

PATIENT PRIVACY NOTICE

Introduction

1. This Privacy Notice sets out details of the information that Clifton Audiology Limited (the Company or CAL), may collect from you and how that information may be used. Please take your time to read this Privacy Notice carefully.
2. In the event that you have any queries, comments or concerns in respect of the manner in which I have used, or potentially will use, your personal information then you should contact Fiona Watts directly on either 0117 901 2526 or by email secretary@cliftonaudiology.com

Your personal data

3. CAL is Data Controller in respect of your personal information which the Company holds about you. This will mainly relate to your medical treatment but will be likely to also include other information such as financial data in relation to billing. CAL must comply with the data protection legislation and relevant guidance when handling your personal information.
4. CAL will process your data in accordance with the law, the principles of this Privacy Notice and to the extent that it is necessary to do so.
5. Your personal information will be handled in accordance with the principles set out within this Privacy Notice. This means that whenever I use your personal data, I will only do so as set out in this Privacy Notice.

What personal information does CAL collect and use from patients?

6. CAL will use "special categories of personal information" (previously known as "sensitive personal data") about you, such as information relating to your physical and mental health.
7. If you provide personal information to CAL about other individuals (including medical or financial information) you should inform the individual about the contents of this Privacy Notice. I will also process such information in accordance with this Privacy Notice.
8. In addition, you should note that in the event you amend data which CAL already holds about you (for instance by amending a pre-populated form) then CAL will update our systems to reflect the amendments. Our systems will continue to store historical data.

Personal information

9. As one of CAL's patients, the personal information CAL holds about you may include the following:
- a) Name
 - b) Contact details, such as postal address, email address and telephone number (including mobile number)
 - c) Financial information, such as credit card details used to pay us and insurance policy details
 - d) Occupation
 - e) Emergency contact details, including next of kin
 - f) Background referral details

Special Categories Personal Information

10. As one of CAL's patients, CAL will hold information relating to your medical treatment which is known as a special category of personal data under the law, meaning that it must be handled even more sensitively. This may include the following:
- a) Details of your current or former physical or mental health, including information about any healthcare you have received from other healthcare providers such as GPs, dentists or hospitals (private and/or NHS), which may include details of clinic and hospital visits, as well as medicines administered.
 - b) Details of services you have received from me
 - c) Details of your nationality, race and/or ethnicity
 - d) Details of your religion
 - e) Details of any genetic data or biometric data relating to you
11. The confidentiality of your medical information is important to CAL, and CAL makes every effort to prevent unauthorised access to and use of information relating to your current or former physical and mental health (or indeed any of your personal information more generally). In doing so, CAL will comply with UK data protection law, including the Data Protection Act 2018 and all applicable medical confidentiality guidelines issued by professional bodies.
12. From 25 May 2018, the current Data Protection Act will be replaced by the EU General Data Protection Regulation (**GDPR**) and a new Data Protection Act. All uses of your information will comply with the GDPR and the new Data Protection Act from that date onwards

How does CAL collect your information?

13. CAL may collect personal information from a number of different sources including, but not limited to:

- a) GPs
- b) Dentists
- c) Other hospitals, both NHS and private (including Spire/Spire/another independent provider)
- d) Mental health providers
- e) Commissioners of healthcare services
- f) Other clinicians (including their medical secretaries)

Directly from you

14. Information may be collected directly from you when:

- a) You enter into a contract with CAL
- b) You submit a query to me including by email
- c) You correspond with me by letter, email, telephone

From other healthcare organisations

15. CAL patients will usually receive healthcare from other organisations, and so in order to provide you with the best treatment possible CAL may have to collect personal information about you from them. These may include:

- a) Medical records from your GP
- b) Medical records from other clinicians (including their medical secretaries)
- c) Medical records from your dentist
- d) Medical records from the NHS or any private healthcare organisation

16. Medical records include information about your diagnosis, clinic and hospital visits and medicines administered.

From third parties

17. As detailed in the previous section, it is often necessary to seek information from other healthcare organisations. CAL may also collect information about you from third parties when:

- a) You are referred to CAL for the provision of services including healthcare services
- b) CAL liaises with your current or former employer, health professional or other treatment or benefit provider

- c) CAL liaises with your family
- d) CAL liaises with your insurance policy provider
- e) CAL deals with experts (including medical experts) and other service providers about services you have received or are receiving from me
- f) CAL deals with NHS health service bodies about services you have received or are receiving
- g) CAL liaises with credit reference agencies
- h) CAL liaises with debt collection agencies
- i) CAL liaises with Government agencies, including the Ministry of Defence, the Home Office and HMRC

How will CAL communicate with you?

