

Information Governance

Your Health Records: A guide to why the NHS collects information about you and how it is used

This leaflet explains why University Hospitals Coventry and Warwickshire NHS Trust (UHCW) collects personal information about you; it explains the ways in which your personal information may be used, how you can access your health records and your rights under Data Protection laws.

Your information is used to help the National Health Service (NHS) provide the best possible care for you. The purpose of this leaflet is to tell you:

- How we use your information.
- Who we may be required to share your information with.
- How we keep your information confidential.
- How you can arrange to access your own (or your child's) health records.
- How you can request copies of clinical letters sent to your GP.
- What to do should you not wish your personal information that we hold to be shared.

How we use your information

Health professionals caring for you (or your child) manage information about your health and the care you receive from the NHS. This information is recorded in health records, manually or electronically and is important to help



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ensure that you (and your child) receive the best possible care from us. Your information is used in the following ways to guide and administer the care you receive:

- To ensure that your health professional has accurate and up to date information to provide a good basis for any treatment or advisory services we provide to you.
- To ensure that full and correct information is available to other healthcare providers from whom you may be receiving treatment.
- To ensure your treatment is safe and effective, and the advice we provide is appropriate and relevant to you.
- To ensure that there is a good basis for referring to and checking on the type and quality of treatment you have received in the past.
- To ensure that your concerns can be properly investigated should you wish to complain.

Who we may be required to share your health information with

We may be required to share information about you with the NHS regulatory authorities, for example the Care Quality Commission. The legal basis for processing your information for these purposes is that the NHS (and UHCW) is an official authority with a public duty of care for its patients. All health and adult social care providers are subject to the statutory duty under section 251B of the Health and Social Care Act 2012 to share information about a patient for their direct care. The Department of Health and Social Care provides guidance in line with Data Protection laws where the NHS is allowed to share personal information for health and social care treatment of patients, and the management of health and social care systems and services.

In certain circumstances we are required by law to report information to the appropriate authorities. This information is only provided after formal authority has been given by a qualified health professional in the following circumstances:

- Notification of new births.
- Where we encounter infectious diseases which may endanger the safety of others.

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- Where a formal court order has been issued.
- Safeguarding concerns (for both children and adults).
- If a serious crime has been committed.

Whilst always preserving your confidentiality, your information may also be used when:

- Assisting with teaching and training of health care professionals.
- Assisting with health research (if this research requires identifiable information, your written permission/consent will be sought prior to research being undertaken).
- Assisting with national and local audits. Clinical audits help the Trust to know we are meeting clinical standards of care.

Sharing information

The Trust is a signatory with partner organisations and other agencies in the locality for information sharing protocols and agreements which set out the ethical and legal principles for information exchanges. They also set out the limited and defined circumstances under which personal information is shared. The other agencies that we may share information with are:

- Social Services
- Education Services
- Local Authorities
- Voluntary Sector Providers
- Police
- Public Health

Keeping your information confidential

All health professionals working for the NHS have a duty to maintain the highest level of confidentiality about patient information. In some instances, you may be receiving care from other organisations as well as the NHS. We may need to share some information about you with them, so we can all work together for your benefit. Anyone who receives confidential information about

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you from us is under a duty of confidence and unless there are exceptional circumstances, for example; when the health or safety of others is at risk (including child protection or safeguarding vulnerable adults concerns), we will not disclose your information to third parties without your permission. We have a legal duty to keep your health records confidential and in order to do so we maintain full and accurate records of the care we provide to you, and keep records about you confidential, secure and accurate.

Your rights

Data Protection laws give you rights in respect of the information that we hold about you. Under the Data Protection Act 2018 and GDPR (General Data Protection Regulations) you as a data subject have the following rights

- The right to be informed; to know what information we hold about you, what we use it for and if the information is to be shared, who it will be shared with.
- The right of access to the information we hold about you.
- The right to accuracy and making changes (rectification); to ask for information to be corrected if inaccurate or incomplete.
- The right to erasure; to ask for information to be deleted or removed where there is no need or legal obligation for us to continue processing it (in line with the Department of Health and Social Records Management Code of Practice).
- The right to restrict processing; to ask us to restrict the use of your information (provided there is no detriment to the care and treatment we provide you).
- The right to data portability; to ask us to provide your information in a portable format.
- The right to object to processing your personal information.
- The right not to be subject to automated decision-making including profiling; to challenge any decisions made about you where there has been no human intervention (automated decision making).

Please note that not all rights will apply as there is over-arching legislation which compels the Trust to process information about you. For example,

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where we have provided you with any form of care or treatment, we are obliged to keep a record of that care and treatment, so could not honour your request to delete that information about you.

How you can request copies of your personal information

There is no charge to request a single copy of the information we hold about you. To request access and copies of the information we hold about you please contact the **Freedom Of Information and Access to Health Records Department** (details below).

FOI and Access to Health Records Department

Clinical Sciences Building, Room 20018 (2nd Floor)

University Hospitals Coventry and Warwickshire NHS Trust

Clifford Bridge Road

Coventry CV2 2DX

Telephone: 024 7696 8813

Requesting access to your records covers: the right to obtain a copy of your record in permanent form and the right to have the information provided to you in a way you can understand it, including any abbreviations, are explained to you.

You can also visit our website at www.uhcv.nhs.uk for more details about the information in this leaflet under the section called 'Your Information'

How you can request copies of clinical letters sent to your GP

You are entitled to request copies of letters written between health professionals about your care; for example copies of letters sent to your GP following a clinic appointment or hospital stay. If you would like to receive copies of letters, please ask your consultant or their secretary who will arrange it for you.

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If you do not wish your personal information to be shared

If you do not wish personal information that we hold about you to be used or shared in the way that is described in this leaflet, please discuss the matter with us. You have the right to object, but this may affect our ability to provide you with care or advice.

Data Protection Officer

The Trust has a Data Protection Officer who ensures that individual rights are respected and that we comply with the law. If you have any concerns or questions about how we look after your personal information, please contact the Data Protection Officer at **information.governance@uhcw.nhs.uk**.

Alternatively, you could write to:

Data Protection Officer
Information Governance Unit – FM Building
University Hospital Coventry
Clifford Bridge Road
Coventry CV2 2DX

The Trust has access to interpreting and translation services. If you need this information in another language or format, please contact 024 7696 8937 and we will do our best to meet your needs.

The Trust operates a smoke free policy.

Document History

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