

group policies and procedures

# fair processing notice

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**Related policies and guidance**



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# Access to Information

This document provides information about why the NHS records information about you and how it is used; with whom we may share information; your right to see your health records; and how we keep your records confidential.

# Why the NHS collects information about you

The NHS aims to provide you with the highest quality health care. To do this we must keep records about you, your health and the care we have provided or plan to provide to you.

Your doctor and other health professionals caring for you, such as nurses or physiotherapists, keep records about your health and treatment so that they are able to provide you with the best possible care.

These records are called your ‘health care record’ and may be stored in paper form or on computer and electronic systems and may include:

1. basic details about you, such as your address, date of birth, NHS number, and next of kin
2. contact we have had with you, such as clinical visits
3. notes and reports about your health
4. details and records about your treatment and care
5. results of x-rays, laboratory tests etc.

Your health care records are used for the following reasons:

1. by health care professionals looking after you to have accurate and up-to-date information about you to help them decide on any future care you may require
2. to ensure accurate and complete information is available should you see another doctor or be referred to a specialist or another part of the NHS
3. to have a good basis for assessing the type and quality of care you have received
4. to ensure your concerns can be properly investigated if you need to complain.

# How your records are used to help the NHS

In order for the NHS to make the best use of its resources we need to understand what care we are providing and to whom. Whenever we do not need to know it is about you individually we will only use your information in an anonymised form. Your information can help the NHS to:

1. plan services to ensure we meet the needs of our population in the future
2. report events to the appropriate authorities when we are required to do so by law
3. undertake clinical audit of the quality of services provided
4. report and investigate complaints, claims and untoward incidents

* prepare statistics on our performance for the Department of Health.

1. review our care to make sure that it is of the highest standard
2. conduct health research and development.
3. pay your hospital for the care you have received
4. audit NHS accounts

# How we keep your information safe

Everyone working for the NHS has a duty to keep your information confidential and secure.

However, from time to time, there may be a need to share some or all of your information with other health care professionals or NHS organisations so that we can work together to provide the best possible care. We will only ever share your information if it is in your best interests in the NHS, and in certain circumstances, social care.

Castleman Healthcare Ltd will not disclose any information that identifies you to anyone outside your care team without your express permission unless in exceptional circumstances, such as where we are required to do so by law.

Any information that is transmitted between your practice and Castleman Healthcare Ltd will be annoymised.

If you have any concerns about how your information may be shared, please discuss them with your health care provider, e.g. GP, nurse, dentist.

# How we keep your records confidential

Everyone working in the NHS or for Social Services has a legal duty to keep information about you confidential. Records will be kept in line with the Department of Health Records Management Code of Practice which determines the minimum length of time that records should be kept for.

Our guiding principle is that we hold your records in strict confidence. We have a duty to:

1. maintain full and accurate records of the care we provide to you
2. keep records about you confidential, secure and accurate
3. provide information in a format that is accessible to you (for example, in large type if you have a visual impairment).

**We only share information that identifies you if**

1. It ensures you receive the best care possible
2. You ask us to do so
3. We ask and you give us specific permission
4. We have to do this by law
5. We have special permission for health or research purposes
6. We have special permission because the interests of the public are thought to be of greater importance than your confidentiality.

Otherwise all information that is sent to Castleman from your practice will be annoymised.

# What is a subject access request and how do I make one?

Under the Data Protection Act 1998 and the General Data Protection Requirement (GDPR) you can make a request to see the information that Castleman Healthcare Ltd holds on you. this is referred to as a Subject Access Request

To access a copy of your health records please write to the following address giving as much detail as possible on the record(s) you wish to access:

**Fiona Pickering - Information Governance Lead**

**Castleman Healthcare Ltd, c/o 18 Kirkway, Broadstone, BH18 8EE**

We will also ask you for proof of your identity and proof of your address.

**Can I access the records of my children?**

You may be able to access the records of your child/children providing they are under 16.  However, if a clinician has stated that he/she believes your child/children to be competent to make their own decisions, then you will not have that right.

To apply for access, please use the procedure above.

**How long will it take?**

Information must be provided without delay and at the latest within one month of receipt.

The period of compliance can be extended by a further two months where requests are complex or numerous. If this is the case, we must inform you within one month of the receipt of the request and explain why the extension is necessary.

**How much will it cost?**

Under the General Date Processing Regulation there will be no cost in the first instance (but subsequent requests may be chargeable.)

**Can I be refused access to my health records?**

You can be refused access to your records or part of them:

1. If your doctor thinks you or someone else could be harmed as a result
2. the information relates to, or was provided by, a third party (that is someone other than yourself or a clinician) and they have not given their permission for their comments to be divulged to you.

Should you be unhappy with the outcome of your request, you should in the first instance contact the named individual at Castleman Healthcare Ltd who responded to your request.

You are also free to contact the Information Commissioner directly in the event you remain dissatisfied:

Information Commissioners Office  
Wycliffe House   
Water Lane   
Wilmslow   
Cheshire   
SK9 5AF

# The Caldicott Guardian

All NHS organisations are required to appoint a Caldicott Guardian to ensure compliance with patient data confidentiality. Castleman Healthcare Ltd. Caldicott Guardian is Fiona Pickering who is responsible for protecting the confidentiality of patients’ and service-users’ information and enabling appropriate information-sharing.

The Caldicott Guardian plays a key role in ensuring that NHS, Councils with Social Services responsibilities, and partner organisations, satisfy the highest practical standards for handling patient identifiable information.

Acting as the 'conscience' of an organisation, the Guardian actively supports work to enable information sharing where it is appropriate to share, and advises on options for lawful and ethical processing of information.

# Further Information

For additional information please refer to:

1. [The Care Record Guarantee](http://systems.hscic.gov.uk/rasmartcards/strategy/nhscrg)
2. [The NHS Constitution](http://www.gov.uk/government/publications/the-nhs-constitution-for-england)