Calderdale and Huddersfield NHS Foundation Trust

Keeping and protecting information about you and your care

Privacy and confidentiality of your health record

In order for Calderdale and Huddersfield NHS Foundation Trust to provide you with the best possible service, a variety of information is collected about you from a range of sources, such as your General Practitioner. This information is used to support your healthcare.

Under the General Data Protection Regulation (Data Protection Act 2018) - {GDPR (DPA 2018)} information about your physical and mental health, racial or ethnic origin and religious belief are considered as special categories of sensitive personal data and is subject to strict laws governing its use.

This leaflet explains why Calderdale and Huddersfield NHS Foundation Trust collects personal information about you, the ways in which such information may be used, and your rights under the GDPR (DPA 2018). The Trust is legally responsible for ensuring its processing of personal information is in compliance with the GDPR (DPA 2018).

What is your health record?

Your health record records the details of your consultations, illnesses, tests, prescriptions and treatments you have received when you have visited the Trust. It is your medical history at Calderdale and Huddersfield NHS Foundation Trust (the Trust). By using this information health care staff can provide you with the best, most appropriate care and treatment.

This information may be stored on paper or electronically on computer files or both. It may include x-rays and photographs. The Trust is responsible for the accuracy and safekeeping of your health record. You can help to keep it accurate by telling us about any changes in your circumstances, such as a new address or telephone number.

How is your information kept secure and confidential?

All NHS staff are trained in information security and confidentiality. There are strict rules in place to ensure your information is safe, whether it is on paper or in computer files. Everyone working for the NHS has a legal duty to keep information about you confidential; this duty is enforced by common law, statute, our codes of conduct and contracts of employment.

How is your information used?

Information about your medical history may be needed if the health care staff see you again, or it may be shared with other organisations directly involved in your care.

compassionate care

We may also use part of your information in managing and planning the NHS.

For example:

- making sure that our services can meet patient needs in the future;
- auditing NHS accounts and accounting for NHS performance;
- preparing statistics on NHS performance and activity (where steps will be taken to ensure you cannot be identified);
- investigating complaints or legal claims from you;
- looking after the health of the general public;
- helping staff to review the care they provide to make sure it is of the highest standard. This is called clinical audit;
- training and educating staff (but you can choose whether or not to be involved personally);
- research (if you may be suitable to be involved in research, you will be contacted to see if you are willing to take part).

Information Sharing

It is important to balance your privacy with your safety. You may be receiving care from other people as well as the Trust. So that everyone involved in your care can work together for your benefit, information about you may need to be shared, unless you ask us not to. The Trust will only ever pass on information about you if it is in your interest with regards to your health or where the law requires us to share information of a sensitive nature.

Whenever possible, details which identify you will be removed. The law strictly controls the sharing of special categories of sensitive personal information.

Information will not be shared against your wish except in circumstances where it is required by law.

Who do we share your information with?

Our principle partner organisations, with whom information may need to be shared:

- Other NHS Acute Trusts
- Community Services
- General Practitioners (GPs), dentists, ophthalmic services
- Ambulance Services

In relation to your health and social care needs your information may also (subject to strict agreements describing how it will be used) be shared with,

- Social Services
- Education Services
- Local Authorities
- Voluntary Sector Providers
- Private Sector Providers

Information may be used in an anonymised form (i.e. details which would identify you would be removed) without your permission.

Our guiding principle is to hold your records in strict confidence and with a high level of security. Anyone who receives information from us is also under a strict legal duty to keep it confidential and secure.

If you are concerned about the sharing of your information please contact the General Manager, Outpatients and Records in the first instance (contact details are shown at the back of this leaflet).

Queries/complaints

If you have a query about the ways in which the Trust uses your information you should contact the Trust's Patient Advice and Complaints Service in the first instance.

Telephone: 0800 013 0018
Email: **patientadvice@cht.nhs.uk**

In Writing:

Patient Advice & Complaints Service
Calderdale & Huddersfield NHS Foundation Trust
Acre Street
Lindley
Huddersfield
HD3 3EA

If you wish to make a complaint about the way that your information is being used by the Trust, you can do so through the supervisory authority - the Information Commissioner's Office - on their website at: https://ico.org.uk/concerns/handling/

The NHS care record guarantee

The care record guarantee is an NHS commitment that we will use records about you in ways which respect your rights and promote your health and wellbeing.
The guarantee can be found on the NHS Digital web site at
http://systems.hscic.gov.uk/scr/staff/impguidpm/ig/crg

Research

If you would like to know more about how the Trust uses information for research purposes, a number of leaflets have been produced to explain the Trust's work in this area.

