

Privacy Notice for Clinical Services - Patient Information

This Privacy Notice explains your rights on how we use information about you, how we keep your information safe and confidential, and how you can access your health records.

Who we are:

We are a hospice, providing a range of palliative care and end of life services to the communities within Exeter, Mid and East Devon. The hospice is a charity and we are registered with the Charity Commission.

We provide a wide range of services including:

- Community services including Hospiscare@Home
- Supportive care
- Inpatient care
- Day Hospices.

What is a privacy notice?

A privacy notice is a statement produced by Hospiscare for patients, service users, families, carers, visitors, the public and staff, that describes how we collect, use, retain and disclose personal information which we hold. It is sometimes also referred to as a Privacy Statement or Fair Processing Statement.

Hospiscare recognises the importance of protecting personal and confidential information in all that we do and takes care to meet its legal and regulatory duties. This notice is one of the ways in which we can demonstrate our commitment to our values.

Who are we monitored by?

- Department of Health
- Information Commissioner's Office
- Care Quality Commission
- Charity Commission

Our healthcare professionals and some registered support staff are also regulated and governed by professional bodies.

Why do we collect information about you?

When you are referred to our services we ask for and hold personal confidential information about you, which will be used to support the delivery of appropriate care and treatment. Your doctor, as well as other health and social care professionals looking after you, record details of your health and any treatments or services you have received. This, alongside information that you may be able to directly provide, enables us to ensure that your care from our hospice team is truly individualised and meets all of your specific needs, and we can therefore provide you with the highest quality of care.

What types of information do we have about you?

The information we hold about you could include:

- Basic details, such as your name, address, next of kin and medical history
- Any contact we have had with you and when you have visited us
- Notes and reports about your health and any treatment you have received, either from us or other healthcare providers
- Information from people who care for you and know you well, such as health professionals and relatives.

It may also include personal sensitive information such as sexuality, race, your religion or beliefs, and whether you have a disability, allergies or health conditions. It is important for us to have a complete picture, as this information assists staff involved in your care to deliver and provide improved care and to deliver appropriate treatment and care plans to meet your needs.

Where do we get your information from?

Your information is collected in a number of ways from your health or social care team when you are referred to our services (this is normally your District Nurse, GP or hospital consultant). At the time of referral we will also record information that you have shared with us.

How do we use your information?

Your health records are used as a guide to help us plan the care you will receive from our hospice, however the information may also be used in other ways:

- To help inform decisions that we make about your care
- To ensure that your treatment is safe and effective
- To work effectively with other organisations who may be involved in your care
- To investigate any concerns or complaints you may have.

With your permission, we may share your information with other health and social care providers. For example, this may be information provided to your doctor or your hospital consultant about the care that you have received from our hospice.

In some cases, we use your anonymised information (removing anything that identifies you):

- To support the health of the general public
- To ensure our services can meet future needs
- To review care provided to ensure it is of the highest standard possible
- To train healthcare professionals
- For research and audit
- To prepare statistics on our performance
- To monitor how we spend money
- To share with external regulators, e.g. The Care Quality Commission (CQC).

How is information retained and kept safe?

Information is retained in secure electronic and paper records and access is restricted to only those who need to know.

Technology allows us to protect information in a number of ways, in the main by restricting access. Our guiding principle is that we are holding your information in strict confidence and allow others access only on a 'need to know' basis.

How do we keep information confidential?

A patient has the right to confidentiality under the Data Protection Act 1998, Human Rights Act 1998, and the common law duty of confidentiality.

This responsibility is incorporated into professional codes of conduct, e.g. Nursing and Midwifery Council (NMC) Record Keeping: Guidance for nurses and midwives 2009, and General Medical Council (GMC) Good Medical Practice: Guidance for doctors. Under the Public Records Act 1958, the responsibility of the Chief Executive Officer and senior managers for the safe keeping of records is extended to all staff for all records they either create, use or handle.

All staff who come into contact with patient or personal information are subject to a common law duty of confidence. This duty of confidence continues beyond the death of a patient or after an employee has left Hospiscare.

All staff must protect confidential patient information. They can only disclose information with the person's consent where required by the order of a court, or when they can justify disclosure in the wider public interest and/or to safeguard vulnerable adults.

All staff are required to undertake annual training in clinical record keeping, confidentiality, and there is additional training for specialists, such as the Caldicott Guardian.

Once your care/contact with Hospiscare has ceased your clinical records are retained for eight years.

Who can access my information?

To provide the best care possible, sometimes we will need to share information about you with others. We may share your information with a range of Health and Social Care organisations and regulatory bodies. You may be contacted by any one of these organisations for a specific reason and they will have a duty to tell you why they have contacted you.

Information sharing is governed by specific rules and law. We will not disclose any health information to third parties without your explicit consent, unless there are exceptional circumstances, such as when the health or safety of others is at risk or where the law requires the disclosure of information.

Can I access my clinical record?

Under the Data Protection act you have the right to see your clinical records. You must submit a request in writing (a Subject Access Request), upon receipt of which you will normally be given access to everything recorded about you. The Caldicott Guardian manages all Subject Access Requests. This information may not include confidential information about a third party, or information that a healthcare professional considers likely to cause serious harm to the physical or mental health of the patient or someone else.

A patient can also ask for access to be given to other people, e.g. a solicitor. A Subject Access Request must be submitted detailing the information required and the signed consent of the patient.

According to the Access to Health Records Act 1990, other people are allowed to view your health records after your death – but only if they are your personal representative, an executor named in your Will, or someone who has a legal reason to access your health information.

The Caldicott Guardian is the Director of Care and can be contacted at:

Hospiscare
Searle House
Dryden Road
Exeter EX2 5JJ

Changes to our Privacy Notice

We keep our privacy notice under regular review and may update it from time to time. When we do we will revise the updated date at the bottom of this page and post it on our website. For further information about privacy and data consent, please visit the Information Commissioner's Office website at www.ico.org.uk

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