

PATIENT DATA POLICY

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How we use your data - patients/clients

At Rowcroft Hospice we are committed to acting within our values of **Honesty & Integrity**, **Generosity of Spirit**, and **Respect** and as **Team Players**. We are all responsible for delivering our purpose to **make every day the best day possible for our patients and their families in South Devon**, and for ensuring we behave in an ethical, values driven, and patient focussed way.

This Policy applies to current patients, clients and clinical service users of Rowcroft Hospice. It explains how we collect and use information about you, and the procedures in place to meet our legal obligations and ensure that we protect your privacy. This Policy should be read in conjunction with any other privacy notice that may be given to you at any point during or after you receive our care.

Why and how we collect information

We may ask for or hold personal confidential information about you which will be used to support delivery of appropriate care and treatment. The legal basis for holding this is that it is necessary for the performance of a task in the public interest. These records may include basic details, such as name, address, date of birth, next of kin, contact we have had, 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, religion or beliefs, disabilities, allergies or health conditions. This information assists staff involved in your care to deliver appropriate treatment and care to meet your needs.

Information is collected in a number of ways- via your healthcare professional, via the hospital, referral details from your GP or directly given by you or a relative.

How we use information

We use this information to:

- help inform decisions that we make about your care ensuring your treatment is safe and effective.

- work effectively with other organisations who may be involved in your care.
- ensure our services can meet future needs.
- review care provided to ensure it is of the highest standard possible.

Where possible, when using information to inform future services and provision, non-identifiable information will be used.

It helps you because accurate and up-to-date information assists us in providing you with the best possible care.

How information is retained and kept safe?

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

The electronic data for Patient or Client is stored on a Patient Record system called SystmOne supplied by TPPLTD. This is a shared care database used by many GP surgeries and Community organisations in the local area of your care.

SystmOne is not able to delete or archive patient records, however records are monitored across Healthcare organisations to ensure the correct access is given only where direct care is required.

The data for this system is hosted off-site within the European Economic Area 'EEA'. TPP are ISO 27001 Registered for security management IT provisions to Health and Social Care.

For the purpose of operational care and service improvement provisions data extracts are taken from SystmOne for activity at Rowcroft Hospice only held in a Microsoft South England data centre, registered ISO 27001 & ISO 27018. This data is for internal use and for the purpose of commissioning.

How do we keep information confidential?

Everyone working for the Hospice is subject to the Common Law Duty of confidentiality, the Data Protection Act 2018 and the General Data Protection Regulations. Information provided in confidence will only be used for the purposes to which you consent to, unless there are other circumstances covered by the law. Under the Confidentiality Code of Conduct, all staff are required to protect information, inform you of how your information will be used and allow you to decide if and how your information can be shared. All hospice staff are required to undertake annual training in data protection, confidentiality, IT/cyber security, with additional training for specialist, such as healthcare staff, data protection officers and IT staff. Rowcroft Hospice is registered with the Information Commissioners Office (ICO).

Clinical placements - Clinical placements for students commonly take place within the hospice. Students, such as student nurses, medical students, social work students, could be receiving training in the service that is caring for you. This may be when you are an inpatient, an outpatient, or when you are being visited by health or social care staff at home. If staff would like a student to be present, they will always ask for your permission before that meeting or episode of care.

The treatment or care you receive will not be affected if you refuse to have a student present during your episode of care.

Who will the information be shared with?

To provide you with the best care possible, we will need to share relevant information about you with other Health and Social Care organisations for the continuation of your care. The sharing of this information is governed by specific rules and law. The legal basis for sharing information is that it is necessary for the performance of a task in the public interest.

By agreeing to a referral to any of the services offered by the Hospice, you are agreeing to the sharing of relevant information with other Health and Social Care organisations.

In addition to the minimal sharing described above, SystmOne can be enabled to share your electronic patient records to provide the best coordinated care across organisations that are caring for you. More information on sharing model for SystmOne can be found here ([\(TPP - Sharing your electronic record\)](#)).

Rowcroft services are required to enable the local Medical Examiners to have access to patients' records to comply with national regulations for scrutiny of all deaths in the UK

Sharing with non-NHS organisations

We may also need to share information from your records with non-NHS organisations. 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. Non-NHS organisations may include, but are not restricted to: social services, local authorities, the police and private sector providers.

Your Rights

You have the right to refuse for us to share your personal information with any other organisations at any time. We will fully explain the possible consequences of any dissent to share, which could include delays in you receiving care. You have the right to share your information only within the NHS for direct care. To opt of sharing your information for planning and research see the [National Data Opt out](#).

Can I access my information?

Under the Data Protection Act 2018 and the EU General Data Protection Regulation (GDPR) 2016 a person may request access to information (with some exemptions) that is held about them by an organisation. For more information on how to access the information we hold about you please speak to your healthcare professional or write to the Caldicott Guardian who is responsible for protecting the confidentiality of your information and provides guidance on appropriate sharing. You can email: caldicott@rowcrofthospice.org.uk

If you need any further information please contact the Data Protection Officer Jonathan.Hill@rowcrofthospice.org.uk or write to us, Rowcroft Hospice, Avenue Road, Torquay, TQ2 5LS or phone 01803 210800

APPENDIX 1

The Role of the Caldicott Guardian

The Role of the Caldicott Guardian is to make sure that the personal information about those who use Rowcroft clinical services is used legally, ethically and appropriately, and that confidentiality is maintained.

To ensure high standards for handling person-identifiable information relating to patients, service users and their care is upheld. Confidentiality also extends to their relatives, staff and others.

There are seven Caldicott Principles which apply when considering requests for patient data which are:

1. Justify the purpose
2. Don't use personal confidential data unless it is absolutely necessary
3. Use the minimum necessary personal confidential data
4. Access to personal confidential data should be on a strict need-to-know basis
5. Everyone with access to personal confidential data should be aware of their responsibility
6. Comply with the law
7. The duty to share information can be as important as the duty to protect patient confidentiality

To ensure that the organisation meets these principles it is important that request for patient related data goes through the correct channels. Therefore we have set up a monitored Caldicott email address caldicott@rowcrofthospice.org.uk.

If you have any further questions please contact Rowcroft Hospice on 01803 210800.