For copies of these leaflets or further information please contact:

Research Team
Block 1 Basement Corridor
Room 20
Huddersfield Royal Infirmary
Acre Street
Lindley
Huddersfield
HD3 3EA

Your rights under the GDPR (DPA 2018)

You have several rights with respect to information that is held about you by the Trust and how to access it. The full extent of your rights are detailed in the GDPR (DPA 2018).

Please log on to the Trust public website or the Information Commissioner's website **www.ico.gov.uk** to find out more.

Freedom of Information Act

The Freedom of Information Act came into effect on 1 January 2005. It gives a general right of access to recorded information held by the Trust. Any person who makes a request for information will be informed whether that information is held by us and, subject to certain exemptions, the information will be supplied. The Trust has in place a publication scheme which is a guide to the information routinely published by the Calderdale and Huddersfield NHS Foundation Trust ranging from documents such as policies and procedures to minutes of meetings. The publication scheme can be accessed via the Trust web site at **www.cht.nhs.uk**. Alternatively, a hard copy of the publication scheme is available on request.

The Freedom of Information Act does NOT allow access to medical records. These are protected by the GDPR (DPA 2018) as they contain sensitive personal data about individuals. For details on how to access your record see below.

Caldicott Guardian

The Caldicott Guardian is responsible for safeguarding the confidentiality of patient information. The Trust has appointed its Medical Director as Caldicott Guardian in acknowledgement of how seriously we take the protection of your right to confidentiality.

Right of Access to your Health Record

Individuals have the right to access their personal data. This is commonly referred to as subject access. Under the GDPR (DPA 2018) the Trust has an obligation to allow you access to your written and computerised health record. All such requests must be made via the Access to Health Records Department or the Trust Website **http://www.cht.nhs.uk/patients-visitors/your-health-record/** The request should contain adequate supporting information such as your full name, address, date of birth, NHS number, etc. This is required so we can verify your identity and locate your records.

The Trust will provide your information within one month from the receipt of your application (this can be extended dependent on the complexity of the request).

Information will be provided free of charge except where requests are unfounded or excessive. In particular, if repeat requests are made, then we may either charge a reasonable fee or refuse to act on the request.

Information may be withheld if the Trust believes that releasing the information to you could cause serious harm to your physical or mental health. Information may also be withheld if another person (i.e. third party) is identified in the record and they do not want their information disclosed to you.

If you would like any further information about accessing your health record, please contact:

Access to Health Records Office
Records Services Department
Calderdale Royal Hospital
Salterhebble
HALIFAX
HX3 0PW
Telephone No: 01422 222065

We have a duty to keep your records accurate and up to date. If, you become aware of any errors of fact that have appeared in your health record, please let the Trust know and these can be amended by mutual agreement.

If you have any comments about this leaflet or the service you have received you can contact :

General Manager
Outpatients and Records
Calderdale and Huddersfield NHS Foundation Trust
DATS Division Offices
Huddersfield Royal Infirmary
Acre Street
Lindley
Huddersfield
HD3 3EA
Telephone No: (01484) 355445

http://www.cht.nhs.uk/patients-visitors/your-health-record/

More information about the Trust is available at **www.cht.nhs.uk**

If you would like this information in another format or language contact the above.

Potřebujete-li tyto informace v jiném formátu nebo jazyce, obrat'te se prosím na výše uvedené oddělení

Jeżeli są Państwo zainteresowani otrzymaniem tych informacji w innym fomacie lub wersji językowej, prosimy skontaktować się z nami, korzystając z ww. danych kontaktowych

ਜੇ ਤੁਸੀਂ ਇਸ ਜਾਣਕਾਰੀ ਕਿਸੇ ਹੋਰ ਪ੍ਰਾਰੂਪ ਜਾਂ ਭਾਸ਼ਾ ਵਿੱਚ ਲੈਣਾ ਚਾਹੁੰਦੇ ਹੋ,
ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਉਪਰੋਕਤ ਵਿਭਾਗ ਵਿੱਚ ਸਾਡੇ ਨਾਲ ਸੰਪਰਕ ਕਰੋ।

اگر آپ کو ی معلومات کسی اور فارمیٹ یا زبان می درکار ہوں، تو
برائے مہربانی مندرجہ بالا شعبے می ہم سے رابطہ کریں۔

"إذا احتجت الحصول على هذه المعلومة بشكل مغاير أو مترجمة إلى لغة مختلفة فيرجى منك الاتصال بالقسم المذكور أعلاه"