



# Manchester University

NHS Foundation Trust

## PRIVACY INFORMATION

### YOUR RIGHT TO BE INFORMED

#### How we use your personal information

- **Why the NHS collects information about you**
- **How information is used**
- **Your rights**
- **How to keep your personal information confidential**
- **What to do if there is a problem with your data**

## **Manchester University NHS Foundation Trust (MFT)**

Manchester University NHS Foundation Trust (MFT) is a major NHS Trust providing services for adults and children across Greater Manchester and beyond. As well as providing general and specialist health care, it plays an important role in the teaching and education of health care professionals and in healthcare research and innovation.

We have seven hospitals and also provide services to our community. We also host a small number of organisations such as Health Innovation Manchester and Trustech.

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 Privacy 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.

Our registration number is ZA282424

**If you would like to look at our registration, please go to the Data Protection register** on the ICO website or use the link:

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

## **Lawful Basis for Processing**

We will only process information relating to you as long as there is a lawful basis and it is necessary to do so. We may use one of the following lawful bases:

- Public Task – this is the lawful basis that we will mostly use to deliver our services as an NHS organisation
- Legitimate interest – where we need to process your data for the day to day running of our Trust other than for the performance of our public task
- Vital interest – when it is necessary to protect someone's life
- Legal obligation – where we need to comply with the law
- Contract – in order to perform our contract with you

Where none of these are appropriate, then we will approach you for your consent.

## **PATIENTS**

### **What we collect and record about our patients and carers**

We keep records about your treatment and care both on paper and electronically. Details of the information we keep include, but are 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. your spouse / partner, children, carers, relatives etc.

This information may be given to us directly by you. Our staff record information about you as part of your care. The staff who do this include doctors, nurses, administrative & support staff and other health & care professionals caring for you

We may also hold information relating to your direct care which has been provided to us by other NHS organisations such as your GP, NHS hospitals, NHS clinics and other third parties such as Opticians, Dentists, private healthcare providers or from other bodies such as university and schools.

## **Processing your data for direct care, education/training and administrative purposes**

We need to collect, record, store and use your personal data in order to provide our healthcare services to you. The Trust has a lawful basis for processing personal data and meets the condition for processing special data. As an NHS organisation, for most of its processing it is undertaking its public task which is health care provision including education and teaching.

## **How is your information used?**

Your information is used for direct care, education/teaching and administrative purposes, which may include (but is not limited to):

- providing 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
- sharing information with staff employed by MFT and also other NHS and Non-NHS organisations that may provide care for you
- supporting you in managing your own care
- helping our staff review the care they provide to you is safe and effective e.g. clinical audit
- training and teaching our healthcare professionals so that they can experience, learn and train with real health care scenarios

As part of The NHS Constitution, the NHS commits “to ensure those involved in your care and treatment have access to your health information so they can care for you safely and effectively (pledge)”. To deliver this commitment, the Trust routinely sends your GP a letter detailing the outcome of any episode of care delivered to you.

We will also share proportionate information about your direct care with other NHS and Non-NHS organisations to help them provide direct care for you.

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

- properly investigate any complaints or legal claim, should you or someone on your behalf make a complaint about your care
- look after the health of the general public

- manage and plan the NHS
- sending national surveys relating to the services you use

On occasion, we may need to share information about you to organisations that do not provide direct care. The information we provide to them always meets Data Protection legislation and NHS Caldicott principles and we ensure that it is relevant and proportionate for the purpose for which it is being used. Examples of organisations who we share information with include, but not limited to:

- Education services, for example, schools
- Voluntary service providers
- Sure start teams
- The Police and Fire Services
- Government departments
- Housing departments

We may also share your information where we have a legal obligation, for example where:

- we receive a formal court order;
- there is a need to protect and safeguard vulnerable children and adults;
- there is a public health need such as infectious disease.

The above are only some examples.

We may also use your data to provide:

- 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

This is done through a strict approval process to ensure it is safe and secure and only used for the purpose in which it is being provided.

## **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.

## **OTHER PROCESSING**

### **Health Research and Innovation**

As part of our public task we undertake important health and care research. As a public body, our lawful basis for processing data for research purposes is a task in the public interest.

All research conducted at the Trust is approved by the Health Research Authority who assess that it is compliant with UK law and regulations, including where required, an NHS Research Ethics Committee review. Research initiated and sponsored by the Trust is assessed to ensure it meets current regulations.

### **Employment Data**

We keep personal and special category information about:

- staff who are currently or have previously been employed by us
- prospective staff applying for jobs with us
- volunteers, casual (bank) staff, contractors, agency workers
- staff working for our hosted organisations

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, gender, ethnicity, next of kin /



emergency contact details, job application details (CVs), employment references, employment details, bank details, pension details, Disclosure and Barring Service checks, appraisals, investigations and outcomes, occupational health information, accidents, Professional registrations, training relating to your employment.

We also hold your car registration number(s) to manage any car parking permit that you have.

