



## Information Governance

# Your Information

This leaflet explains why information is collected about you, the ways in which information is used and shared and how long information is retained by Dorset County Hospital NHS Foundation Trust. This leaflet also explains how to exercise your rights as a Data Subject.

Dorset County Hospital NHS Foundation Trust has signed the Information Commissioner's "Your Data Matters" pledge; we support individual's personal data rights and hope that you trust and are confident in our use of data. We value the information that has been entrusted to us.

### Information we hold

The Trust holds various information about our patients and service users including:

- Identity details – name, date of birth, NHS number
- Contact details – address, telephone, email address
- 'Next of Kin' – the contact details of a relative or close friend
- Details of any A&E visits, in-patient stays of clinic appointments
- Results of any scans, x-rays and pathology tests
- Details of any diagnosis and treatment given
- Information about any allergies and health conditions
- Information about any DNAR decisions, living wills etc. that you have provided

### Sharing your information

The Trust works with a number of NHS organisations and independent treatment centres in order to provide the best possible care. Your information may therefore be securely shared to provide continuity of care because we know that good communication with other healthcare professionals involved in your care is beneficial to your health and treatment and provides you with a better patient experience overall.

Your information will be shared between those involved in providing care to you. This includes doctors, nurses and allied health professionals, but may also include administrative staff who book appointments or type clinic letters. Access to information is strictly controlled and restricted on a 'need to know' basis. All Trust staff receives annual training on confidentiality and data security and also have strict contractual clauses, within their employment contracts which oblige them to respect data protection and confidentiality.

Patient information may be shared, for the purposes of providing direct patient care, with other NHS provider organisations, such as NHS Acute Trusts, NHS Community Health, NHS General Practitioners, and NHS Ambulance Services etc. To maintain patient safety, this data will always be identifiable. For the purposes of commissioning and managing healthcare, patient information may also be shared with other types of NHS organisations, such as the Clinical Commissioning Group and NHS England. In such cases, the shared data is made anonymous where possible, or the data is minimised to one identifying number. The Trust may also need to share patient information with non-NHS organisations which are providing care; these organisations may include, but are not limited to, social services, educational services, local authorities, the police, voluntary sector providers and private sector providers. You will be informed and your consent sought where necessary.

Our lawful basis for processing information is further explained in our Privacy Notice.

## **Purposes of processing, retention and your rights**

### **Purposes of Processing**

Dorset County Hospital NHS Foundation Trust processes data for the following primary purposes:

- Providing direct health care
- Providing other health care providers with information regarding your Health e.g. your GP, or discharge destination if your care is being transferred
- Supporting social care with safeguarding vulnerable patients
- Supporting social care with safe discharges

We keep records in order to:

- Have accurate and up to date information available to provide the right care and treatment options
- Have information available to clinicians that you may see or be referred to, within the Trust or at another NHS organisation providing NHS services

Dorset County Hospital processes data for the following secondary uses:

- Research
- Clinical Audit
- National Archiving

We value the concept of data minimisation and will use anonymised or pseudonymised information as much as possible.

Secondary uses help the NHS to:

- Prepare and analyse statistics on NHS performance
- Audit NHS services, locally and nationally
- Monitor how we spend public money
- Plan and manage health services for the population of Dorset
- Conduct health research and development of treatments

You can opt-out of identifiable information being used for Secondary Purposes by registering with the National Data Opt-Out at <https://www.nhs.uk/your-nhs-data-matters/>

## **Other ways in which your information may be used**

### **Incident management**

If you are involved in an incident, for example you slip and fall whilst in the hospital, your information may be included in the incident report and used as part of the investigation process.

### **Complaints and queries**

If you raise a complaint or query with the hospital's PALS team, the team will hold information about you within their secure database in order to ensure that your complaint or query is answered appropriately by the relevant person or department. This information will not be stored in your medical records.

### **CCTV**

DCHFT uses CCTV in order to protect its staff and patients, as well as protect its site and NHS property. CCTV is used in public areas and indicated with CCTV signage. CCTV footage will be used for the prevention and detection of crime.

### **Public Members**

DCHFT have a public membership, which can be joined by anyone. Your personal and demographic information is held on our database for the purposes of providing you with our Newsletter "The DCH Way" and information about public events.

### **Data Controller and Processors**

DCHFT is the Data Controller of the information that we gather, hold and create about you. Our medical records are about you but owned by the Trust and we take responsibility for the ownership, management, storage and retention of your data. The Trust engages with data processes who may process your information. All Data Processors are held to strict contractual obligations, which specify the limitations, any access arrangements, storage and retention of data on our behalf as well as strict confidentiality and information handling clauses. All data processors are also held to high information security standards and asked to provide evidence of how they meet Data Protection legislation. These processors may be software suppliers or specialist and support services.

## **Retention Periods**

### **Standard Retention Periods:**

- Health Records are retained for 8 years or more, depending on the specific conditions or treatments received by individuals, from the point of discharge or when the patient was last seen
- Paediatric records, including obstetric and midwifery records, are retained for 25 years, or until the patients 26<sup>th</sup> birthday if they were 17 at the conclusion of treatment
- Deceased records are retained for 8 years
- Our electronic records are managed with the same retention periods

## **Non-standard Retention Periods:**

- Cancer and oncology records are retained for 30 years, or 8 years after the patient has died
- Contraception, sexual health and Genito-Urinary Medicine (GUM) records are retained for 8 years, or 10 years if an implant is inserted
- Records of long-term illnesses or an illness that may reoccur are retained for 30 years, or 8 years after the patient has died

Records are retained and managed in line with the Records Management Code of Practice for Health and Social Care 2016 and all records are destroyed confidentially once their retention period has been met and the Trust has made the decision that the records are no longer required.

