



## **Privacy Notice**

### **Patients, Families and Users of Hospice Services**

Wigan & Leigh Hospice promises to respect and keep safe any personal information you share with us. We will be clear about how we use your personal data and will not do anything you wouldn't reasonably expect from us.

For the purposes of the UK General Data Protection Regulation and Data Protection Act 2018, the data controller is Wigan & Leigh Hospice, Kildare Street, Hindley, Wigan, WN2 3HZ. Registered charity 513400

#### **When you register to use hospice services, we will collect the following personal data from you:**

- Name
- Contact details – address, email address and telephone number
- Date of Birth
- NHS number
- Gender
- Contact details for your next of kin

#### **We will also collect the following “special categories” of more personal information:**

- GP details and relationships with consultants and district nurses
- Medical history and care plan
- Health records and notes and reports about your health and treatment
- Notes and reports regarding counselling services provided to you.
- Ethnicity (optional)
- Sexual orientation (optional)

#### **How we collect this information**

This information will initially be collected when you engage with hospice services and will be maintained while you are under the care of the hospice. It is collected in the following ways:

- Directly from you, verbally, on paper or digitally
- From your carers, friends, or members of your family when you first engage with hospice services.
- Via details provided from your GP, hospital doctor or other healthcare professional, or via your Greater Manchester Care Record (GMCR). The GMCR is a shared care record that can be accessed by health and social care organisations across the region. More information can be found at : <https://healthinnovationmanchester.com/thegmcarerecord/>

## How we will use this information

We will use your information to:

- Provide care and support to you and those caring for you.
- Ensure your wishes are followed.
- Communicate with you about the services we provide and ask you questions about your satisfaction with the services.
- Manage and audit our services, including both local, regional, and national audits.
- Help us to identify and drive quality improvements within the Hospice's services.
- Investigate queries, complaints, or legal claims.

Any patient information we hold, or store will only be accessible by those directly involved in delivering your care, who have a legitimate reason to do so.

## How we keep patient information safe

In accordance with NHS guidance, Wigan & Leigh Hospice has appointed its Medical Director as a Caldicott Guardian. The Caldicott Guardian is responsible for protecting patient confidentiality and enabling the appropriate sharing of information. The sharing of sensitive personal information is strictly controlled by law.

Only your direct care team will be able to access your information unless you give express permission for your personal information to be shared or if there is a legal requirement for the hospice to do so.

## Why we need this information.

We need this information in order to provide care and support to you and those caring for you.

The legal basis we have for processing your personal data are:

- **Public Task, and for the provision of health and social care services:** to deliver and manage our care and support services which are partially funded through our contract with the NHS. This includes sharing your personal information with other health and social care providers where it is necessary to deliver your care.
- **Legal Obligation:** it is legally necessary for us to collect your medical information for health and social care purposes.
- **Legitimate interest:** to keep in touch with you or members of your family about the care the hospice provides, in a way you would expect us to do so.
- **Consent:** we will seek consent from you to share specific information you provide on advance care planning and your end of life wishes with other healthcare providers.

## Who we share your information with.

We only share your information if it is in the best interests of your care and we do not share information outside of your direct care team, unless you give us express permission to do so. Your direct care team is made up of registered and regulated professionals with a duty of confidentiality to use information legally and effectively.

Sharing this information helps to ensure you get the best possible care and treatment.

There are specific circumstances in which we are legally required to share information:

- If we are sent a request by the Police under the Crime and Disorder Act 1998
- If we receive a formal order from a court acting in their judiciary capacity
- If there is a public health need such as preventing the spread of infectious disease
- If there is a safeguarding need (vulnerable adults and children)
- In reporting the death of an individual (Medical Examiner and Coroner Reviews)

### **Using your information for purposes beyond your individual care**

Anonymised information collected about you may be used for health and social care research, review of services and care provided (audit) and for planning purposes.

Allowing your information to be used in this way helps to provide better health and care for you, your family and future generations. Confidential patient information about your health and care is only used like this where it is allowed by law.

You have a choice about whether you want your confidential patient information to be used in this way. If you are happy with this use of information you do not need to do anything. If you do choose to opt out your information will not be used in this way.

To find out more or to register your choice to opt out, please visit [www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters).

### **Which other organisations do we work with?**

We use the following systems to store and process your information:

- **TPP SystemOne** – this is an electronic patient record, which enables the sharing of your health information with other clinicians and organisations involved in your care within the Wigan Borough. Access to the record is
- **Ulysses** – this is an electronic system used to monitor and record any incidents involving patients and any concerns or complaints relating to services provided by the hospice. Personal information is kept to a minimum, only to allow robust investigation. Information is held for six years after an investigation is closed
- **ABtec** – our IT providers who help us to ensure our IT systems are secure.
- **Broomwell Healthwatch** – ECG interpretation service provider for NHS care
- **Concept Management Consulting Ltd** – For the destruction of electronic waste
- **MAW** – Disposal of any confidential paper records

All third-party contracts are assessed to ensure they comply with data protection regulations. All patient data will be stored within the United Kingdom or the European Economic Area (EEA).

### **How long will we keep your information for?**

Details of medical treatment and care are stored on your individual SystemOne electronic patient record. Once you are no longer under the care of our services, your record and the information it contains is moved to the “Deducted patient” section of our electronic system. This ensures that any questions relating to your care that may arise later can be answered but the Caldicott Guardian is alerted when a “Deducted patient” record is accessed to ensure the access is appropriate.

Wherever possible we avoid keeping paper records. Those we do hold are stored in locked filing cabinets in a secure room. This information includes discharged and deceased patient paper records, staff appointment diaries, Controlled Drugs Registers and counselling records.

Counselling records are recorded electronically on the Hospice server. Access to these records is limited to the counsellors and the Wellbeing Services Manager.

All records are destroyed in line with the timescales set out in the Hospice’s Retention Schedule Policy.

### **Your rights in connection with personal information**

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us to continue to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact us by email at [clinical@wlh.org.uk](mailto:clinical@wlh.org.uk) or send a description of the information you want to see and proof of your identity by post to Wigan & Leigh Hospice, Kildare Street, Hindley, Wigan WN2 3HZ.

These requests may be made by a patient representative if the named person is unable to make the request themselves e.g. if the person lacks capacity to do so or following the individual's death.

All records are reviewed by the Caldicott Guardian prior to release, to ensure that all information contained can be disclosed. Information relating to third parties may be redacted from the record to maintain their confidentiality.

### **No fee usually required**

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **Keeping our records up to date**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

If you have any questions please send these to the Information Governance Lead [info@wlh.org.uk](mailto:info@wlh.org.uk) and for further information see the Information Commissioner's guidance [www.ico.org.uk](http://www.ico.org.uk).

**We may change this Privacy Notice from time to time. If we make any significant changes in the way we treat your personal information we will make this clear on our website or by contacting you directly.**

**If you have any questions, comments or suggestions, please let us know by contacting us Wigan & Leigh Hospice, Kildare Street, Hindley, Wigan WN2 3HZ [info@wlh.org.uk](mailto:info@wlh.org.uk)**