

PRIVACY NOTICE for Don David Eye Care Ltd

Introduction

This leaflet explains who we are, why information is collected about you, the ways in which this information may be used, who it is shared with and how we keep it safe. It also explains how the practice uses the information we hold about you, how you go about accessing this information if you wish to see it and to have any inaccuracies corrected or erased.

Who we are

Don David Eye Care is a Private Medical Ophthalmic Practice providing both medical and surgical treatments to individuals with ocular or periocular disorders. The Primary Consultant is Mr Don David Bsc MD FRCOphth who also works as an NHS Consultant at South Warwickshire NHS Foundation Trust. Our administrative support is provided by The Nuffield Hospital Leamington Spa and Private Practice Management based in Bristol at the Nuffield Hospital.

WHAT INFORMATION DO WE COLLECT FROM YOU?

Records are stored electronically and on paper and include personal details about you such as your address, carers, legal representatives, emergency contact details, as well as:

- Any contact we have had with you, such as appointments, telephone calls, invoices and payments received.
- Notes and reports about your health
- Details about your treatment and care
- Details about any medication you are taking
- Results of investigations such as laboratory tests, x-rays
- Relevant information from other health professionals, relatives or those who care for you

WHY DO WE COLLECT THIS INFORMATION?

Your records are used to ensure you receive the best possible care from the practice. It enables Mr David and staff who also provide you with direct clinical care relating to your eye condition such as nurses, orthoptists or optometrists to see previous treatments and medications and enables them to make informed decisions about future care. It helps the staff to see lists of previous treatments and any special considerations which need to be taken into account when care is provided. It also allows us to see when you are due reminders for check ups.

Information may be used within the practice for clinical audit to monitor the quality of the service provided.

WHO MIGHT WE SHARE YOUR INFORMATION WITH?

There are a number of ways information collected about you is shared, which includes:

1. Patient referrals

With your agreement, we may refer you to other services and healthcare providers not provided by Don David Eye Care, or we may work with other services such as optometrists, orthoptists or GPs to provide your care in the practice. Once you have been seen for your referral, the other health care provider will normally tell us about the treatment they have provided for you and any follow up which either Don David Eye Care or your GP needs to provide. This information is then included in your GP record.

2. Other Consultant Specialists, Local Hospital, Community or Social Care Services

Sometimes we need to share some of your information with others who are also supporting you. This could include hospital or community based specialists, nurses, health visitors, therapists or social care services.

WHAT DO WE DO WITH YOUR INFORMATION?

When Don David Eye Care Ltd. provides your care we must maintain records about your health. This is a record of your care history and allows health care professionals to review your care to help inform future decisions about your treatment. Sharing this information helps to improve the treatment you receive, such as writing to your GP. We follow strict data sharing guidelines to keep your information safe and secure. With your explicit consent, we may at your request, provide you with a copy of letters written on your behalf by email.

HOW LONG DO WE KEEP YOUR INFORMATION?

Health and social care records are subject to a nationally agreed code of practice which regulates the minimum period for which records must be kept. This specifies that medical records should be retained until 10 years after the patient's death or after the patient has permanently left the country, unless they remain in the European Union. Electronic patient records must not be destroyed or deleted for the foreseeable future. For more information, see the records management code of practice: <https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016>

HOW DO WE KEEP YOUR INFORMATION SAFE?

Every member of staff has a legal obligation to keep information about you confidential. We are committed to protecting your privacy and will only use information collected lawfully in accordance with:

- General Data Protection Regulation 2017
- Data Protection Act 1998
- Human Rights Act 1998
- Common Law Duty of Confidentiality
- Health and Social Care Act 2012
- NHS Codes of Confidentiality, Information Security and Records Management
- Information: To Share or Not to Share Review

We will only ever use or pass on information about you if others involved in your care have a genuine need for it. We will not disclose your information to any third party without your permission unless there are exceptional circumstances such as a life or death situation, or where the law requires information to be passed, or where it is in the best interest of the patient to share the information.

In May 2018, a new national regulation called the General Data Protection Regulation will come into force and the practice has a legal responsibility to ensure that we will also comply with these regulations.

YOUR INDIVIDUAL RIGHTS

- Have inaccuracies corrected
- Have information erased
- Data portability

Don David Eye Care does not engage in any direct marketing, profiling or use any automated decision making tools.

1. HOW CAN I ACCESS THE INFORMATION YOU HOLD ABOUT ME?

You have a right under the Data Protection legislation to request access to obtain copies of all the information Don David Eye Care holds about you. You are also allowed to have information amended should it be inaccurate.

In order to access your medical record, you need to let us know by making a Subject Access Request (SAR).

We will respond to your request within one month of receipt of your request. You will need to give adequate information (for example full name, address, date of birth, NHS number and details of your request) so that your identity can be verified and your records located.

Usually there is no charge to see the information that we hold about you unless the request is excessive or complicated.

2. HAVE INACCURACIES CORRECTED OR ERASED

If you feel that the personal data that we hold about you is inaccurate or incomplete then please let us know and we will update your records within one month of notification. If this incorrect information has been sent onwards, we will also inform any other organisations of this. If it is not possible to correct the information then we will write to you to let you know the reason behind the decision and inform you how you can complain about this.

If you feel information in your health record should not be there, you can ask us to erase that information. We will look at each request specifically. Please bear in mind there may well be legal reasons why we will need to keep data even if you request it to be erased. We will explain this to you in detail in our response.

3. DATA PORTABILITY

You have the right to access your data in a format which allows you to re-use and share it with other organisations should you wish. As such, we will provide your data in a structured, commonly used and machine readable form.

4. RIGHT TO OBJECT

As a patient, you have the right to object to personal data about you being used or shared.

You also have the right to restrict the use of data we hold about you. If you do wish to object, please contact us. This will prevent your confidential information being used other than where necessary by law.

If you are a carer and have a Lasting Power of Attorney for health and welfare then you can also object to personal data being used or shared on behalf of the patient who lacks capacity.

If you do not hold a Lasting Power of Attorney then you can raise your specific concerns with us directly. If you have parental responsibility and your child is not able to make an informed decision for themselves, then you can make a decision about information sharing on behalf of your child. If your child is competent then this must be their decision.

Objections / Complaints

Should you have any concerns about how your information is handled please contact: **Don David Eye Care c/o Nuffield Hospital, The Chase, Old Milverton Lane, Leamington Spa CV32 6RW**. We will listen to your concerns and try and act upon the concerns raised as best we can. If you are still unhappy following a review by the Practice, you can then complain to the Information Commissioners Office (ICO) via their website: www.ico.gov.uk

Changes to Privacy Policy

We keep our privacy policy under regular review and we will place any updates on our web page. This privacy policy was last updated on May 22nd 2018.