

Livewell Southwest: Privacy Statement

Your information and what we do with it.....

Livewell Southwest CIC (“We”) takes your confidentiality and privacy rights seriously. This privacy statement is issued by us to patients, service users, visitors, carers, the public and staff to explain how we collect, use and manages the personal data we hold about you. This includes how we share information with other NHS and non NHS organisations, and how we maintain confidentiality.

What is personal data?

Personal data is information about a living, identifiable individual. Your personal data is any information that can be connected to you personally including your name, date of birth, next of kin, health conditions and treatment you receive. If you can be identified from the information, it becomes your personal data. Examples of personal data used and held by us include:

- Name, address, date of birth, NHS number
- Contact information such as telephone numbers, next of kin
- Details of any allergies and physical or mental health conditions
- Notes and reports about your health and any treatment and care you have received
- Religion or other beliefs of a similar nature
- Family, lifestyle and/or social circumstances
- Employment details
- Financial details

Why and how we collect data

We need to collect and keep records containing your personal data to support the delivery of the appropriate care and treatment at the right time, in the right place. This helps ensure you receive the best possible care from us and that full information is available should you need to see a different medical professional, or are referred to a specialist service. We collect information in a number of ways such as from other health or social care professionals, from your GP or directly from you.

We also collect and keep records relating to staff, which includes details of pay, appointments or removals, discipline, work management, training or other personnel matters. This ensures that employment is managed to a high standard and staff are provided with the right information and training required to carry out their roles.

Your information may also be collected for other purposes such as CCTV recordings used for crime prevention, if you make an enquiry/complaint, or complete a survey. In all situations, we are legally bound by UK data protection law.

How we use your personal data

Your health and social care record is used by staff:

- To ensure staff involved with your care and treatment have accurate and up-to-date information about you and your needs
- To assist with decision making and care planning to ensure your treatment is safe and efficient
- Keeping you informed and contacting you in relation to your care and treatment
- Full information is available should you need to see another health or social care professional or be referred to a specialist service
- There is a good accurate basis for assessing the type and quality of care you have received
- If you need to complain, your concerns can be investigated properly

In addition to your information being used for health and social care purposes, your records may be used to help the NHS in the following ways:

- Looking after the health, safety and needs of the general public and local health economy – for example notifying central NHS groups of outbreaks of infectious diseases
- Preparing NHS statistics on NHS performance
- To ensure health and social care provisions meets the needs of the local communities now and in the future
- Reporting events to the appropriate authorities when we are required by law to do so
- Sharing key information with other health and social care providers to ensure an integrated approach, improved patient experience, and cost effective delivery of services
- Reporting and investigating complaints, legal claims or incidents
- To review the care and services we provide by service evaluation and clinical audit
- For training and education
- For health research and development

How do we keep your personal data safe and maintain confidentiality?

You have the right to privacy and confidentiality under the Data Protection Act (1998), the Human Rights Act (1998) and the Common Law Duty of Confidence. The Equality Act (2010) may also apply in some circumstances. Everyone working for the NHS or providing services on behalf of the NHS has a legal duty to maintain the highest level of confidentiality.

Your information may be stored within electronic or paper records, or a combination of both. We are committed to keeping your personal safe and secure. All our records are restricted from unauthorised access, use or disclosure. Only those with a legitimate reason can access your personal data. This may be through the use of technology, such as computers, controlled and secured servers or other environmental safeguards. We have training, systems and policies and procedures in place so that everyone working for us is aware of the high standards we expect them to adhere to when handling personal data.

Livewell Southwest has a senior person responsible for protecting the confidentiality of your personal data and ensuring we comply with the law. This is known as the Data Protection Officer, and within our organisation this role sits with our Information Governance Lead.

Who do we share your personal data with?

We work closely with other NHS and non-NHS organisations to deliver joined up integrated health and social care services to provide you with the best and appropriate care and treatment. Therefore, it may be necessary to share your personal data with these organisations. We may also share your personal data with regulatory bodies. We will try to share the minimum amount of personal data required, even anonymising data where possible. In such instances, we will ensure the information shared is adequate for the safe provision of care and treatment.

