



Manchester University
NHS Foundation Trust

PRIVACY NOTICE

How we use your personal information

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- **How information is used**
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Manchester University NHS Foundation Trust (MFT)

MFT is a major NHS Trust providing services for adults and children across Greater Manchester and beyond. MFT is the Data Controller for the information it collects and records, uses and stores about its patient, carer, staff and the public.

This is our Fair Processing Notice which informs you how and why we process your personal data.

Legal notification

We are registered with the Information Commissioner's Office (ICO) and our registration shows a description of our processing and the types / classes of information being processed.

If you would like to look at our registration, please go to the Data Protection register on the ICO website and search for Manchester University NHS Foundation Trust or use the link:

<https://ico.org.uk/esdwebpages/search>

What we collect and record about our patients and carers

Your doctor, nurse and the team of health & care professionals caring for you keep records about your treatment and care both on paper and electronically.

These include, but not limited to:

- personal details such as name, address, date of birth, ethnicity and religion, NHS number and next of kin.
- contact we have with you e.g. hospital admissions, outpatients/clinic appointments and home visits.

- notes and reports by health and care professionals about your health, GP details etc.
- details and records about your treatment and care.
- results of x-rays, laboratory tests, and any other tests.
- relevant information about people that care for you and know you well.
- basic details about associated people e.g. children, partners, carers, relatives etc.

This information may be given to us directly by you. We may also hold information relating to your direct care which has been provided to us by third parties, such as referral information from your GP, Optician or from other bodies such as schools.

Processing your data for direct care purposes

We need to collect, record, store and use your personal data in order to provide our healthcare services to you. This means we are meeting the conditions for processing included in the current Data Protection Act 1998 and the future General Data Protection Regulations which comes in to force on 25th May 2018.

How is the information used?

- to provide you with care and treatment, both now and in the future, ensuring that appropriate information is available to all those who treat you medically and care for you professionally.
- to support you in managing your own care and work with health and social care professionals to help our staff review the care they provide is safe and effective e.g. clinical audit

We may also use your information for other purposes such as:

- investigate any complaints or legal claims about your care
- look after the health of the general public
- manage and plan the NHS

We may need to share your information with non-care organisations, for example but not limited to:

- Housing departments
- Education services
- Voluntary services
- Sure start teams
- The Police
- Government departments

In these circumstances we will either obtain your consent to use your data if it is identifiable to you; or we will use:

- anonymised information - where your data is rendered in to a form which does not identify you. This data cannot be converted back into identifiable format.
or
- pseudonymised information - where your identifying data is replaced with non-identifiable data so that your 'real world' identity is removed. This data can only be converted back into identifiable format by an authorised, restricted key-holder

There may be circumstances where the reasons for disclosure of your data are so important that they override the obligation of confidentiality (e.g. to prevent someone from being seriously

harmed). We will only share this information as long as there is a lawful and legal basis and it is necessary to do so.

Disclosure may also be required by Court Order or under an Act of Parliament, again, if there is a statutory or other legal basis for the disclosure.

The advice of our specialist Information Governance staff e.g. our Caldicott Guardian, are also sought prior to making disclosures in the public interest or where a Court Order or statutory basis is provided as justification.

Retention of data

We keep your data for as long as required in line with national NHS records management code of practice for health and social care.

For further information please use “NHS records management code of practice 2016” in an internet search engine or use the link:

<https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016>

The use of information for research

Some research will require your direct involvement (especially if taking part in clinical trials) in which case the circumstances will be fully explained to you and your express consent will be required. If you do not consent, then you will not be included in the research and / trial.

Sometimes, researchers need access to individual medical files. Before this can happen, the researchers must present their case

before an ethics committee to check that their research is appropriate and worthwhile.

On rare occasions it is impractical to contact individuals for their consent, in which case the researchers must make their case before an ethics committee to show that there is enough benefit to the public at large to justify this.

- **Section 251**

Disclosures may be permitted under *section 251* of the NHS Act 2006. This allows the Secretary of State for Health to set aside the common law duty of confidentiality in special circumstances. This has to be to improve patient care or in the 'public interest', such as for important medical research.

Applications for approval to use Section 251 powers are considered by the Confidentiality Advisory Group (CAG) who will advise whether there is sufficient justification to access the requested confidential patient information. Examples of this, used in the short-term until other measures can be put in place are, risk stratification and invoice validation.

