

## Where can I find further information?

If you would like to know more about how we use your information or if you do not wish to have your information used in any of the ways described above, please contact the Information Governance department at the address at the end of this leaflet.

More general information can be obtained from the Information Commissioner's Office. Information Commissioner's Office:  
Wycliff House Water Lane Wilmslow Cheshire SK9 5AF t:  
0303 123 1113 [www.ico.gov.uk](http://www.ico.gov.uk)

## Who to contact

Data Protection Officer [medwayft.dpo@nhs.net](mailto:medwayft.dpo@nhs.net)



**Medway NHS Foundation Trust is a smoke free organisation.**  
**As a healthcare provider, we believe it is important to provide the best possible environment for our patients, visitors and staff.**

Information Governance team and the Data Protection Officer  
Medway NHS Foundation Trust  
Windmill Road  
Gillingham  
Kent ME7 5NY  
01634 830000 ext. 3210

PIL00000020-6  
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## How we use your Information



[www.medway.nhs.uk](http://www.medway.nhs.uk)

## How we use your personal information

Medway Foundation Trust (**MFT**) collects information about you in order to provide your health care. When doing this MFT must respect your confidentiality and comply with the EU General Data Protection Regulation.

We must, among other things, ensure information held about you is only used for specific purposes allowed by law. MFT collects and processes your information as it is necessary for the purposes of preventative or occupational medicine, medical diagnosis, and the provision of health or social care or treatment. This leaflet answers questions you might ask about what information we hold, why, and to whom it may be passed to.

## What information do we collect?

The information we store and use about you can include:

- Facts about you e.g. name, address, date of birth, nationality, gender and NHS number
- Equality and diversity information about you. This may include special personal data like details of your ethnicity, sexual orientation, religious beliefs or opinion, biometric data, genetic data, criminal convictions and offences.
- Information about next of kin or carers (including their contact details and their relevant medical history if required).
- Notes and reports relevant to your health, including any information you have told us about your health.
- Details of your treatment and care, including the professional opinion of the staff caring for you
- Results of investigations, such as laboratory tests and x-rays Relevant information from health and social care professionals, relatives or those who care for you.
- Communications, for example letters and emails) between the Trust and you

## What rights do I have?

You have the right to request **access to your personal data**.

You have the right to **object** to us holding your personal data.

You have the right to request that personal data about you that is factually incorrect **rectified** by being amended or supplemented with additional information. Any information you do not agree with (but is not factually incorrect), we will make a note on your records of the point which you have drawn to our attention.

You have the right to request that the processing of your personal data is **restricted**.

You have the right to **data portability**. Where this right applies an organisation can be required to provide you with a copy of your personal data in machine-readable format or provide it to a third party.

## How can I complain about the way MFT handles my information?

If you are unhappy with the way we have dealt with your information please contact the Data Protection Officer [medwayft.dpo@nhs.net](mailto:medwayft.dpo@nhs.net) or via the Information Governance team at the address at the end of this leaflet. You also have the right to complain directly to the Information Commissioner in relation to data protection. The contact details are also at the end of this leaflet.

## How long do you keep my records for?

MFT is legally required to retain patient records for specified periods as per the Department of Health retention schedules. For adults this is normally 8 years after discharge or date last seen by a clinician and for children until their 25th birthday.

## **What if I change my mind after giving my consent for sharing or use of my information?**

Your consent is needed for us to share your information unless it is in relation to providing you with direct health and social care services or the exceptional conditions above apply. You have a right to refuse or change your mind at any time, however this may affect the healthcare that is available to you. You can change your mind, but please inform us, so we can update our records.

## **How do you keep my records confidential?**

Everyone working within MFT has a legal duty to keep information about you confidential. There are strict codes of conduct in place to ensure your information is safe, whether it is on paper or computer. Staff must abide by:

- EU General Data Protection Regulation
- Common Law Duty of Confidence
- NHS Code of Confidentiality

## **Can I get a copy of my records?**

You have a right under the EU General Data Protection Regulation to access your medical records or authorise a representative to do so. Information may be withheld if we believe it could harm your physical or mental health. We need a written request: please complete the 'subject access' form available from our website: <https://www.medway.nhs.uk> or contact the Subject Access request team [medwayft.sars@nhs.net](mailto:medwayft.sars@nhs.net) ext. 3495 or via post via the Information Governance team

## **What we may use your personal data for?**

We may use your personal data to:

- Provide you with health or social care
- Help other organisations provide you with health or social care
- If you agree, to help other organisations provide you with other public services
- Communicate with you and, if appropriate your next of kin, about your care
- Carry out internal audits and monitor the care we provide to ensure it is of the highest standard
- Monitor equality and diversity
- We may use anonymised data to help train and educate our staff. Should we use identifiable personal data we would always obtain your consent.
- Respond to complaints
- Respond to queries from regulators like NHS Digital, the Care Quality Commission, the General Medical Council, the Audit Commission, the Nursing & Midwifery Council and the Health Service Ombudsman
- Conduct legal claims or seek legal advice
- Provide information to national registries that systematically collect data about particular conditions to help research which is only undertaken when consent is given.

The Trust is also working with NHS Digital to ensure compliance with the National Opt-out programme on the use of NHS data from 2020.

## **How do you store my records?**

Data may be stored manually in a paper record form (i.e. your medical notes) or electronically on a computer system. When you arrive for an appointment, staff may check your details with you to ensure that our records are accurate. To assist with this, we ask that you notify us of promptly of any changes to your personal details e.g. address, contract number, next of kin etc.

## Sharing your information

Your information will only be disclosed to those who have a genuine need to know and who agree to keep your information confidential. For your direct care we often share information with:

- Your GP, federations and out of hours providers
- NHS hospitals e.g. NHS Trusts and NHS Foundation Trusts such as Maidstone and Tunbridge Wells, Kings, Guys and St Thomas's
- Organisations that deliver NHS services outside of hospital e.g. NHS Community Health Trusts such as Medway Community Health care, Kent and Medway NHS and Social Care Partnership Trust our Mental health provider
- Private sector organisations that deliver NHS care such as Virgin e.g. private hospitals, dentists, opticians, pharmacists
- Voluntary sector organisations that deliver NHS care e.g. charities such as Wisdom Hospice and Demelza
- Local authorities such as Medway Council e.g. if social workers are part of the Care Team, education services, children's services, housing or benefit offices
- Other organisations that provide NHS care e.g. NHS hospitals, private sector hospitals that deliver NHS care
- Organisations that provide diagnostic tests
- Organisations that provide ambulance services e.g. NHS Ambulance Trusts

## Do you share my information with other people or agencies?

We may also need to share your information with organisations that provide back office support to the Trust in its delivery of services. These organisations are known as data processors. These organisations are only able to use your personal data in accordance with the Trust's instructions:

- IT suppliers
- Telephone services suppliers
- Suppliers of web hosting services
- Suppliers that we use to develop and improve the technology we use, including our website and electronic patient records

## Can information be shared without my consent?

Your information may not be shared without your consent except in a number of limited circumstances when we are legally bound to do so, for example:

- where there is a danger of harm to a child or vulnerable adult
- as a result of a court order
- when it is absolutely necessary for the prevention or detection of crime or the apprehension or prosecution of offenders
- reporting notifiable infection diseases
- where there are serious risks to the public or staff