We may share personal data with the following organisations for the purposes of delivering or improving health and social care, or where there is a legal requirement for us to do so:

- Clinical Commissioning Groups (CCG's)
- Health authorities
- NHS organisations
- Providers of services on behalf of the NHS
- General Practitioners (GP's)
- Other NHS common service agencies, such as primary care agencies, dentists
- Ambulance Service
- Police
- Social Services
- Department for Work and Pensions
- Education Services
- Voluntary and Private sector providers

Do you have the right to withdraw or withhold consent for us to share your personal data?

You can withdraw or withhold your consent for information sharing at any time. This is sometimes referred to as 'opting out'. The possible consequences of withholding your consent will be fully explained to you at the time, should this situation occur. If you chose to prevent your information from being shared to other people involved with your care and treatment, it may mean the care and treatment provided is limited or delayed. In some cases, it may mean certain treatment options cannot be offered.

How long do we retain your records?

The Records Management Code of Practice for Health and Social Care 2016 sets out the appropriate length of time each type of NHS record should be retained for. All our records are retained and destroyed in accordance with the Retention Schedule contain with the code of practice. We do not keep your records for longer than necessary.

All records are appropriately reviewed once they have reached their retention period. We will then decide whether the record requires further retention or should be confidential destroyed. All decisions and destructions are documented.

How can I access the information you hold about me?

Under the Data Protection Act (1998) and the General Data Protection Regulation (2018), you have the right to request a copy of the information we hold about you, both on paper and electronic. Except for information that:

- Has been provided about you from someone else if they have not given permission for you to see it
- Relates to a 3rd party or individual
- Relates to crime offences and/or is being used for the detection or prevention of crime
- Could cause physical or mental harm to you or someone else

Your request must be made in writing (email is acceptable) and needs to include your full name, any previous names know by, address, date of birth, NHS number (if known). You will also need to confirm if you require all records or records from care and treatment received at a specific service. You will be required to attend an identity verification appointment with proof of your identity to ensure we maintain your confidentiality.

Your request for access to your health record can be made using one of the following methods:

- Post: Data Protection Team, Livewell Southwest, Hatfield House, Burrington Way, Plymouth, PL5 3LZ
- Email: livewell.dps@nhs.net

For help and advice on accessing health records, please feel free to contact the Data Protection team on 01752 435111.

For access to your social care information, you will need to contact Plymouth City Council. More information on their procedures or for a copy of their application form, please visit: <https://www.plymouth.gov.uk/aboutcouncil/accessinformation/dataprotection>

Raising a complaint

The Customer Service team are available to assist you if you have any comments, concerns, compliments or complaints about the care or treatment you have received. The team are independent from our clinical services to ensure your concerns/complaints are investigated and responded to in an effective and timely manner. The team can be contact at:

- Post: Customer Services, Livewell Southwest, 1st Floor, Windsor House, Plymouth, PL6 5UF
- Email: customerservicespch@nhs.net
- Tel: 01752 435201

Additionally, the Information Commissioners Office (ICO) is the UK's Data Protection regulator. The ICO has the responsibility of ensuring organisations that hold, use and manage personal data do so in accordance with the law. All data controllers must notify the ICO of all personal data processing activities. Our ICO data protection registration number is Z2807096

If you are dissatisfied with the way we have handled or shared your personal data you can have the right to raise a complaint with the ICO. This can be done using one of the following methods:

- Post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
- Tel: 0303 123 1113 (or 01625 545745 or 44 1625 545745 if calling from overseas)

More information on the role of the ICO can be found by visiting <https://ico.org.uk/>

How to contact us if you have any queries or concerns with this privacy statement

If you have any queries or concerns regarding the personal data we hold about you or questions relating to this privacy statement, please contact our Information Governance team –

- Post: Information Governance, Livewell Southwest, 1st Floor, Windsor House, Plymouth, PL6 5UF
- Email: pchcic.informationgovernance@nhs.net
- Tel: 01752 434711

Changes to this statement

We will occasionally update this Privacy statement to reflect company and customer feedback. We therefore encourage you to periodically review this statement in case of any changes.

Further information

To learn more about how we use, manage and maintain confidentiality of your personal data, please speak to the health and social care professionals involved with your care.