## **Trust Governors and Trust Members**

We hold information about you which is processed for specific purposes associated with being a Trust Governor and / or Foundation Trust Member. Information we hold include personal information such as your name, date of birth, correspondence address. We use your personal data in order for us to communicate to you about the trust and its activities.

The Department of Health ask us to collect your ethnicity, language and disability status so that we can be sure that we are representing all sections of our communities.

## **CCTV (closed circuit television) and Body Cameras**

We use CCTV in some parts of our hospitals to help us maintain the safety and security of individuals and property; and for prevention and detection of crime and to facilitate the apprehension and prosecution of offenders and apprehension of suspected offenders.

CCTV is used under strict guidelines and in line with national legislation and guidance.

We use automatic number plate recognition so that we can manage our car parking securely and effectively.

Our security staff wear body cameras and these are only used in exceptional circumstance in line with national guidance.

We process this data as part of our legitimate interests.

## **Our Charities**

We collect your personal information when you ask about our activities, to donate, register to receive our newsletters or otherwise give us personal information. We use this information to help us process donations, newsletter requests and enquiries. We may also use this information to help us understand your needs and provide you with a better service.

We use the lawful basis of legitimate interest to process your data.

We will ask for your consent when we want to send electronic marketing to you for the first time. You will be able to opt-out at any time, either via an opt-out option on the email or by contact us.

## **Our Nursery**

We collect information about you and your child when you register for our nursery. The information we hold about your child includes name, date of birth, ethnicity, religion, health information such as medication, allergies, dietary requirements, photographs, GP and health visitor information, base-line assessment. We hold your name and contact information and name and contact details of persons authorised to collect your child. We also hold your chosen fee payment details so that we can process nursery fees.

We use your child's details to assess, support and track your child's learning, activities, assessments, trends, development, record accidents, manage medicines and other special needs and comply with Early Years and Ofsted requirements.

We share your child's data where required, with your Child's Health Visitor, School Teacher, Quality Assurance Framework Team.

## **INDIVIDUAL RIGHTS**

### **Accessing your information (Right of Access)**

You have the right of access to records we hold on you. This is sometimes referred to as a Subject Access Request. To help us process your request we will require you to provide proof of your identity and some clarity about the information you require. A form is available to help with the request.

For our patients, the form can be accessed on our external website ([www.mft.nhs.uk](http://www.mft.nhs.uk)) or it can be provided by contacting one of the 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: Subject Access Request Team, MFT, Wythenshawe Hospital, International House, Ledson Road, Manchester M23 9NR

## **All other sites:**

by telephone: 0161 701 1303

by post: Subject Access Request Team, MFT, Manchester Royal Infirmary, Oxford Road, Manchester M13 9WL

If you are a member of staff then the form will be available on the Intranet.

## **Other Rights:**

In addition to the Right to be Informed (i.e. this privacy notice) and the Right of Access, which is documented above, you also have the:

- Right to Rectification
- Right to Erasure (Right to be forgotten)\*
- Right to Object
- Right to Restrict Processing
- Right to Data Portability\*
- Right not to be subject to automated decision making including profiling

\*The right to erasure and right to data portability are not applicable when processing on the lawful basis of a public task.

If you would like to exercise any of these other rights, please contact:

The Data Protection Officer

Manchester University NHS Foundation Trust (MFT)

Group Informatics

3<sup>rd</sup> Floor, Cobbett House

Cobbett House

Oxford Road

Manchester

M13 9WL

Telephone 0161 701 0375

Email: [information.governance@mft.nhs.uk](mailto:information.governance@mft.nhs.uk)

We will consider your request and respond to you within a calendar month.

### **Keeping your Data Secure and Confidential**

We keep all paper and electronic records securely to ensure confidentiality, integrity and availability and prevent unauthorised access.

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.

Our Contractors, Agency Staff and volunteers have confidentiality clauses in their contracts and we have Data Processor contracts with those Suppliers who carry our data processing activities for us.

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. This ensures confidential data is on a "need to know" basis.

We will undertake a Data Protection Impact Assessment (DPIA) where necessary, for example at the start of any major new project that involves the use of personal data or introduces new technologies.

We do not routine transfer any information to countries outside the UK. If your information is to be sent outside of the European Economic Area we will undertake a DPIA to ensure transfer is in accordance with Data Protection legislation and any identified risk is mitigated.

We use cookies which are harmless text files on all our websites. These are to improve your browsing experience and enable certain features or functionality.

We do not use cookies for advertising purposes or pass associated data devised from the cookies to any other organisation. Further information on the use of cookies can be found at on our website.

In the event of a data breach, this will be logged on our Incident Reporting system and fully investigated, with remedial

action taken where required. We will report certain types of personal data breach to the Information Commissioner's Office (ICO) and we are committed to the NHS Statutory Duty of Candour which means we will be open when errors are made and harmed caused.

## **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 2016.

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 Information Commissioner's Office**

If you would like independent advice about data protection or if you are not satisfied with the handling of your rights under data protection, you can contact:

The Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

Website: [www.ico.org.uk](http://www.ico.org.uk)