

Privacy Notice

Cardiff and Vale University Health Board provides a wide range of NHS services to the local population and wider population across Wales and the UK. We are also a teaching Health Board and a centre of excellence for many areas. We:

- Deliver front line care in acute, primary care, and mental health settings and the wider community. This includes the commissioning and planning of services and public health functions;
- Provide facilities to support undergraduate and postgraduate training of full spectrum of clinicians; and
- Carry out important scientific work, including the provision of facilities to support research.

Why do we collect your information?

In order to provide our services to individuals, we collect, store and use a large amount of personal information. This can include very sensitive information about health conditions. This privacy notice sets out how Cardiff and Vale University Health Board (**we** or **us**) collects and uses information about individuals (**you**).

Please read this privacy notice carefully to understand how we will use your personal information. If you have any questions or queries in relation to this privacy notice, you can contact our Data Protection Officer:

By E mail UHB.DPO@wales.nhs.uk

In writing: James Webb, Interim Data Protection Officer, Cardiff and Vale UHB, Woodland House, Maes-Y-Coed Road, Cardiff, CF14 4TT

By telephone: 02920 745981

This privacy notice explains:

1. Information we may collect about you
2. Use of your information
3. Contacting you
4. Sharing your information
5. Our legal basis for collecting, holding and using your information
6. Security and storage of your information
7. Your rights

1) Information we may collect about you and where it comes from?

The Health Board holds and records information about you including: -

- Personal identifiers and demographic information consisting of such things as your name, date of birth, title, gender
- Your family, spouse and partner details
- Your contact details including postal addresses, email addresses and telephone numbers
- Any contact the Health Board has had with you such as appointments, clinic visits, emergency appointments etc
- Notes and reports about your health
- Details about your treatment and care, including medication
- Results of investigations such as laboratory tests and x-rays (including clinical imaging, whether taken by our staff or provided directly by you or someone acting on your behalf)
- Relevant information from other health and social care professionals, relatives or those who care for you
- Any other relevant information you give to us, including information you provide when you register to use our web services or complete an application form or private patient form.

Information we receive from other sources

We work closely with other organisations, such as other NHS bodies, academic institutions and social care providers, and we may receive information about you from them. We also share information with third parties who provide services for us, such as analytics providers and search information providers.

If you are a Welsh resident who has received treatment by an NHS care provider elsewhere in the United Kingdom, your information will be shared back into NHS Wales in order to verify and combine with your information held in Wales. That information will be used by the Health Board/Trust to identify you and validate what care was provided.

2. How do we use your Information?

To ensure you receive the best possible care your records are used:

- to provide staff with details about your health, care and treatment and what is needed for your individual future progress or health management.
- to monitor the quality of the service provided and to protect the health of the public (for example, where we can see a measles outbreak).

- to help us manage the NHS and to carry out statistical analyses, including research and benchmarking exercises, to enable us to understand you better and improve our treatments, care and services
 - to let you know about other relevant services, both ours and those of other parties such as other NHS organisations, Local Authorities, Charities etc whose products and services we have agreed should be made available to you (see the section 4 below on 'Contacting you' for more information about this)
 - to update and correct your records
 - to notify you about changes to our services and your appointments
 - to ensure that content of our website is presented in the most effective manner for you and for your computer
 - to administer our website and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes]
 - to ensure you receive appointments that give you the maximum opportunity to attend
- To do this we may combine information we receive from other sources with information you give to us for the purposes set out above (depending on the types of information we receive).

3. Security and storage of your personal information

We will hold your information on computers and paper and we use a combination of sound working practices and technology to ensure that your information is kept confidential and secure. We will protect your information by:

- **Training** – staff are trained to understand their duty of confidentiality and their responsibilities regarding the security of information both on our premises and when out in the community.
- **Access controls** – any member of staff using computer systems holding patient information will be given their own user name and password to access your information.
- **Audit trails** – we will keep a record of anyone who has accessed your health record or added to your record.
- **Records Management** – all healthcare records are stored confidentially and in secure locations.
- **Computer Controls** – We have complex security controls to ensure our computers cannot be accessed by those not authorised to do so – such as hackers

We are committed to protecting your privacy and will only use information collected in accordance with the law and standards of work such as:

- Data Protection Act 2018
- General Data Protection Regulations
- Human Rights Act 1998

- Common Law Duty of Confidentiality
- Health & Social Care Act 2012
- NHS Code of Confidentiality, Information Security and Records Management

Your data will be stored within the European Economic Area and in accordance with our Retention Schedule, which details the length of time we hold your records for. This is available to view on our website www.cardiffandvaleuhb.wales.nhs.uk.