## **Your Rights**

You have the right to:

- Access your information
- Restrict or object to the use of your information in certain circumstances
- Ensure that incorrect information is corrected
- Data portability
- Appropriate decision making
- Right to erasure
- Raise a complaint with the UK Data Protection regulator, the Information Commissioner

### **Accessing your information**

You have the right to obtain a copy of the personal data undergoing processing - a Subject Access Request. Subject Access Requests should have a response within one month of receipt of the request, free of charge, in an intelligible format. The period of response can be extended by two further months if necessary where, for example, complicated post-processing of information is required to make it intelligible or additional processes are needed to identify the Data Subject.

If the Trust deems the request to be unfounded or excessive, we have the right to refuse an information request or to charge a reasonable fee to cover the resulting administrative costs. You will be informed, within one month, of the reasons for not taking action or charging a fee.

Subject Access Requests can be made by the individual themselves or by a legal representative; a lawyer acting on their behalf, carer, parent, guardian or appointed representative, with appropriate consent. A personal representative also has the right of access to deceased records.

Disclosure is restricted where granting access would disclose information likely to cause serious harm to the physical or mental health of the patient or another individual, where the Data Subject does not already know the information, or where granting access would disclose information relating to or provided by a third party who could be identified from the information and who has not provided consent for the release of the information.

To make a request of access, contact our Health Records Administrator.

### **Right to restrict or object to the use of your information**

The right to restrict processing of healthcare data can only be exercised in the following circumstances:

- The accuracy of the data is contested
- The processing is unlawful
- Identifiable information is processed for secondary uses

### **Right to have incorrect information corrected**

If you feel that information held about you is incorrect, you have the right to ask for it to be corrected. This applies to matters of fact, not opinion. Incorrect demographic information will be corrected immediately. If the information is of a clinical nature, this will need to be reviewed and investigated by the Trust, which will yield one of the following outcomes:

- The Trust deems the information to be correct at the time of recording and will not amend the data. A statement from the data subject may be placed within the record to demonstrate that they disagree with the information held. The Data Subject has the right to appeal to the Information Commissioner.
- The Trust agrees that the information is incorrect, however it is not legal to modify or remove information within the record as it represents 'historical information' which may have influenced subsequent events or decisions made, therefore, a note will be made in the record which alerts the reader of the inaccuracy and of the correct facts. The Trust will agree the content of the note with the Data Subject.

### **Right of Data Portability**

The right only applies where the original processing is based on the Data Subject's consent or fulfilment of a contract that they are party to and, if the processing is automated however, in the spirit of Data Protection Regulations, Subject Access Requests should be provided in a 'useful electronic format' and where possible in a commonly used, machine-readable format. This may require you to 'unzip' your files or for the Trust to unencrypt your information for you.

### **Right to appropriate decision making**

The right to appropriate decision making applies to automated processing, including profiling, which produces legal effects or effects that similarly significantly affect you. The Trust has not identified any automated processing which is solely automated and without human interaction regarding the effects of processing.

### **Right to erasure**

You cannot exercise your right to erasure with regards to records which the Trust is legally bound to retain. The Trust has an obligation, not only to retain the information for a specified time period, but also not to retain information for longer than is necessary and will dispose of information in accordance with our Records Management and Lifecycle Policy.

### **Right to lodge a complaint**

If you are dissatisfied with the handling of your personal information, you have the right to make a complaint, in the first instance to Patient Advice and Liaison at DCHFT.

You also have the right to make a complaint to the Information Commissioner's Officer, the independent regulator of data protection.

## Contact Numbers:

We hope that you have found this information useful. If you have any questions or are worried about anything, please speak to the following Dorset County Hospital Staff:

Patient Advice and Liaison                      0800 7838058  
[pals@dchft.nhs.uk](mailto:pals@dchft.nhs.uk)

Health Record Administrator                      01305 255442  
[Health.recordsadministrator@dchft.nhs.uk](mailto:Health.recordsadministrator@dchft.nhs.uk)

Data Protection Officer                      01305 253217  
[Informationgovernance@dchft.nhs.uk](mailto:Informationgovernance@dchft.nhs.uk)

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

## Useful Websites:

DCHFT's Privacy Notice:  
<http://www.dchft.nhs.uk/about/information-governance/Pages/default.aspx>

Information Commissioners Officer:  
<https://ico.org.uk/>

NHS Digital's National Data Opt-Out:  
<https://digital.nhs.uk/services/national-data-opt-out-programme>

Records Management Code of Practice for Health and Social Care 2016  
<https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-practice-for-handling-information-in-health-and-care/records-management-code-of-practice-for-health-and-social-care-2016>

## About this leaflet:

Author: Emily Hutchings, Information Governance and Data Protection Officer  
Written: December 2018  
Approved: March 2019  
Review date: March 2022  
Edition: 1

If you have feedback regarding the accuracy of the information contained in this leaflet, or if you would like a list of references used to develop this leaflet, please email [pals@dchft.nhs.uk](mailto:pals@dchft.nhs.uk)



**INTEGRITY | RESPECT | TEAMWORK | EXCELLENCE**

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