How we protect your information

We keep all paper and electronic records securely to prevent unauthorised access in accordance with the Data Protection Act 1998 and future General Data Protection Regulations which comes into force on 25th May 2018. The sensitivity of patient information is well understood within the NHS. Our staff are required to undertake annual training on their duty of confidentiality and data protection, and responsibilities are written into employee's contracts.

All MFT staff have their own unique logon credentials (username / password) for accessing Trust systems; and can only access those Trust systems necessary for their job role. Within the individual system, their access is also in line with the individual's job role.

Accessing your information

You have the right of access to your own records as defined in the Data Protection Act 1998 and future General Data Protection Regulations which comes into force on 25th May 2018 and which, with some exceptions, entitles individuals to a copy of information held about them.

Details on how to access your information can be found on our website or contact the relevant Subject Access Request team below. Please note that if you require your data held at all sites within MFT then you only need to contact one of the teams.

Subject Access Request (SAR) team:

Wythenshawe / Withington sites:

by telephone 0161 291 2445

by post: to Subject Access Request Team, MFT, Wythenshawe / Withington sites - Wythenshawe Hospital, International House, Ledson Road, Manchester M23 9NR

Other sites:

by telephone: 0161 701 1304

by post: Manchester Royal Infirmary, Oxford Road, Manchester M13 9WL

It will help us if you can state which hospital(s) you attended and the approximate dates and type of treatment for which you want to see the record. Fees will apply under the Data Protection Act 1998.

Keeping information up to date

If you consider that any part of the information held in your record is inaccurate, you can apply to have this corrected. If we agree that the information is incorrect, the alteration will be made. If we are not satisfied that the information is incorrect, a note will be made of the information you consider is inaccurate. You will be given a copy of either the correction or the note.

Your mobile phone number

We record mobile telephone numbers to enable us to contact you if an appointment has to be rearranged. Some services also provide a text reminder service so that you can be reminded of your appointment. If you prefer not to be contacted in this way, please tell us so we can remove your number from the system.

CCTV (closed circuit television)

CCTV is used for maintaining the security of property and premises and for preventing and investigating crime, it may also be used to monitor staff when carrying out work duties. For these reasons the information processed may include visual images, personal appearance and behaviours. This information may be about staff, customers and clients, offenders and suspected

offenders, members of the public and those inside, entering or in the immediate vicinity of the area under surveillance.

What to do if there is a problem with your data

If you would like further information on anything covered in this notice, please contact:

The Data Protection Officer

Manchester University NHS Foundation Trust (MFT)

Cobbett House

Oxford Road

Manchester

M13 9WL

Telephone 0161 701 0375

Email: information.governance@mft.nhs.uk

Are you a member of our staff employed by us?

We hold information about you which is processed, for specific purposes, which includes administration, management and operation of your employment, or in relation to the Trust's legal obligations or organisational needs. This applies to data held on computer or on paper.

Information we hold about you includes but is not limited to name, address, date of birth, next of kin details, job application details (CVs), employment references, bank details, CRB checks,

appraisals, investigations, occupational health information, Professional registrations.

For further information please contact your line manager or your Human Resources representative.

Your NHS Number, keep it safe

Every person registered with the NHS in England and Wales has their own unique NHS Number. It is made up of 10 digits for example 123 456 7890.

Everyone needs to use the NHS Number to identify you correctly. It is an important step towards improving the safety of your healthcare.

Always bring your NHS number with you to all hospital appointments or quote it if you need to telephone the hospital for any enquires. This will allow staff to check that they have the right patient details by checking this against your NHS number.

To improve safety and accuracy always check your NHS Number on correspondence the NHS sends to you.

Ways of finding out your NHS Number

If you do not know your NHS number, contact your GP. You may be asked for proof of identity, for example a passport or other form of identity this is to protect your privacy.

Once you have obtained your NHS Number write it down and keep it safe.

Anything else?

You can have a say in how the NHS uses information about you. If you do not wish personal data to be used or shared with in the way that is described in this leaflet, please discuss the matter with us. You have the right to request that your confidential information is not used beyond your own care and treatment and to have your objections considered, and, where your wishes cannot be followed, to be told the reasons including the legal basis.

If you agree, you can expect your relatives and friends to be kept up to date with the progress of your treatment.

Review Date: September 2020