

How you can get access to your own health records

Current Data Protection legislation allows you to have access to your health records.

If you want to see your health records, or would like a copy of them, please make a request in writing, or use the *Application for Access to Health Records* form. It is available via email: swg-tr.swft.ig@nhs.net, from the Trust's website at www.swft.nhs.uk/privacy-policy or from the Information Governance Department, Support Services Building, Warwick Hospital, Warwick, CV34 5BW.
Tel: 01926 495321 x4141 or 8351

Who we are

South Warwickshire NHS Foundation Trust is the Data Controller, incorporating Warwick, Ellen Badger, Leamington Spa and Stratford-upon-Avon Hospitals.

As a key provider of acute healthcare and as an employer, the Trust has a statutory obligation to promote and respect equality and human rights. This is set out in various pieces of legislation including: Race Relations (Amendment) Act.

Who are our partner organisations?

The principal partner organisations, with which information may be shared are:

- Commissioners
- NHS Trusts
- General Practitioners (GPs)
- Ambulance Services
- Social Services
- Local Authorities
- Education Services
- Commercial third parties and charitable organisations who may have been awarded a contract to deliver NHS or other health and social care services.

If it is necessary to share your information with other agencies, it will be subject to appropriate legislation and the Caldicott principles.

Further details about the relevant data protection legislation can be found at www.ico.org.uk. You can find out more about the Caldicott principles at <https://www.igt.hscic.gov.uk/Caldicott2Principles.aspx>

Further Information

If you would like to know more about how we use your information please contact the Data Protection Officer at dpo.swft@nhs.net.

Equality Statement

At South Warwickshire NHS Foundation Trust we are fully committed to equality and diversity, both as an employer and as a service provider. We have a policy statement in our Equality Strategy that clearly outlines our commitment to equality for service users, patients and staff:

You and your family have the right to be treated fairly and be routinely involved in decisions about your treatment and care. You can expect to be treated with dignity and respect. You will not be discriminated against on any grounds including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, under the Equality Act 2010.

You have a responsibility to treat other service users, patients and our staff with dignity and respect

Our information for patients can also be made available in other languages, Braille, audio tape, disc or in large print.

PALS

We offer a Patient Advice Liaison Service (PALS). This is a confidential service for families to help with any questions or concerns about local health services.

You can contact the service by the direct telephone line on 01926 600 054 by email: Pals@swft.nhs.uk or by calling in person to the PALS Office which is located in the Lakin Road Entrance to the hospital.

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South Warwickshire
NHS Foundation Trust

Your Information



What you need to know

This leaflet explains why information about you is collected, how we use your data to provide you with the best possible, care and treatment available, how we keep it secure and confidential, and how you may gain access to your own records. You can find the full privacy notice and our data protection information on our website at www.swft.nhs.uk

How we use information about you

The General Data Protection Regulations and the Data Protection Act alongside other legal and national requirements require that we ensure your rights as data subjects are respected and that you are informed of the way we use your information.

In order to provide you with the service you require, there may be occasions when your information is shared with those who carry out work on our behalf. Sometimes we may need to ask other agencies or organisations for relevant information about you to fulfill our legal responsibilities or to provide services to you.

We may pass your information to other agencies or organisations as allowed or required by law, for example to enable them to carry out their statutory duties or where it is necessary to prevent harm to yourself or other individuals.

We have a duty to:

- keep sufficient information to provide services and fulfill our legal responsibilities
- keep your records secure and accurate
- only keep your information as long as is required
- collect, store and use the information you provide in a manner that is compatible with the General Data Protection Regulation

We will always try and keep your personal data secure, whether it is held on paper or electronically. Our privacy statement sets out our commitment to you when you access our services and is available via the Trust website.

Things you can do to help us:

- make sure we have identified you correctly by letting us know when you change address or name.
- tell us if any of your information we hold is wrong.

Why we collect and store your data

For some of our services, we need to collect personal data so we can get in touch, or provide you with the services you require or have a right to. We always try to make sure the information we collect is correct and isn't an invasion of your privacy or rights under the General Data Protection Regulations.

Where we do not directly provide the service, we may need to pass your personal data onto the people who do. These providers are obliged to keep your details safe and secure, and use them only to fulfill your request.

If we need to share your data with a third party, this will only be shared with a legal basis or with your explicit and informed consent.

How your records are used to help the NHS

Your information may also be used to help us:

- look after the health, safety and needs of the general public, local health economy and nationally support health protection and public safety
- share key information with other health and social care services to ensure an integrated approach, improved patient experience and cost effective delivery of public services
- audit NHS accounts and services by internal auditors and also by the Trust's regulators acting only with their legal powers to fulfil statutory obligations
- conduct service improvement and business change
- investigate complaints, legal claims or untoward incidents
- prepare statistics on NHS performance
- review the care we provide to ensure that it is of the highest standard including, for example, clinical audit
- teach and train healthcare professionals
- conduct health research and development
- make sure that our services can meet patient needs in the future
- seek your opinion about our products and services (where you have agreed that we can contact you for this purpose)
- ensure we meet our statutory obligations, including those related to diversity and equal opportunity.
- carry out research (using anonymised or pseudonymised data where possible) to evaluate new approaches, monitor effectiveness of existing services and deliver improved services to you.

We may also be required to use your information for other services you request or require from or through your local authority.

How we keep your records confidential and secure

Everyone working for the NHS has a legal duty to keep information about you confidential and secure.

The use of information is strictly controlled and used by us in accordance with the Data Protection Legislation, the Human Rights Act 1998, the common law duty of confidence, the NHS Confidentiality Code of Practice, the Records Management Code of Practice for Health & Social Care and the Information Security Management: NHS Code of Practice.

Electronic data is transferred either via internal secure networks or by dedicated encrypted file transfer methods.

We will not disclose your information to third parties without your permission unless there are exceptional circumstances, such as when the health or safety of others is at risk or where the law requires information to be passed on.

You may be receiving care from other people as well as the NHS (like Social Services). We may need to share some information about you so we can all work together for your benefit. We will only ever use or pass on information about you if others involved in your care have a genuine need for it, and when we know that the same safeguards on confidentiality and security will be practiced.

Anyone who receives information from us is also under a legal duty to keep it confidential and secure.

We are required by law to report certain information to the appropriate authorities. This is only provided after formal permission has been given by a qualified health professional. Occasions when we must pass on information include:

- notification of new births
- where we encounter infectious diseases which may endanger the safety of others, such as meningitis or measles (but not HIV/AIDS)
- where a formal court order has been issued
- other statutory basis to enable government functions to fulfil their legal obligations to the public.

Our guiding principle is that we hold and use your records in strict confidence and in accordance with Data Protection legislation.