

Managing your information

A guide for service users, family, carers and professionals



A full version of this document
can be found on our website www.nsft.nhs.uk

Norfolk and Suffolk NHS Foundation Trust (the Trust) provides mental health care services to the residents of Norfolk & Suffolk.

Our services include mental health, learning disabilities, eating disorders and wellbeing.

The Trust is registered with the Information Commissioners Officer as a Data Controller.

With effect from the 25th May 2018, the EU General Data Protection Regulations (GDPR) as enacted by the Data Protection Act 2018 (DPA 18) comes into force. This leaflet confirms in summary:

- The lawful reasons for processing personal data
- The type of personal data we hold and how we may process and use this data
- Data subject rights under GDPR and DPA 18

Our main trust wide privacy notice, which sets out in full the Trusts lawful reasons for processing your personal data and all of your rights as data subjects under the GDPR and DPA 18 is available to view and download at www.nsfh.nhs.uk.

Why we keep records about you

We keep records about you, your healthcare and your family background to make sure you receive the highest quality care.

By accessing your records, doctors, nurses and other health professionals can see what help you have had before, what you need now and what services you are receiving.

Other staff such as secretaries and receptionist may look at your records to book appointments for you or write letters to you.

We may keep your information on paper or electronically on computer systems and in video and audio files.

All staff have a duty of confidentiality. If staff do not follow the law then we may take appropriate action against them.

Where we get your information from

We collect information in lots of different ways. It can come from:

- You or someone that has your permission to tell us
- Your GP
- Another hospital
- Other health or social care providers
- Local or national healthcare organisations

What information do we hold?

- Your contact details such as your address, telephone numbers and email addresses
- Your family details and next of kin
- Details of your current and past physical & mental health
- How you like to live your life
- Photographs and videos
- Details of your cultural background
- Your religious and similar beliefs
- Details of your sexual life
- Whether you have been in trouble with the Police

We will use your information to

- Decide what care you need and the best way to treat you
- Help another healthcare professional or provider if you are referred somewhere else
- Send you appointment letters and other documents you need

We may use your information to

- Help with the health and wellbeing of the public
- Help plan services to look after the population
- Help train our staff and support research
- Help the government set performance targets
- Support the funding of your care
- Help investigate complaints, claims and incidents
- Support the reporting of events when the law says we must

How long do we keep information about you?

Your information is kept securely and in line with the Department of Health Records Management Code of Practice for Health and Social Care 2016.

What the law says about using your information

We have new data protection laws to comply with. These are the GDPR and the DPA 18.

These new laws allow us to use your information without your consent as long as we have lawful reasons for doing so.

When sharing information with third parties that are not health and social care providers, such as relatives the common law duty of confidentiality must still be met through consent. Where a child is under the age of 13 then consent (under the common law duty of confidentiality) of those with parental responsibility will be sought.

Our lawful reasons for using your information

For your direct healthcare, we will use your data under Article 6 (1) (e) ‘...in the exercise of official authority’ and Article 9 (2) (h) ‘...medical diagnosis and health and social care’.

To keep you safe we will use your data under Article 6 (1) (e) ‘...in the exercise of official authority’ and Article 9 (2) (b) ‘...social protection law’.

For commissioning and service planning, we will use your data under Article 6 (1) (c) ‘...for compliance with a legal obligation’, Article 6 (1) (e) ‘...in the exercise of official authority’ and Article 9 (2) (h) ‘...medical diagnosis & health & social care’.

To carry out research we will use your data under Article 6 (1) (e) ‘...in the exercise of official authority’ and Article 9 (2) (j) ‘...research purposes’.

For monitoring and public health purposes we will use your data under Article 6 (1) (c) ‘...for compliance with a legal obligation’ and Article 9 (2) (i) ‘...public health’.

We also have seven rules known as the ‘Caldicott Principles’ that we must follow when using your information. These ensure that we only use your information when necessary and that access is limited to people that need to know about you to look after you. Please see our website for further details www.nsftr.nhs.uk.

Who we may share your information with

- Health and social care providers
- Local authorities
- Commissioners
- Safeguarding agencies
- Police forces & authorities with investigative powers
- Organisations with a defined lawful reason (e.g. Department of Work and Pensions)

We still need your consent to

- Take part in research projects
- Share information with relatives and friends (if your relatives and friends don't live in the European Economic Area, we will only share information if they live in a country that has the necessary safeguards and measures in place to keep your information secure)
- Talk to you by text message and / or email

You can remove your consent to the above at any time by talking to your health care or research team.

Your Rights (full details can be found on our website www.nsft.nhs.uk)

You still have rights under the GDPR just like you did under the Data Protection Act 1998:

- **Right to be Informed** - Told about the data we hold
- **Right to Access** - You can ask for a copy of the information we hold about you by contacting our Information Rights team
- **Right to Rectification** - You can ask us to review any of the information that you feel is inaccurate
- **Right to Restrict Processing** - You can ask us to stop using your information but only if the information is wrong or we are using it outside our lawful reasons to do so
- **Right to Object** - Does not apply if we are using your information within our lawful reasons for doing so
- **Right to Complain** - You can complain to the Trust's Data Protection Officer if you are worried about how we are using your information, or you can complain to the Information Commissioner who looks after the use of information in the UK
- Our lawful reasons for using your information mean that the rights that deal with automated decision making, data portability and erasure do not apply

For further information contact:

Information Rights Team
Norfolk and Suffolk NHS Foundation Trust
Kestrel House
Hellesdon Hospital
Drayton High Road
Norwich
NR6 5BE

Tel: 01603 421 108 / 421 264
Email: informationrights@nsft.nhs.uk

Mr Richard Green
Data Protection Officer
Norfolk and Suffolk NHS Foundation Trust
Hellesdon Hospital
Drayton High Road
Norwich
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Tel: 01603 421 578
Email: dataprotectionofficer@nsft.nhs.uk

Information Commissioners Office
Wycliffe House
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www.ico.gov.uk