



Privacy Notice

This page explains how we use any information you give to us, and the ways in which we protect your privacy.

Why we need your personal information

We collect information about you mainly to provide you with health and care services. This is in accordance with the statutory obligations under the [NHS Act 2006](#) and [Health and Social Care Act 2012](#).

The information we collect is used for medical purposes that include:

- preventative medicine
- medical diagnosis
- medical research
- provision of direct care and treatment

We collect your personal information so that your care team has accurate and up-to-date information to plan your treatment options.

The new data protection law

The General Data Protection Regulation (GDPR) is a new law which allows and regulates the processing of personal data for health and social care, where data are processed by a public authority, such as this organisation.

Health, social care and genetic data are amongst special categories of data requiring special protection and subject to additional controls. Therefore public providers of health and care are expected to:

1. **demonstrate satisfaction of conditions set out in Article 6 of the GDPR**
2. **satisfy a condition under Article 9 of the GDPR when processing special categories of data, i.e. data concerning health**

Under Article 6, processing is permitted where it is:

“Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (Article 6(1) (e)).

Commercial suppliers that work on behalf of the NHS (e.g. technology third-party suppliers to NHS Trusts), or private sections of public providers may also rely upon an alternative lawful basis. For example, where processing is necessary for the purposes of their ‘legitimate interests’ (Article 6(1)(f)). Article 9(2) sets out the circumstances in which the processing of special categories of data, including data concerning health, which is otherwise prohibited, may take place. NHS Trusts as public bodies with healthcare provision as their statutory purpose, may process personal data where necessary to fulfil their public healthcare provision function, provided that they satisfy one of the following conditions:

9(2)(h) – 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

Article 9(2) also sets out the circumstances in which the processing of data concerning health may take place in academic organisations. Universities as public bodies with research either incorporated in their core function or as their statutory purpose may process personal data where necessary to fulfil their public research function, provided that they satisfy one of the following conditions:

9(2)(h) – 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

And

9(2)(i) – Necessary for reasons of public interest in the area of public health, such as protecting against serious cross- border threats to health or ensuring high standards of healthcare and of medicinal products or medical devices.

Article 9 allows for the processing of a special category of personal data for health research where processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide suitable and specific measures to safeguard the fundamental rights and the interests of the data subject. (Article 9(2)(j))

This means that where it is necessary to process special categories of data, such as data concerning health, for research purposes, then that processing is permitted by the GDPR (under Article 9(2)(j)).”

What information we collect about you

Health and care organisations have a legal duty to keep complete, accurate and up-to-date information about your health. This is so that you can receive the best possible care, both now and in the future.

This information is known as your ‘health record’ and is stored securely on managed systems. The information stored includes:

Category	Data type
Identifiers	Your name, date of birth, NHS Number.
Contact details	Your address, telephone number, email address (if provided).
Support contact details	Names, contact details of carers, relevant close relatives, next of kin, representatives.
Physical, social or mental health situation or condition	Your medical history, treatments, test results, referrals, care plans, care packages, medication, medical opinions and other relevant support you are receiving.
Protected characteristics	Your ethnicity, religion, sexual orientation, gender, which are required for equality monitoring and ensuring that the services are suitable and provided in the right way for the people being cared for.

Who will access your information?

People who have access to your information will only normally have access to that which they need to fulfil their roles, for instance admin staff will normally only see your name, address, contact details, appointment history and registration details in order to book appointments, the practice nurses will normally have access to your immunisation, treatment, significant active and important past histories, your allergies and relevant recent contacts whilst the GP you see or speak to will normally have access to everything in your record.



Where we get your information from

Most of the information we collect about you is from:

- your GP
- directly from you or a friend or relative
- other health and care organisations

Information also comes from local authorities, schools and other government agencies.

Typically, we get information by referral. For example, if your GP decides you need an appointment with a hospital team or social care professional, they will provide those professionals with information about you so that you can be supported appropriately. This may include a diagnosis, and medications. This information is increasingly being made available electronically to improve the quality, safety and speed of care delivery.

All care professionals, and others working with them in care services, have a legal duty to keep information about you confidential and secure and only use it for the purposes of providing and improving the care they provide. Similarly, anyone who receives information from us has a legal duty to keep it confidential.

Who we share your information with

We will share your information with those health and care partners who are directly involved in your care. These may include:

- local NHS hospitals
- your GP practice
- local voluntary and private care providers
- urgent and emergency care services, such as NHS 111 and the London Ambulance Service

You may be receiving care from other people as well as the NHS, for example social care services. Health and social care providers may need to receive or share some information about you if they have a genuine need to. This may help them form a complete picture of your health needs and provide care and treatment that is most suited to your needs and preferences. They should only share information with your permission.

