

Privacy Policy

Security of information

Confidentiality affects everyone: Jayne Taylor Aesthetics (the Organisation), stores and uses large amounts of personal and sensitive personal data every day, such as medical records, personal records and computerised information. This data is used by many people in the course of their work.

We take our duty to protect personal information and confidentiality very seriously and we are committed to comply with all relevant legislation and to take all reasonable measures to ensure the confidentiality and security of personal data for which we are responsible, whether computerised or on paper.

We have a Company Director who is accountable for the management of all information assets and any associated risks and incidents as well as the management of patient information and patient confidentiality.

Legal basis for the processing of your data

The General Data Protection Regulation (GDPR) 2018 requires the Organisation to process:

Personal data under 6(1)(f) *“Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.”*

Article 6(1)(a) “The data subject has given consent to the processing of his or her personal data for one or more specific purposes.

Sensitive personal data

(Health Records) under 9(2)(h) – *“Necessary for the reasons of preventative or occupational medicine, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services”*

Why do we collect information about you?

All health care professionals caring for you keep records about your health and any treatment and care you receive. These records help to ensure that you receive the best possible care. They may be paper or electronic and they may include:

- Basic details about you such as name, address, email address, NHS number, date of birth, next of kin, etc.
- Contact we have had with you such as appointments or clinic visits.
- Notes and reports about your health, treatment and care –clinic appointments
- Details of diagnosis and treatment given
- Information about any allergies or health conditions.
- Results of laboratory tests.

- Relevant information from people who care for you and know you well such as health care professionals and relatives.

It is essential that your details are accurate and up to date. Always check that your personal details are correct when you visit us and please inform us of any changes to your contact details or GP Practice as soon as possible. This minimises the risk of you not receiving important correspondence.

By providing the Organisation with their contact details, patients are agreeing to the Organisation using those channels to communicate with them about their healthcare, i.e. by letter (postal address), by voice mail or voice message (telephone or mobile number), by text message (mobile number) or by email (email address).

How your personal information is used

In general your records are used to direct, manage and deliver the care you receive to ensure that:

- Health care professionals involved in your care have accurate and up to date information to assess your health and decide on the most appropriate care for you.
- Health care professionals have the information they need to be able to assess and improve the quality and type of care you receive.
- Your concerns can be properly investigated if a complaint is raised.
- Appropriate information is available if you see another clinician, or are referred to a specialist or another part of the NHS or social care.

The Organisation holds names and addresses (including email addresses) of non-customers who it's thought may be interested in our products and services.

In these circumstances, where we have your consent, we'll let you know by email or post of the products or services we believe may be of interest. If we don't already have your consent, we'll tell you about our products and services by email in accordance with our legitimate interests to promote our business. You have the right to opt out of this marketing at any time, by following a link on the email.

The Records Management Code of Practice

This Records Management Code of Practice for Health and Social Care 2016 is a guide for the NHS to use in relation to the practice of managing records. It is relevant to organisations who work within, or under contract to NHS organisations in England. This also includes public health functions in Local Authorities and Adult Social Care where there is joint care provided within the NHS.

The Code is based on current legal requirements and professional best practice. It will help organisations to implement the recommendations of the Mid Staffordshire NHS Foundation Trust Public Inquiry¹ relating to records management and transparency.

<https://www.gov.uk/government/publications/records-management-code-of-practice-for-health-and-social-care>

How long health records are retained

All patient records are destroyed in accordance with the NHS Records Retention Schedule, which sets out the appropriate length of time each type of medical record is retained.

The Organisation does not keep patient records for longer than necessary and all records are destroyed confidentially once their retention period has been met, and the Organisation has made the decision that the records are no longer required.

When do we share information about you?

We share information about you with others directly involved in your care; and also share more limited information for indirect care purposes, both of which are described below:

Everyone working within our Organisation has a legal duty to keep information about you confidential. Similarly, anyone who receives information from us also has a legal duty to keep it confidential.

Direct Care Purposes

- NHS Trusts and hospitals that are involved in your care.
- NHS Digital and other NHS bodies.
- General Practitioners (GPs).
- Ambulance Services.

You may be receiving care from other people as well as the NHS, for example Social Care Services. We may need to share some information about you with them so we can all work together for your benefit if they have a genuine need for it or we have your permission. Therefore, we may also share your information, subject to strict agreement about how it will be used, with:

- Social Care Services.
- Voluntary and private sector providers.

We will not disclose your information to any other third parties without your permission unless there are exceptional circumstances, such as if the health and safety of others is at risk or if the law requires us to pass on information.

Indirect Care Purposes:

We also use information we hold about you to:

- Review the care we provide to ensure it is of the highest standard and quality
- Ensure our services can meet patient needs in the future
- Investigate patient queries, complaints and legal claims
- Undertake health research and development (with your consent – you may choose whether or not to be involved)
- Help train and educate healthcare professionals

Nationally there are strict controls on how your information is used for these purposes. These control whether your information has to be de-identified first and with whom we may share identifiable information.

When other people need information about you

Everyone working in Health and Social Care has a legal duty to keep information about you confidential and anyone who receives information from us is also under a legal duty to keep it confidential.