18. CAL may communicate with you in a range of ways, including by telephone, SMS, email, and / or post. If CAL contacts you using the telephone number(s) which you have provided (landline and/or mobile), and you are not available which results in the call being directed to a voicemail and/or answering service, CAL may leave a voice message on your voicemail and/or answering service as appropriate and including only sufficient basic details to enable you to identify who the call is from, very limited detail as to the reason for the call and how to call CAL back.
19. Please note that although providing your mobile number and email address and stating a preference to be communicated by a particular method will be taken as an affirmative confirmation that you are happy for us to contact you in that manner, CAL is not relying on your consent to process your personal data in order to correspond with you about your treatment. As set out further below, processing your personal data for those purposes is justified on the basis that it is necessary to provide you with healthcare service.

What are the purposes for which your information is used?

20. CAL may 'process' your information for a number of different purposes, which is essentially the language used by the law to mean using your data. Each time CAL uses your data CAL must have a legal justification to do so. The particular justification will depend on the purpose of the proposed use of your data. When the information that we process is classed as a "special category of personal information", CAL must have a specific additional legal justification in order to use it as proposed.
21. Generally, CAL will rely on the following legal justifications, or 'grounds':
- a) Taking steps at your request so that you can enter into a contract with CAL to receive healthcare services.
 - b) For the purposes of providing you with healthcare pursuant to a contract between you and CAL.

- c) CAL has an appropriate business need to process your personal information and such business need does not cause harm to you.
- d) CAL has a legal or regulatory obligation to use such personal information.
- e) CAL needs to use such personal information to establish, exercise or defend CAL's legal rights.
- f) You have provided your consent to CAL's use of your personal information.

22. Note that failure to provide your information further to a contractual requirement with CAL may mean that CAL is unable to set you up as a patient or facilitate the provision of your healthcare.

Appropriate business needs

23. One legal ground for processing personal data is where CAL does so in pursuit of legitimate interests and those interests are not overridden by your privacy rights.

The right to object to other uses of your personal data

24. You have a range of rights in respect of your personal data. This includes the right to object to CAL using your personal information in a particular way (such as sharing that information with third parties), and CAL must stop using it in that way unless specific exceptions apply. This includes, for example, if it is necessary to defend a legal claim brought against CAL, or it is otherwise necessary for the purposes of your ongoing treatment.

Purpose 1: To set you up as CAL's patient, including carrying out fraud, credit, anti-money laundering and other regulatory checks

25. As is common with most business, CAL has to carry out necessary checks in order for you to become a patient. These include standard background checks, which CAL cannot perform without using your personal information.

26. **Legal ground:** Taking the necessary steps so that you can enter into a contract with CAL for the delivery of healthcare.

27. **Additional legal ground for special categories of personal information:** The use is necessary for reasons of substantial public interest, and it is also in CAL's legitimate interests to do so.

Purpose 2: To provide you with healthcare and related services

28. Clearly, the reason you come to CAL is to provide you with healthcare, and so CAL has to use your personal information for that purpose.

29. **Legal grounds:**

- a) Providing you with healthcare and related services

- b) Fulfilling CAL's contract with you for the delivery of healthcare

30. Additional legal grounds for special categories of personal information:

- a) CAL needs to use the data in order to provide healthcare services to you
- b) The use is necessary to protect your vital interests where you are physically or legally incapable of giving consent

Purpose 3: For account settlement purposes

31. CAL will use your personal information in order to ensure that your account and billing is fully accurate and up-to-date

32. Legal grounds:

- a) CAL providing you healthcare and other related services
- b) Fulfilling CAL's contract with you for the delivery of healthcare
- c) CAL having an appropriate business need to use your information which does not overly prejudice you
- d) Your consent

33. Additional legal grounds for special categories of personal information:

- a) CAL needs to use the data in order to provide healthcare services to you
- b) The use is necessary in order for me to establish, exercise or defend CAL's legal rights
- c) Your consent

Purpose 4: Communicating with you and resolving any queries or complaints that you might have.