We will not normally give your information to any other third party for any reason outside your individual care and treatment without your permission. However, there may be exceptional circumstances where we do, such as if someone's health and safety is at risk or if the law requires us to pass on information.

[See a short animation](#) that explains how your personal data is used in health and care.

If you would like to understand the structure of the NHS in England, core organisations and their roles, [click here](#).

Why we share your information

People often access a range of services available to them to support their health and care needs. Care organisations are increasingly providing services in regional partnerships.

[See a list of all regional care partnerships](#)

These services are not restricted by geographical boundaries or by organisational structures. There is also crossover in the information these services need to make sure the care they deliver is safe and of the highest quality. Health and care services use a range of [IT systems](#) and increasingly there is the ability to share special category personal data between systems. Care professionals and others supporting your care use IT systems developed and monitored according to strict rules to share your personal data securely and lawfully.



If care services do not share information about you, then they may be making decisions without the best available information. This may affect the quality and safety of care they give you.

You have a legal right to opt out of having your data shared between your care professionals.

However, you should be aware of the risks to the safety and the quality of the care you receive.

Sharing information helps care professionals to work together across organisational boundaries. Up-to-date information about your health and care improves the quality of clinical decision making by care professionals. Health and care providers are increasingly using digital technology, subject to strict rules, to further improve your health. We will always inform you about new digital technology and point you to resources to help you access and use it securely. We will always respect your right to opt out if you do not wish to make use of it.

London Care Record

Lambeth Healthcare LTD. uses a shared record system called the [London Care Record](#). The London Care Record is a secure view of your health and care information and lets health and care professionals involved in your care see important details about your health when and where they need them. Having a single, secure view of your information helps speed up communication between care professionals across London, improves the safety of care and can save lives.

Click the link below to see the YouTube video, What is the London Care Record

<https://www.youtube.com/embed/enuxS5fttTA>

London Care Record can only be lawfully looked at by staff who are directly involved in your care. Your information isn't available to anyone who doesn't need it to provide treatment, care and support to you. Your details are kept safe and won't be made public, passed on to a third party who is not directly involved in your care, used for advertising or sold. For more information please read the London Care Record privacy notice for South East London here:

[The London Care Record - South East London ICS \(selondonics.org\)](http://selondonics.org)

Opting out of the London Care Record

You have the right to object to your information being available through London Care Record. Although patients have the right to object and request restrictions on sharing their records, there may be instances where this request will not be upheld due to a clinical need as determined by the direct care giver. Please discuss this with your GP/ health and social care worker and you can find further information in this London Care Record [leaflet](#).

For further information and advice about data protection or your right to object to sharing your data you can contact the team at Lewisham and Greenwich Trust who manage the London Care Record for South East London www.lewishamandgreenwich.nhs.uk/london-care-record or you can call 020 3192 6011 and leave your name and number for someone to contact you.

If you have already requested to stop sharing on ConnectCare/Local Care Record in South East London, then you will not have to request this again for London Care Record.

Personal health records

Your health and care providers, such as your GP and hospitals are increasing providing online secure platforms for you to access your health information.

[GP Online Services](#) is secure online service, where you can book or cancel appointments, order repeat prescriptions, view parts of your GP record, including information about medication, allergies, vaccinations, previous illnesses and test results and some clinical correspondence such as hospital discharge summaries, outpatient appointment letters and referral letters

[Healthlocker](#) is a secure online platform for you, your carers and families and your care teams. Its development has been supported by the NHS. Healthlocker promotes supported self-management of your care with secure online options to improve communication between you, your carers and



care professionals. It also provides you secure online access to information about your treatment and care.

Other uses of your personal information

Using information for commissioning or regulatory compliance

Commissioning is when organisations plan and pay for health care services. Health and care commissioners need information from your GP practice, hospitals and other care providers about your treatment to review and plan health services. To do this, they need to be able to see information about your care, but they do not need to know who you are.

The commissioners use intermediary services called [Data Services for Commissioners Regional Office \(DSRCO\)](#). DSRCOs specialise in analysing and converting coded clinical information within a secure environment into a format that commissioners can legally use. This is specific data about your care that does not reveal your identity or contact details.

[NHS Digital](#), formally known as the Health and Social Care Information Centre (HSCIC), can provide coded data about your care securely to commissioners under the [Health and Social Care Act \(2012\)](#). NHS Digital, through its DSRCOs, is allowed by law to collect, hold and process your personal data. This is for purposes beyond direct patient care, to support care commissioning organisations and the commissioning functions within local authorities.

Service evaluation contributes to the overall quality and effectiveness of clinical services to you and a group of people with a similar condition. This routine quality assessment of care services falls outside the scope of your direct care. It covers:

- care services management
- preventative care and medicine
- health and social care research

Service evaluations are routinely undertaken using anonymised data. Where identifiable information is to be used, we will always do it lawfully and securely in a way that will always protect your privacy.

