

Fair Processing and Patient Information Disclosure Leaflet

At Somerset Surgical Services (SSS) we are committed to upholding your information needs and privacy and legal rights. This Fair Processing and Patient Information Disclosure Leaflet sets out our framework for processing data and making information disclosures.

Why Do we Need Your Information

Like all health providers we need to collect personal data about you in order to deliver the best possible care, treatment and clinical outcome, this is our lawful purpose.

We need your information to:-

- Confirm who you are and contact you;
- Make decisions about your ongoing care and treatment;
- Check your level of care is appropriate and effective for you;
- Investigate any concerns or complaints made by you.

Details that we may collect from you include:-

- Basic details about you e.g. name, address, next of kin details, status etc.;
- Details of your visits, treatment plan and support;
- Investigation results such as laboratory, x-ray and surgical tests;
- Information about your health care professionals, relatives and carers who support you.

Fair Processing

Whenever we collect personal data from you we will always confirm:-

- Why we need to collect your data;
- How we intend to use your data;
- How the data will be kept secure;
- Who the data will be shared with;
- How you can access your own records.

SSS will always act transparently so that you know from the offset why and how your information will be used. This will help you to make better informed decisions as to whether you want to enter into a relationship with SSS.

Who Might We Share Your Information With

SSS works in partnership with a number of NHS and Non-NHS organisations who provide streamlined joined up services for patients. This requires SSS to routinely pass information onto third parties where there is a genuine need for the information to be shared and where patient consent has been provided.

Principal organisations that we may share information with include:-

- NHS Trusts and hospitals involved in your care;
- GPs;
- Ambulance Services;
- Private sector providers who work with SSS;
- Integrated Care Boards (ICBs)

Subject to stricter agreement it may also include:-

- Adult and Children Services;
- Care homes;
- Local authorities;
- Education establishments;
- Voluntary sector providers

This list is not exhaustive.

We do not use personal data provided by patients for any marketing purposes.

Under the Data Protection we are required to share information where a legal duty exists for example:-

- The notification of births;
- Where a formal Court Order is served upon us;
- To third parties such as the Police, the Department of Work and Pensions and anti-fraud agencies for the purposes of the prevention and detection of serious crime and fraud;
- Where there is a need to safeguard vulnerable adults and children;
- For health and safety purposes for e.g. where there is a need to protect the safety of others or society for e.g. infectious diseases.

Patient Opt Out Option

Should you wish to not enter into a relationship with SSS or restrict how your data is used or shared with other parties then please contact us and we will advise you of the consequences and delays this may cause to your future care or treatment. All patient opt outs to SSS must be advised in writing to our contact address at the bottom of this leaflet.

How your Personal Information Improves the Health Sector

Occasionally, your personal information may be shared to protect the health of the public. Information may be used to:-

- Audit Non-NHS and NHS services for e.g. SSS;
- Prepare statistics for performance purposes;
- Review the care we provide to ensure it is of the highest standards;
- Investigate patient queries, audits, incidents, complaints and legal claims;
- Make sure our services can meet patients' needs in the future, for example service planning and service evaluations;
- Help educate and train our healthcare professionals.

Auditing Purposes

All Health Care Providers are regularly assessed by various auditing bodies to ensure that the standards of risks are managed throughout the Health Care Sector. As part of the assessment process this may involve assessors viewing patient records and incident report forms to ensure the correct procedures are being adhered to. All assessors who work in this sector are employed to work under strict principles of confidentiality.

Research and Development

Research plays a pivotal role in the development of the health care service and in the delivery of SSS services.

Prior to the commencement of any research trial, you will always be asked for your expressed written consent and be informed of how your information will be used unless statutory legislation permits.

Our research essentially helps:-

- With health research and development;
- Teaching our healthcare professionals. Without such materials our new doctors and nurses would not have the experience to treat rare situations or cases.

Accessing your Information

Section 7 of the Data Protection Act 1998 gives all individuals a legal right to access their own personal data held about them subject to a range of exemptions and restrictions. This is called a Subject Access Request (SAR) under the Data Protection Act 1998.

Should you wish to submit a subject access request to find out what information is held about you it must:-

- Be provided in writing (email and fax included) to the contact us address below;
- Contain proof of your ID (for example a copy of your birth certificate/driving license or utility bill etc)

- Provide a clear explanation of the information and period required, including relevant contact details.