Every member of staff who works for the NHS has a legal obligation to keep information about you confidential and secure. There are times when it is appropriate to share information about you and your healthcare with others such as, GPs and Social Care. The need to share relevant information is to help us work together for your benefit. Where we have a contract in place, it may be necessary to share your information with third parties such as oxygen suppliers and voluntary organisations. There may also be exceptional circumstances where your information is disclosed particularly in life or death situations or where the law requires information to be disclosed.

4. Contacting you

We will use your contact information to send you important information via letters, emails, text messages, or otherwise may telephone you. Where we do, we may record telephone calls as part of your health and care record.

We may use the information we hold about you in order to provide you with other information about goods or services which may benefit your health and wellbeing. An example of this would be to advise you to attend a cancer screening programme or healthy lifestyles programme.

We may also ask you to ask for your feedback on the quality of services we provided and how we could improve.

5. Sharing your information

In order to provide you with comprehensive health and care services, where it is relevant to do so, we may share your information with organisations directly concerned with health, education, safety, crime prevention and social well being (including a limited number of third sector organisations). Further information about this data sharing is provided at www.waspi.org

To deliver care, we also need to share your data with organisations that provide services to us (for example our cloud-based data storage providers). These will all be organisations with which we have legal contracts and measures in place to safeguard your individual rights.

We may also share your personal information to third parties if we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply our terms of use and other agreements; or to protect our rights, property, or safety of our customers, or others.

6. Our legal basis for collecting, holding and using your information

As a public sector body we are here to provide you with healthcare and well being services. Data protection law sets out various lawful legal bases (or 'conditions') which allow us to collect, hold and use your personal information, these are

- To perform tasks considered to be in the public interest or in the exercise of official authority, such as providing you with health care). This authority being the National Health Service (Wales) Act 2006 and the Local Health Boards (Directed Functions) (Wales) Regulations 2009.
- Where we are under a legal obligation which requires us to process your personal information. For example in the planning and commissioning of health and wellbeing services and in fulfilling our public health duties.
- Where we have entered into a contract or contracts with you, we may need to use your information to provide you with services.
- We will sometimes use your personal information based upon your consent. We will always tell you where this is the case and ask you to agree before we process your information.
- Finally, sometimes it is necessary to process your personal information for the purposes of our own legitimate interests. We will only do so where these interests are not overridden by the interests and fundamental rights or the freedoms of the individuals concerned

Data protection law recognises certain "special categories" of personal information, which is information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic information, biometric information for uniquely identifying a person, information concerning health, and information concerning a person's sex life or sexual orientation. These special categories are considered particularly sensitive

and so we will only collect and use this information where one or more of the following conditions applies:

- It is necessary for the provision of health or social care or treatment or the management of health, including clinical audit, the development of decision support tools, commissioning purposes and national collection, operational and strategic management and performance monitoring.
- It is necessary for the purpose of social protection where we have concerns about your wellbeing and wish to put safeguarding measures in place.
- It is necessary for research or statistical purposes
- Where we have legal obligations to share the data with third parties. An example of this is where the sharing of your medical record to your own insurance company, where they are underwriting the costs of your care.
- It is necessary for the purpose of carrying out obligations in respect of employment purposes such as safeguarding vulnerable groups and assessments of fitness for practice.
- You have given us your explicit consent

7. Your rights

You have the right to request from us access to your own personal information. This is sometimes known as a 'subject access request'.

You also have the right to ask us not to process your personal data for direct marketing purposes. We will tell you if we intend to use your data for this purpose or if we intend to disclose your information to any third party for this purpose. You can exercise your right to prevent such processing by checking certain boxes on the forms we use to collect your data or by contacting our data protection officer.

From 25 May 2018, you will have additional rights to request from us:

- That any inaccurate information we hold about you is corrected
- That your information is deleted
- That we stop using your personal information for certain purposes
- That your information is provided to you in a portable format
- That decisions about you are not made by wholly automated means

Many of the rights listed above are limited to certain defined circumstances and we may not be able to comply with your request. We will tell you if this is the case.

If you choose to make a request to us, we will aim to respond to you within one month. We will not charge a fee for dealing with your request.

If you are dissatisfied with how we are using your personal information or if you wish to complain about how we have handled a request, then please contact our Data Protection Officer and we will try to resolve any issues you may have.

You also have the right to complain to the Information Commissioner's Office, which is the statutory regulator for data protection law. Details of how to complain to the ICO can be found at <https://ico.org.uk/concerns/>.