34. From time to time, patients may raise queries, or even complaints, with CAL. It is important that CAL is able to resolve such matters fully and properly and so CAL] will need to use your personal information in order to do so.

35. Legal grounds:

- a) Providing you with healthcare and other related services
- b) Having an appropriate business need to use your information which does not overly prejudice you

36. Additional legal grounds for special categories of personal information:

- a) The use is necessary for the provision of healthcare or treatment pursuant to a contract with a health professional

- b) The use is necessary in order for CAL to establish, exercise or defend CAL's legal rights

Purpose 5: Communicating with any other individual that you ask us to update about your care and updating other healthcare professionals about your care.

37. In addition, other healthcare professionals or organisations may need to know about your treatment in order for them to provide you with safe and effective care, and so CAL may need to share your personal information with them.

38. Legal grounds:

- a) Providing you with healthcare and other related services
- b) CAL has a legitimate interest in ensuring that other healthcare professionals who are routinely involved in your care have a full picture of your treatment

39. Additional legal ground for special categories of personal information:

- a) CAL needs to use the data in order to provide healthcare services to you
- b) The use is necessary for reasons of substantial public interest under UK law
- c) The use is necessary in order for CAL to establish, exercise or defend CAL's legal rights

Purpose 6: Complying with our legal or regulatory obligations, and defending or exercising our legal rights

40. As a provider of healthcare, CAL is subject to a wide range of legal and regulatory responsibilities. CAL may be required by law or by regulators to provide personal information, and in which case CAL will have a legal responsibility to do so. From time to time, clinicians are unfortunately also the subject of legal actions or complaints. In order to fully investigate and respond to those actions, it is necessary to access your personal information (although only to the extent that it is necessary and relevant to the subject-matter).

41. Legal grounds:

- a) The use is necessary in order for CAL to comply with our legal obligations

42. Additional legal ground for special categories of personal information:

- a) CAL needs to use the data in order for others to provide informed healthcare services to you
- b) The use is necessary for reasons of the provision of health or social care or treatment or the management of health or social care systems
- c) The use is necessary for establishing, exercising or defending legal claims

Purpose 7: Managing my business operations such as maintaining accounting records, analysis of financial results, internal audit requirements, receiving professional advice (e.g. tax or legal advice)

43. In order to do this, CAL will not need to use your special categories of personal information and so CAL has not identified the additional ground to use your information for this purpose.

44. Legal grounds:

- a) CAL having an appropriate business need to use your information which does not overly prejudice you

Disclosures to third parties:

45. CAL may disclose your information to the third parties listed below for the purposes described in this Privacy Notice. This might include:

- a) A doctor, nurse, carer or any other healthcare professional involved in your treatment
- b) Other members of support staff involved in the delivery of your care, like receptionists and porters
- c) Anyone that you ask me to communicate with or provide as an emergency contact, for example your next of kin or carer
- d) NHS organisations, including NHS Resolution, NHS England, Department of Health
- e) Other private sector healthcare providers
- f) Your GP
- g) Your dentist
- h) Other clinicians (including their medical secretaries)
- i) Third parties who assist in the administration of your healthcare, such as insurance companies
- j) Private Healthcare Information Network
- k) Government bodies, including the Ministry of Defence, the Home Office and HMRC
- l) The police and other third parties where reasonably necessary for the prevention or detection of crime
- m) Our insurers
- n) Debt collection agencies
- o) Credit referencing agencies
- p) Our third-party services providers such as IT suppliers, actuaries, auditors, lawyers, marketing agencies, document management providers and tax advisers
- q) Selected third parties in connection with any sale, transfer or disposal of our business
- r) CAL may also use your personal information to provide you with information about products or services which may be of interest to you where you have provided your consent.

46. I may communicate with these third parties in a variety of ways including, but not limited to, email, post, fax and telephone.

How long do I keep personal information for?

47. CAL will only keep your personal information for as long as reasonably necessary to fulfil the relevant purposes set out in this Privacy Notice and in order to comply with my legal and regulatory obligations.

48. If you would like further information regarding the periods for which your personal information will be stored, please contact Fiona Watts using the details outlined in section 3.