From time to time we may need to share information with other professionals and services concerned in your care. This may be for instance, when your healthcare professional needs to discuss your case with other professionals (who do not work for the Organisation) in order to plan your care. We do this in order to provide the most appropriate treatment and support for you and your carers, or when the welfare of other people is involved. We will only share information in this way if we have your permission and it is considered necessary.

There may be other circumstances when we must share information with other agencies. In these rare circumstances we are not required to seek your consent.

Examples of this are:

- If there is a concern that you are putting yourself at risk of serious harm
- If there is a concern that you are putting another person at risk of serious harm
- If there is a concern that you are putting a child at risk of harm
- If we have been instructed to do so by a court
- If the information is essential for the investigation of a serious crime
- If you are subject to the Mental Health Act (1983), there are circumstances in which your 'nearest relative' must receive information even if you object
- If your information falls within a category that needs to be notified for public health or other legal reasons, e.g. Certain infectious diseases

Other ways in which we use your information

Call recording

Telephone calls to the Organisation may be recorded for the following purposes:

- To make sure that staff act in compliance with Organisations procedures.
- To ensure quality control.
- Training, monitoring and service improvement
- To prevent crime, misuse and to protect staff

Data subjects rights

Under the Data Protection Act - 6th Principle:

- a right of access to a copy of their personal data;
- a right to object to processing that is likely to cause or is causing damage or distress;
- a right to object to decisions being taken by automated means;
- a right in certain circumstances to have inaccurate personal data rectified, blocked, erased or destroyed; and
- a right to claim compensation for damages caused by a breach of the Act

Under the General Data Protection Regulation (GDPR)

- a right to confirmation that their personal data is being processed and access to a copy of that data which in most cases will be Free of Charge and will be available within 1 month (which can be extended to two months in some circumstances)
- Who that data has or will be disclosed to;
- The period of time the data will be stored for
- a right in certain circumstances to have inaccurate personal data rectified, blocked, erased or destroyed;
- Data Portability – data provided electronically in a commonly used format
- The right to be forgotten and erasure of data does not apply to an individual's health record or for public health purposes
- The right to lodge a complaint with a supervising authority (see Raising a concern section)

Your right to object

You have the right to restrict how and with whom we share information in your records that identifies you. If you object to us sharing your information we will record this explicitly within your records so that all healthcare professionals and staff involved with your care are aware of your decision. If you choose not to allow us to share your information with other health or social care professionals involved with your care, it may make the provision of treatment or care more difficult or unavailable.

Please discuss any concerns with the nurse or practitioner treating you so that you are aware of any potential impact. You can also change your mind at any time about a disclosure decision.

Refusing or withdrawing consent

The possible consequences of refusing consent will be fully explained to the patient at the time, and could include delays in receiving care.

In those instances where the legal basis for sharing of confidential personal information relies on the patient's explicit or implied consent, then the patient has the right at any time to refuse their consent to the information sharing, or to withdraw their consent previously given.

In instances where the legal basis for sharing information without consent relies on HRA CAG authorisation under Section 251 of the NHS Act 2006, then the patient has the right to register their objection to the disclosure, and the Trust is obliged to respect that objection.

In instances where the legal basis for sharing information relies on a statutory duty/power, then the patient cannot refuse or withdraw consent for the disclosure.

SMS text messaging

When attending the Organisation for an appointment or a procedure you may be asked to confirm that the organisation has an accurate contact number and mobile telephone number for you. This can be used to provide appointment details via SMS text messages to advise you of appointment times.

How you can access your records

The GDPR 2018 gives you a right to access the information we hold about you on our records. Requests must be made in writing to our SIRO. The Organisation will provide your information to you within one month (this can be extended dependent on the complexity of the request) from receipt of your application:

- A completed application form, containing adequate supporting information (such as your full name, address, date of birth, NHS number, etc.) to enable us to verify your identity and locate your records.
- Information will be provided free of charge except where requests are unfounded or excessive, in particular repeat requests then the Trust may either charge a reasonable fee or refuse to act on the request.

Please send requests to:

Jayne Taylor Aesthetics

57a Highgate Road

Clayton Heights

Bradford

BD13 1ED

Data controller

The Data Controller responsible for keeping your information confidential is:

Jayne Taylor – Company Director

Data Protection Officer Contact – infojaynetayloraesthetics.co.uk

Raising a concern

Patients who have a concern about any aspect of their care or treatment at this Organisation, or about the way their records have been managed, should contact –

Jayne Taylor – Company Director

If you have any concerns about how we handle your information you have a right to complain to the Information Commissioners Office about it.

The GDPR 2018 requires organisations to lodge a notification with the Information Commissioner to describe the purposes for which they process personal information. These details are publicly available from:

Information Commissioner's Office
Wycliffe House, Water Lane
Wilmslow, SK9 5AF

Telephone: 08456 306060
Website: www.ico.gov.uk

Freedom of Information

The Freedom of information Act 2000 provides any person with the right to obtain information held by Jayne Taylor Aesthetics, subject to a number of exemptions. If you would like to request some information from us, please contact us.