



Arthur Rank Hospice Charity

*making every moment count*

## **Arthur Rank Hospice - Privacy Notice**

**This notice refers to patients using our clinical support services.**

### **HOW YOUR INFORMATION IS USED**

#### ***Who we are***

Arthur Rank Hospice provides services for people living with life limiting conditions alongside their family and loved ones. Like all healthcare organisations, we keep records that contain personal information about you and your health, along with the care and treatment that has been, or is planned to be, provided to you.

#### ***Why we collect information about you***

We ask for information about you so that you can receive a high standard of care and treatment.

Information we collect includes:

- Basic details about you, such as your name, address (including post code), date of birth, NHS number and next of kin.
- Contacts we have had with you, for example clinic visits.
- More sensitive information about your health and any treatment and care you need, for example your diagnosis and past medical conditions.
- Results of investigations, for example x-rays and laboratory tests.
- Relevant information from other health care professionals, relatives, or those who care for you and know you well.

The use of data is in line with the purposes outlined in our registration with the Information Commissioners Office (ICO), and your data will not be shared without a legal

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basis for doing so. Should you at any point feel we are not adhering to keep your data as outlined in this, or as expected by the ICO, you can make a complaint direct to them – details on how to do this can be found on their website [www.ico.org.uk](http://www.ico.org.uk).

### ***How your records are used to help the National Health Service (NHS)***

Your specific patient medical information (i.e. NHS Service) may also be used to help us:

- Make sure our services can meet the needs of our patients in the future.
- Review current standards of hospice patient care following, or during, your treatment, or consultation against accepted best-practice.
- Investigate complaints, legal claims or untoward incidents.  
Prepare statistics on Arthur Rank Hospice performance.
- Ensure both this service and the hospice receives payment for the care you receive.

### ***Who are our partner organisations?***

- Clinical Commissioning Groups (CCG's)
- NHS Acute Trusts
- General Practitioners (GPs)
- Ambulance Service
- Voluntary Services
- Social Services
- Non-NHS providers that act as 'data processors' and with whom we have established Information Sharing Agreements (ISA)
- Organisations undertaking health research and development [with your consent and you may choose whether or not to be involved]

### ***How we keep your records confidential***

Everyone working for Arthur Rank Hospice has a legal duty to keep information about you confidential and are subject to the NHS Common Law of Confidentiality.

All staff are trained in Information Governance and the handling of personal information.

Your record is only available to, and used by, those involved in your care, who will only have access to the appropriate amount of personal information on a 'need to know' basis required to fulfil their job role.

If you are receiving care from other people as well as Arthur Rank Hospice, with your consent, we may need to share some information about you to them so that we can all

work together for your benefit. We will only ever pass on information about you if you have agreed to do so, and so that we can all work together for your benefit, care and well-being. Information about you will only be passed on if others involved in your care have a genuine and legitimate need to know information about you. We will not disclose information to third parties without your permission unless there are exceptional circumstances as below.

Please note, patients accessing our Patient and Family Support team for psychological or bereavement support have records held securely and separately to their main medical records. These records are not disclosed to any other service area within Arthur Rank and are not visible to any other healthcare organisations or professionals.

Our Lymphoedema service offer a telephone reminder appointment service to remind patients of appointments, direct to a contact number of choice if we have a number for you, You can opt in or out of this service by advising a member of staff or telephoning the department.

***We are required by law to report certain information to the appropriate authorities.***

Such information includes:

- Where we encounter infectious diseases which may endanger the safety of others, such as meningitis, or measles (but not HIV/Aids).
- Where a formal court order has been issued.
- Data to help prevent, detect or prosecute a serious crime.
- We are also required to report serious incidents and other data to the Care Quality Commission.

***Do I have a choice?***

Anyone who receives information from us also has a legal duty to keep it confidential. If you do not wish personal data that we hold about you to be used or shared in the way that is described in this notice, please discuss the matter with us. You have the right to refuse, or withdraw previously given consent to information sharing at any moment in time, but please do bear in mind this may affect our ability to provide you with care or advice. This will be discussed fully with you at the time of making your decision.

**If you require further detailed information relating to how your information is used, please contact the Hospice's Information Governance and Data Protection Manager.**

**Our guiding principle is that we hold your records, be it paper or electronic, in strict confidence.**

### ***Retention of Information***

Arthur Rank Hospice will retain personal information in accordance with the Data Protection Act and guidance issued by the National Data Agency and NHS England. The time frame will be dependent on the type of information held and varies for each service we provide.

### ***How can you get access to your own health record?***

The Data Protection Act 1998 [www.legislation.gov.uk](http://www.legislation.gov.uk) which came into force on 1 March 2000, and the General Data Protection Regulation (GDPR) [www.ico.org.uk](http://www.ico.org.uk) which comes into force on the 25<sup>th</sup> May 2018, allows you to obtain knowledge of what information about you is held either on paper or electronically. This is known as a 'right of subject access' and applies to your health records. You do not need to give a reason why you wish to see your records. Records may be shared informally, for example during a consultation or more formally.

You can also apply:

- To see records of a patient who has died, if you are acting as their personal representative (next of kin), or have a claim relating to their death.
- On behalf of someone who is not capable of giving their permission – because of illness for example or you are the lasting power of attorney for health and welfare or have been appointed by the court of protection.
- If you are under 16 an application to see your records can be considered depending on how much the doctor in charge of your care feels you understand.

No fee will be charged as a result of a 'right of subject access' request.

### ***How long will it take?***

Under the Data Protection Act, you should be given access to your records within 40 days of Arthur Rank Hospice receiving your application in writing, providing that you have included all of the relevant information in your application. (In May 2018 under the GDPR, this will change to a month.)

***How will your record be shown to you?***

Once you have been given access, you can either make an appointment to see your records (or the part you wish to see), or you can be provided with a copy. Your appointment to view your records will be supervised by a member of staff. If following the viewing of your records you have further questions, you may wish to make a further appointment where a member of the health staff will be present to assist with your queries.

***Can you change your record?***

If you believe your record to contain inaccurate information, you can ask for it to be corrected. Arthur Rank Hospice is not obliged to make corrections (unless the record is factually incorrect), but a note about why you think the information is inaccurate will be added to your record.

***Can you be refused access to your record?***

You would be refused access to your record or part of them if:

- Your doctor thinks you, or someone else, could be seriously harmed as a result.
- The information relates to, or was provided by, an identified individual, apart from the patient or health professional, who has refused to consent to the disclosure of the information.

**If you require this information in another language, large print, Braille or audio version, please ask a member of staff.**