so.

You have the right to refuse/withdraw your consent to information sharing at any time. Please discuss this with your relevant health care professional as this could have implications in how you receive further care, including delays in you receiving care.

Legal reasons to share information – A person's right to confidentiality is not absolute and there may be other circumstances when we must share information from your patient record with other agencies. In these rare circumstances we are not required to have your consent.

Examples of this are:

- If there is a concern that you are putting yourself at risk of serious harm
- If there is concern that you are putting another person at risk of serious harm
- If there is concern that you are putting a child at risk of harm
- If we have been instructed to do so by a Court
- If the information is essential for the investigation of a serious crime
- If you are subject to the Mental Health Act (1983), there are circumstances in which your 'nearest relative' must receive information even if you object
- If your information falls within a category that needs to be notified for public health or other legal reasons, such as certain infectious diseases

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Who might we share your information with?

The information from your patient record will only be used for purposes that benefit your care - we would never share it for marketing or insurance purposes.

Care and Health Information Exchange (CHIE) formerly known as the Hampshire Health Record, is a local health and social care record which brings together information from participating Health and Care organisations i.e. GP practices, community providers, acute hospitals and social care providers. From your patient record we share your name, address, contacts i.e. your next of kin, diagnosis, allergies and alerts as well as information about your appointments, care plans, immunisations and referrals, with CHIE. If you do not want your information shared with CHIE, please discuss this with your healthcare professional.

NHS Patient Survey Programme (NPSP) is part of the government's commitment to ensure patient feedback is used to inform the improvement and development of NHS services. We may share your contact information with an NHS approved contractor to be used for the purpose of the NPSP.

NHS Digital, on behalf of NHS England assess the effectiveness of the care provided by publicly-funded services - we have to share information from your patient record such as referrals, assessments, diagnoses, activities (e.g. taking a blood pressure test) and in some cases, your answers to questionnaires on a regular basis to meet our NHS contract obligations. **You have the right to object to us sharing your information to NHS Digital – this will not affect your care in any way.** For information about how you can **Opt-Out of sharing your data with NHS Digital** please click on [this link](#)

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Improving Health, Care and Services through Planning and Research

To help us monitor our performance, evaluate and develop the services we provide, it is necessary to review and share minimal information, for example with the NHS Clinical Commissioning Groups. The information we share would be anonymous so you cannot be identified and all access to and use of this information is strictly controlled.

In order to ensure that we have accurate and up-to-date patient records, we carry out a programme of clinical audits. Access to your patient records for this purpose is monitored and only anonymous information is used in any reports that are shared internally with in our Trust.

Information from your records helps staff to continually improve their work and ensures that we are providing good and best practice care. No personal details are released as a result of this work.

The Trust actively promotes research with a view to improving future care. Researchers can improve how physical and mental health can be treated and prevented.

If we use your patient information for research, we remove your name and all other personal data which would identify you.

We may contact you to participate in clinical research. No information will be shared with the researchers until you have given your consent

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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 whether it is in a hardcopy or electronic format.

- This Trust is registered to the Information Commissioner's Office; registration number Z2659626
- All of the Information Systems used by our Trust are implemented with robust information security safeguards to protect the confidentiality, integrity and availability of your personal information.
- The security controls adopted by the Trust are influenced by a number of sources including the 10 National Data Guardian Standards and guidelines produced by NHS Digital and other Government standards.
- We have very strict rules about who can and cannot use our computers. We also put restrictions in place as to which records staff can access.
- Our computers and networks are protected against hackers and unauthorised access.
- Any information about you that is sent electronically to another healthcare provider or service is sent securely (encrypted).
- Every time someone accesses your information an audit trail is created.
- All employees and our partner organisations are legally bound to respect your confidentiality, all staff must comply with our security operating procedures. Any breach of these is treated seriously, and could result in disciplinary action, including dismissal.
- If any of your personal information is to be processed overseas (i.e. outside the EU) a full risk assessment would be undertaken to ensure the security of the information.

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How long do we keep your information?

All records held by the NHS are subject to the Records Management Code of Practice for Health and Social Care Act 2016 (the Code). The Code sets out best practice guidance on how long we should keep your patient information before we are able to review and securely dispose of it.

A copy of the Records Management Code of Practice for Health's Record Retentions can be found [here](#).

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How can I access the information you hold about me?

You have a right to see the information we hold about you, both on paper or electronic, except for information that:

- Has been provided about you by someone else if they haven't given permission for you to see it
- Relates to criminal offences
- Is being used to detect or prevent crime
- Could cause physical or mental harm to you or someone else

Your request must be made in writing and we will request proof of identity before we can disclose personal information. You can find out more about accessing your information by visiting our ["Your Information, Your Rights"](#) page of our internet.

All applications for access to health records must be made in writing or email, and submitted to the Information Governance Team.

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Complaints

If you wish to make a complaint about how your data has been handled, please contact our complaints team on:

Patient Advice and Liaison Service

Solent NHS Trust
Trust Headquarters
Highpoint Venue
Bursledon Road
Southampton
Hampshire
SO19 8BR

Telephone: 0800 013 2319

Email: snhs.solentfeedback@nhs.net

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

Information Commissioner's Office

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: [0303 123 1113](tel:03031231113)

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Other useful contact numbers

Requests for Information

Information Governance Team

InformationGovernanceTeam@Solent.nhs.uk

Telephone: 0300 123 3919

Data Protection Officer

Mrs Sadie Bell

Data Protection Officer and Head of Information Governance & Security

Sadie.Bell@solent.nhs.uk

Senior Information Risk Owner

Mr David Noyes

Chief Operating Officer

David.Noyes@solent.nhs.uk

Caldicott Guardian

Dr Daniel Bayliss

Chief Medical Officer

CaldicottGuardian@solent.nhs.uk

The Data Controller

Solent NHS Trust Headquarters

Highpoint Venue

Bursledon Road

Southampton

SO19 8BR

Telephone: 0300 123 3390

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