

## **PRIVACY NOTICE**

Healthcare professionals who provide you with care are required by law to maintain records about your health and any treatment or care you have received. These records help us to provide you with the best possible medical care. This privacy notice explains why IslandHealth collects information about patients and how we keep it safe and confidential, and how that information may be used.

We collect and hold data for the purpose of providing healthcare services to our patients. We may keep your information in a written form and/or a digital form. The records will include basic details about you, such as your name, address and date of birth but they may also include more sensitive data (known as 'special category data') such as information about your health, your problems, medical investigations, treatments and outcomes of treatments, your habits, appointments you have attended, referrals to specialists and other healthcare providers, the observations and opinions of other healthcare workers within and outside of IslandHealth, as well as comments and aide memoires reasonably made by healthcare professionals who are appropriately involved in your healthcare.

In some situations, your health needs may require care from other healthcare providers or healthcare services outside of this Practice, such as a referral to see a specialist. In these situations, we will exchange with them information about you that is necessary for them to provide that care. Anyone with whom we share this information will have a professional and contractual duty of confidentiality.

Health and Social Care (HSC) provide a number of screening programmes to detect certain diseases such as bowel and breast cancer at an early stage. For patients eligible for this screening, we will share a basic level of information with HSC such as your name, age and address so that you are invited to the relevant screening programmes. This is not automated processing. Any processing undertaken by IslandHealth will be instigated by an individual. All profiling and processing IslandHealth carries out is for the health benefit of the patient or patients. We are also obliged to inform Public Health if patients are suffering with certain notifiable illnesses such as food poisoning. This will require sharing some personal information with this organisation. Anonymised data may be used at a local level to help the States of Guernsey plan services.

Your consent to this sharing of data, within the Practice and with those outside the Practice under these circumstances is assumed and is allowed by the Law. In all these situations we would only share your information with others involved in your care who have a genuine need for it and only the minimum amount of information required to serve that purpose would be released. However, you do have a right to object to our sharing of your data and can withdraw your consent at any time, where relevant.

We would not share your information with anybody else without your explicit consent unless there were exceptional circumstances (i.e., a life and death situation) or where disclosure is in the public interest or when there is a legal duty to do so, for example a court order.

We are required by Articles in the Data Protection (Bailiwick of Guernsey) Law, 2017 to provide you with information in the following subsections.

1. <b>Data Controller</b>	IslandHealth, St Sampson's Medical Centre, Grandes Maisons Road, St Sampson's, Guernsey, GY2 4JS. Tel: 245915
2. <b>Data Protection Officer</b>	Practice Manager IslandHealth, St Sampson's Medical Centre, Grandes Maisons Road, St Sampson's, Guernsey, GY2 4JS. Tel: 245915
3. <b>Purpose of the processing</b>	Direct care is care delivered to the individual alone, most of which is provided in the surgery. After a patient agrees to a referral for direct care elsewhere, such as a referral to a specialist in a hospital, necessary and relevant information about the patient, their circumstances and their problem will need to be shared with the other healthcare workers, such as specialists, therapists, technicians etc. The information that is shared is to enable the other healthcare workers to provide the most appropriate advice, investigations, treatments, therapies, health screening and or care.
4. <b>Lawful basis for processing</b>	The processing of personal data in the delivery of direct care and for the provider's administrative purposes and in support of direct care elsewhere is supported under the following articles Schedule 2 Part II (10)(a)(i) of the Data Protection (Bailiwick of Guernsey) Law 2017 (a) The processing is necessary for a health or social care purpose (b) In subparagraph (a) – 'Health or social care purpose' includes the purpose of – (i) Preventative or occupational medicine (ii) The assessment of the working capacity of an employee or worker (iii) Medical diagnosis (iv) The provision of medical, health or social care or treatment, or (v) The management of medical, health or social care systems and services.
5. <b>Recipient or categories of recipients of the processed data</b>	The data will be shared with health and care professionals and support staff in the surgery and at relevant hospitals, the Medical Specialist Group and other medical specialist or healthcare providers, community service providers, pharmacies, Public Health, HSC and diagnostic and treatment centres when they will be contributing to your personal care.
6. <b>Data Subject Rights</b>	Under Guernsey Data Protection Law, all data subjects (individuals) have ten rights. These are: 1. Right to information for personal data collected from data subject. 2. Right of access. 3. Right to object to processing for direct marketing purposes. 4. Right to object to processing on grounds of public interest. 5. Right to object to processing for historical or scientific purposes. 6. Right to rectification. 7. Right to erasure. 8. Right to restriction of processing. 9. Right not to be subject to decisions based on automated processing. 10. Right to data portability.
7. <b>Right to access and correct</b>	You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law.
8. <b>Retention period</b>	The data will be retained as per the IslandHealth policy on the Record Management Policy and Procedures. As a basic principle, electronic health records would be kept indefinitely. Ten years after a patient has died or left the Practice, paper records may be confidentially destroyed.
9. <b>Right to complain</b>	You have the right to complain to the Office of the Data Protection Authority (ODPA), which can also advise about the rights of appeal. Address: Office of the Data Protection Authority (ODPA), Block A, Lefebvre Court, Lefebvre Street, St Peter Port, Guernsey, GY1 2JP. Tel No: (01481) 742074. Email: <a href="mailto:info@odpa.gg">info@odpa.gg</a>