University Hospitals Bristol and Weston (UHBW) Foundation Trust process all subject access requests for SSS patients. Please use the link below for further information

<https://www.uhbw.nhs.uk/p/how-we-use-your-data/subject-access-requests-and-other-data-subject-rights>

Accessing Records of Deceased Patients

The Access to Health Records Act 1990 now only applies to health records of the deceased and refers only to records created prior to 1st November 1991. This Act only gives applicants access to:-

- The deceased's personal representatives (both executors and administrators) to enable them to carry out their duties;
- Anyone who has a claim arising from a death.

Restrictions on Access to Records

You are advised that information may be restricted where:-

- There is evidence that the deceased did not wish their information to be shared;
- The information disclosure may cause serious harm to the physical or mental health of any person(s);
- Disclosure would identify a third party who has not consented to the disclosure.

As with any disclosure a SSS medical professional will consent to the necessary disclosure prior to release.

Retention of Records

Applicants are advised that all SSS records are maintained in line with best practice NHS retention guidelines. It is SSS's intention not to keep for records for longer than necessary. All records are destroyed on site confidentially once all retention periods have been met.

Patient Satisfaction Survey

We are very interested to hear your opinion of us whilst you are receiving treatment from Somerset Surgical Services. We constantly strive to provide you with the best possible care and treatment and value your feedback - positive or negative - to help us improve our services. All responses remain anonymous and will help us to review the service we provide to our patients.

We are particularly interested in:-

- What we did well
- Where we can improve

A patient satisfaction survey is distributed at our outpatient clinics, on the day of surgery for day case procedures, or during the course of your inpatient stay. Alternatively, you can complete a patient satisfaction survey online at:

<http://www.somersetsurgicalservices.co.uk/>

Complaints

If you wish to make a complaint we would advise patients to follow the NHS complaints procedure:

<https://www.nhs.uk/NHSEngland/complaints-and-feedback/Pages/nhs-complaints.aspx>

If you have a complaint that you would like to make then please tell us about it as soon as possible. It is important to us that we understand your concerns so we can put your mind at rest. We strive to provide excellent standards of care to our patients.

You can be assured that we take all complaints seriously. All complaints are acknowledged in writing within two working days with full written responses provided within twenty days, should this be necessary. Please send to Miss Kim Webb, Director of Operations at SSS. The telephone contact details are 01934 881333.

Should your complaint involve University Hospitals Bristol and Weston NHS Foundation Trust (UHBW) then please contact the Patient Advice and Liaison Service (PALS) on 01934 647115. We will work with the hospital PALS and Complaints Teams to address the issues that you have raised.

Independent Complaint Advocacy

A health complaints advocacy service is completely independent of the NHS and can offer a Complainant additional help and support. Examples of local advocacy services include:

- The advocacy People
- Swan Advocacy
- POWhER

A link to the NHS Choices webpage on advocacy, with links to a range of services is included below:

<https://www.nhs.uk/conditions/social-care-and-support-guide/help-from-social-services-and-charities/someone-to-speak-up-for-you-advocate/>

The Parliamentary and Health Service Ombudsman (PHSO)

Whilst every effort is made to resolve complaints locally, there may be times when a person remains unhappy with the outcome. The next step would be for the complaint to contact the PHSO. The PHSO, who is independent of the NHS and government, can undertake their own investigations into complaints.

Telephone: 0345 015 4033

E-mail: phso.enquiries@ombudsman.org.uk

Website: <https://www.ombudsman.org.uk>

Information Commissioner's Officer

Should you remain dissatisfied with the outcome of any information governance aspect concerning SSS you can pursue your complaint with the Information Commissioner's Office (ICO). The ICO is the UK's independent body that regulates the use of personal data in accordance with the Data Protection Act 1998 and the Freedom of Information Act 2000. The contact address is:-

Information Commissioner's Office (ICO)
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel. No. 0303 123 1113 (local rate) or 01625 545 745 (national rate)

Email: casework@ico.org.uk.

Website: www.ico.org.uk

Contact Us

Should you wish to contact us our contact details are as follows:-

Somerset Surgical Services
Weston General Hospital
Grange Road
Uphill
Weston-super-Mare
Somerset
BS23 4TQ

Telephone number: 01934 881105

Email: wnt-tr.somersetsurgicals@nhs.net

The office opening hours are between 08:30 hours – 17:00 hours Monday to Friday.

Disclaimer

This Fair Processing Notice does not give a full explanation of the Law. Should you wish to find out further information about your rights then please contact us or the Information Commissioner's Office at www.ico.gov.uk