Risk Stratification

Identifiable and clinical data about you, for the purposes of risk stratification, is held securely. GP's use this data to provide world-class health care.

Risk Stratification is the process where your GP uses your personal and health data to target specific patient groups and enables clinicians with the duty of care for the patient to offer appropriate services. It also aids Commissioners to understand service use and to target interventions to improve care services within the Borough.

Risk stratification will enable GPs;

- To identify patients within in their practice at the highest risk of unplanned hospital admission.
- To view patient's timelines which shows a full linked history of their interactions with secondary and primary care data.
- To view a patient's risk history.
- To deliver better proactive care to those who need it.
- To provide the relevant clinical information to support care management
- To enable proactive care and intervention for a patient who is at risk of deterioration

You have the right to object to our sharing your data in these circumstances, but we have an overriding responsibility to comply with our legal obligations.

Risk stratification involves applying computer based algorithms, or calculations, to identify those patients registered with the GP Surgery who are most at risk from certain medical conditions and who will benefit from clinical care to help prevent or better treat their condition.



Using information for research

Most care teams are working with researchers to find ways to develop better treatments for care. The information in your health records can also be used to help NHS researchers understand more about the causes of illnesses and how best to treat them. They need to follow strict rules to make sure your personal data is always kept secure and confidential.

Where possible, researchers will make efforts to take out any information that could identify you, such as your name, address and postcode. If they cannot practically take out such information, it is their legal responsibility to ask for your explicit permission (consent).

We work with healthcare partners, researchers and technical experts to develop computer systems, such as [the Clinical Record Interactive Search](#), encryption techniques, such as pseudonymisation (using special codes), to enhance your privacy and protect your confidentiality before using your information for research. For more information on such local research systems and initiatives, visit [the King's Health Partners website](#).

In more exceptional cases, researchers may seek special support from the Secretary of State under [the health service \(control of patient information\) regulations](#) (also known as 'section 251 support'). This can allow researchers to use your personal data without your permission, only when it is not practical to do seek permission. They must also have reassured an independent committee who have reviewed the purpose and data security arrangements. You can [find more information on trials where researchers have used this special support known as 'section 251' support](#).

Clinical data linkages

Regional partnership between care providers, such as your GPs and NHS hospitals and universities, such as King's College London is leading to better opportunities to use clinical data for better care services and treatments by securely joining or 'linking' information from different clinical sources within a secure and regulated NHS environment. This joins two or more independent healthcare data sources, for example someone's GP record and their hospital record, in order to improve the quality of information and to enable NHS researchers to look at your healthcare in more detail. Any information that may identify individuals are all removed prior to any researchers.

Research recruitment

You can give your care coordinator an advance permission for researchers to contact you in the future if you match the criteria of a trial. Your advance permission, known as 'consent for contact' will be noted in your health records. You will only hear from a research nurse, who will explain what that study will entail in more detail.

Other ways your information is used

We may also use your personal data in the following areas:

- any complaints you have made about services.
- any incidents you may have been involved in while you were receiving treatment and care from us.
- any paid, un-paid work with us, including your involvement in volunteering, public engagement or other projects (e.g. social, community, art, consultation) we run solely or with partners.
- any training, education, supervision delivered to you by us.
- CCTV (closed-circuit television) and use of multimedia device.



How we keep your information secure

Your health and care providers store and use large volumes of sensitive personal data every day, such as your health records. The majority of health records are stored electronically.

Other personal data and computerised information are stored on various other systems across your health and care providers. These systems are managed by NHS IT departments or under contract with an approved public framework supplier.

You can find more information on how your information is kept securely on NHS information systems [at this link](#).

The information we collect is used by people in their work for the purposes stated in this notice. We take our duty to protect your personal information and confidentiality very seriously. We are committed to taking all reasonable measures to ensure the confidentiality and security of personal data for which we are responsible, whether computerised or on paper.

- **We encrypt all outgoing email containing personal data**
- **We review our information collection, storage and processing practices, including physical security measures, to guard against unauthorised access to systems**
- **We provide training to all staff on how to handle all types of data**

At the most senior level, we have:

- a senior information risk owner who is accountable for the management of all information and any associated risks and incidents
- a Caldicott guardian who is responsible for the management of patient information and patient confidentiality
- a Data Protection Officer oversees all activities related to the use of data. They make sure data use is done within the law and best practice.

See details of these senior responsible officers and their contact details.