International data transfers

49. CAL (or third parties acting on CAL's behalf) will not store or process information that we collect about you in countries outside the European Economic Area ("**EEA**"). .

Your rights

50. Under data protection law you have certain rights in relation to the personal information that CAL holds about you. These include rights to know what information is held and how it is used. You may exercise these rights at any time by contacting Fiona Watts using the details provided at section 3 above.

51. There will not usually be a charge for handling a request to exercise your rights.

52. If CAL cannot comply with your request to exercise your rights we will usually tell you why.

53. There are some special rules about how these rights apply to health information as set out in legislation including the Data Protection Act (current and future), the General Data Protection Regulation as well as any secondary legislation which regulates the use of personal information.

54. If you make a large number of requests or it is clear that it is not reasonable for CAL to comply with a request then we do not have to respond. Alternatively, CAL can charge for responding.

Your rights include:

The right to access your personal information

55. You are usually entitled to a copy of the personal information CAL holds about you and details about how CAL uses it.
56. Your information will usually be provided to you in writing, unless otherwise requested. If you have made the request electronically (e.g. by email) the information will be provided to you by electronic means where possible.
57. Please note that in some cases CAL may not be able to fully comply with your request, for example if your request involves the personal data of another person and it would not be fair to that person to provide it to you.
58. You are entitled to the following under data protection law.
 1. Under Article 15(1) of the GDPR CAL must usually confirm whether CAL has personal information about you. If CAL does hold personal information about you, CAL usually needs to explain to you:
 - i. The purposes for which CAL uses your personal information
 - ii. The types of personal information CAL holds about you
 - iii. Who your personal information has been or will be shared with
 - iv. Where possible, the length of time CAL expects to hold your personal information. If that is not possible, the criteria CAL uses to determine how long CAL holds your information
 - v. If the personal data CAL holds about you was not provided by you, details of the source of the information
 - vi. Your right to ask CAL to amend or delete your personal information
 - vii. Your right to ask CAL to restrict how your personal information is used or to object to CAL's use of your personal information
 - viii. Your right to complain to the Information Commissioner's Office
 2. CAL also needs to provide you with a copy of your personal data, provided specific exceptions and exemptions do not apply.

The right to rectification

59. CAL takes reasonable steps to ensure that the information CAL holds about you is accurate and complete. However, if you do not believe this is the case, you can ask CAL to update or amend it.

The right to erasure (also known as the right to be forgotten)

60. In some circumstances, you have the right to request that CAL deletes the personal information CAL holds about you. However, there are exceptions to this right and in certain circumstances CAL can refuse to delete the information in question. In particular, for example, CAL does not have to comply with your request if it is necessary to keep your information in order to perform tasks which are in the public interest, including public health, or for the purposes of establishing, exercising or defending legal claims.

The right to restriction of processing

61. In some circumstances, CAL must "pause" our use of your personal data if you ask, although CAL does not have to comply with all requests to restrict CAL's use of your personal information. In particular, for example, CAL does not have to comply with your request if it is necessary to keep your information in order to perform tasks which are in the public interest, including public health, or for the purposes of establishing, exercise or defending legal claims.

The right to data portability

62. In some circumstances, CAL must transfer personal information that you have provided to you or (if this is technically feasible) another individual/ organisation of your choice. The information must be transferred in an electronic format.

The right to withdraw consent

63. In some cases, CAL may need your consent in order for CAL's use of your personal information to comply with data protection legislation. Where we do this, you have the right to withdraw your consent to further use of your personal information. You can do this by contacting Fiona Watts using the details provided at section 3 above.

The right to complain to the Information Commissioner's Office

64. You can complain to the Information Commissioner's Office if you are unhappy with the way that CAL has dealt with a request from you to exercise any of these rights, or if you think CAL has not complied with its legal obligations.

65. More information can be found on the Information Commissioner's Office website: <https://ico.org.uk/>

66. Making a complaint will not affect any other legal rights or remedies that you have.

Updates to this Privacy Notice

67. CAL may update this Privacy Notice from time to time to ensure that it remains accurate. In the event that these changes result in any material difference to the manner in which CAL processes your personal data then CAL will provide you with an updated copy of the Policy.

68. This Privacy Notice was last updated on 2nd May 2018