Your legal rights

Lawful basis for processing data

Data Protection Act 2018

- Schedule 1(2)(d): Processing is necessary for the provision of health care or treatment

UK GDPR:

- Article 6(1)(e): Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller

Article 9(2)(h): Processing is necessary for the provision of health or social care or treatment

You have several rights under the data protection law:

a. Right to be informed: you have a right to be informed about uses of your information, with an emphasis on transparency. This fair processing notice, in support of other privacy notices makes sure that your right to be informed is upheld.

b. Right of access: you have a right to receive:

- confirmation of what information is recorded about you
- confirmation of how your information is used
- access to your personal health information and other information we hold

To exercise your right of access, you will be asked to complete a subject access request (SAR) form, provide proof of identification and may be asked to explain exactly what information you require.

Your request must be made in writing to the data protection department of your health and care provider.

You will not be charged for this service.

Other people can also apply to access your health records on your behalf. These include anyone authorised by you in writing (such as a solicitor), or any person appointed by a court to manage your affairs if it decides you cannot manage them yourself.

c. Right to rectification: rectification means correcting inaccuracies or incomplete data we hold

about you. This often applies to factual information only such as identifiers and next of kin. We are unable to remove or alter professional opinions that you may disagree with. You do however have the right to include your personal statements alongside professional opinions.

– **To rectify your information please contact your clinical team.**

d. Right to deletion: in some circumstances you can request that we delete the information we hold about you. This right will apply only if the processing has been based on consent which is withdrawn, the processing of data is found not to be lawful, or the information is no longer required. We will tell you about activities to which this right applies

There are exceptions to the right to deletion. Your health and care providers are legally required to maintain your records in accordance with the retention guide in the [Record management code of practice for health and social care](#).

e. Right to object: you do not have a general right to object to processing of your personal information for your individual care, however you can object if the information is used for a secondary purpose, such as:

- marketing
- scientific or historical research
- statistical purposes
- purposes in the public interest or under an official authority (e.g. NHS Act 2006)
- public patient involvement groups

f. Right to restrict processing: the right to restrict processing means that, if you have disputed the accuracy of information, objected to its use or require data due for destruction to be maintained for a legal claim, you can have the data stored by the Trust but not allow other uses until the dispute is settled.

We will respect your rights under the data protection legislation whether you are an adult or a child. We will respect the wishes of parents' (or legal guardians') in respect of data rights of children who are younger than 14 years old.

You should also tell us how you would like us to contact you. Your preferences may include post, text messaging and phone. You should notify your care team about your preferences and ask it to be recorded in your health and care record. You can change your mind later as long as you give timely notifications to your care team about any changes to your preferences.

What other information we collect

We collect information on all staff we employ, as well as volunteers, people with honorary contracts and agency staff for the purposes of running our services. We use the information for administrative, academic and statutory purposes and to support health and safety.

The information we collect includes:

Data Type	Purpose of collecting
Names, addresses and telephone numbers	Employment contracting
Spouse, partner, emergency contact, close relative, next of kin names, address, telephone and email details	Emergency contact
Employment records (including professional membership, references, appraisals, professional development plans, education and training records)	Statutory requirement of employment, performance management, professional development
Bank, National Insurance number and pension details	Payment of salaries and other expenditure claims
Nationality / domicile	Proof of eligibility to work in the UK
Ethnicity	Equality monitoring, equal opportunities

Medical information including physical health or mental condition	Appropriate adjustments to work arrangements, management of disability rights and other occupational health services
Religious beliefs	Spiritual support, equal opportunities, equality monitoring

NHS Shared Business Services provide [electronic staff records](#) and other corporate systems, such as employment and [finance](#).

Other bodies

There are some exceptional circumstances where we must share information with official bodies or other organisation about employees without their express permission. These include circumstances owing to a legal or statutory obligation. These bodies may include:

- Disclosure and Barring Service
- Home Office
- Her Majesty's Revenue and Customs (HMRC)
- financial institutes for e.g. banks and building societies for approved mortgage references
- educational, training and academic bodies
- Department for Work and Pensions (DWP)

If you want to complain

If you think that information in your NHS health records is wrong, please talk to the health professional looking after you and ask to have the record amended. You can also ask for the information to be amended by contacting the information governance team.

If your request to have your records amended is turned down because the information is not wrong, we will add a statement of your views to the record.

If you are unhappy with our response, you have the right to complain to the Information Commissioner's Office (ICO), which regulates and enforces the Data Protection Act. For details of how to do this:

- visit the ICO website at www.ico.org.uk
- telephone **0303 123 1113**

Data Controller Contact Details: Lambeth Healthcare Ltd, Unit 7, The Viaduct Business Centre, 360A Coldharbour Lane London SW9 8PL Tel: 0208 175 0145.

Further information

Please talk to the team looking after you if you want to know more about how we use your health records or if you do not want your information used in any of the ways described here.