

**UEA Medical Centre
UMS Occupational Health**

Fair Processing/Privacy Notice

Document Control

A. Confidentiality Notice

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B. Document Details

Classification:	Staff Policies
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Organisation:	UEA Medical Centre OH
Document Reference:	Fair Processing/Privacy Notice (Policy)
Version:	1
Current Document Approved By:	Christina Fielding
Date Approved:	11.05.18
Review Date:	May 2020

C. Document Revision and Approval History

Version	Date	Version Created By:	Version Approved By:	Comments
1	Jan-18	Karen Holland	Christina Fielding	Separated for Occ Health from UMS NHS policy

Your Information, Your Rights

Being transparent and providing accessible information to patients about how we will use your personal information is a key element of the Data Protection Act 1998 and the EU General Data Protection Regulations (GDPR).

The following notice reminds you of your rights in respect of the above legislation and how UMS Occupational Health may use your information for lawful purposes in order to deliver appropriate Occupational Health Services.

This notice reflects how we use information for:

- The delivery of appropriate occupational health advice
- The maintaining of relevant health records (for future reference) in relation to your employment or your studies
- Communicating with your employer or officials from your course the conclusion of any Occupational Health investigations, should you agree to this
- The management and clinical planning of services to ensure that appropriate care is in place

Data Controller

UMS Occupational Health is the data controller for any personal data that we hold about you.

What information do we collect and use?

All personal data will be processed fairly and lawfully, whether is it received directly from you or from a third party (for example a manager referring you to our service).

We will collect the following types of information from you or about you from a third party.

- 'Personal data' meaning any information relating to an identifiable person who can be directly or indirectly identified from the data. This includes, but is not limited to; name, date of birth, full postcode, address, next of kin and contact number and/or email address
- 'Special category/sensitive data' such as a referral containing information about health issues in relation to your job or course, personal medical details relevant to prospective employment or studies, immunisation histories, reports requested and received with your consent from your GP or specialist with further medical information.

Your Occupational Health record may be electronic, paper or a mixture of both. We use a combination of technologies and working practices to ensure that we keep your information secure and confidential.

Why do we collect this information?

UMS Occupational Health is contracted by your employer or in the case of students and UEA staff - the University of East Anglia to provide Occupational Health services to you. We use your information for this purpose.

How do we use this information?

The information on our clinical system is accessible to all of our clinical staff so that they can provide the best advice safely and in an informed manner.

We use personal contact information to get in touch with you regarding appointments if you have given us consent to do so.

Who do we receive information from and how is the information collected?

Your personal information is acquired through pre-employment or pre-registration forms submitted by yourself to this department. Information which comes to light and is relevant to your health in relation to your job or course may be given to us via referrals, which are sent to us from a third party who has sought consent from you to do so.

You may be asked to attend appointments with UMS Occupational Health for health surveillance in relation to your job or current research project. Health information gathered at these appointments is kept on your file (unless we are instructed otherwise) in order for us to ensure your health is not being affected by your line of work.

Information is collected either hard copy via Royal Mail post or UEA internal mail or direct to our secure NHS email address. Any documents containing personal information are password protected both coming in to and leaving the department email address, unless an individual chooses to send us their own information without a password.

Who will we share your information with?

We always seek your consent for your information to be shared with a third party. This will usually be with your employer, a named official from your school or with your current GP or specialist. Information will never be shared without your consent UNLESS failure to do so will cause immediate harm to yourself or others.

We will never share your details with external organisations without your consent

Confidentiality

How do we maintain the confidentiality of your records?

We need to hold personal information about you on our computer system and in paper records to help us to look after your occupational health needs.

Please help to keep your record up to date by informing us of any changes to your circumstances. Clinical staff and some administrative staff employed by this organisation have a variable degree of access to your records in accordance with what they require to do their job.

All information about you is held securely and appropriate safeguards are in place to prevent accidental loss.

In rare circumstances we may be required by law to release your details to statutory or other official bodies, for example if a court order is presented. In all other circumstances you would be required to give written consent before information is released.

To ensure your privacy, we will not disclose information over the telephone or fax unless we are sure that we are talking to you. Information will not be disclosed to family, friends or spouses unless we have prior written consent, and we do not leave messages with others.

We are committed to protecting your privacy and will only use information that has been collected lawfully. Our staff members have a legal obligation to keep information about you confidential. We maintain our duty of confidentiality by including it as a contractual requirement in staff contracts, conducting training and awareness, ensuring access to personal data is limited to the appropriate staff and information is only shared with organisations and individuals that have a legitimate and legal basis for access.

Information is not held for longer than is necessary. We will hold your information in accordance with the Records Management Code of Practice for Health and Social Care 2016.

Consent and Objections

Do I need to give my consent?

The GDPR sets a high standard for consent. Consent means offering people genuine choice and control over how their data is used. Consent is only one potential lawful basis for processing information. Therefore we may not need to seek your explicit consent for every instance of processing and sharing your information, on the condition that the processing is carried out in accordance with this notice. We will contact you if we are required to share your information for any other purpose which is not mentioned within this notice. Your consent will be documented within your electronic record.

What will happen if I withhold my consent or raise an objection?

You have the right to write to withdraw your consent at any time for any particular instance of processing, provided consent is the legal basis for the processing. Please contact us for further information and to raise your objection.

Your Right of Access to Your Records (Access to Medical Records)

The Data Protection Act 1998 and GDPR allows you to find out what information is held about you including information held within your medical records, either in electronic or physical format. This is known as the “right of subject access”. If you would like to have access to all or part of your occupational health records, you can make a request to us in writing. You should however be aware that some details within your health records may be exempt from disclosure, however this will only be the case if it is in the interests of your wellbeing or to protect the identity of a third party.

If you would like access to your occupational health record please contact the occupational health department on 01603 592174 or email ums.oh@nhs.net and we will provide you with a form to complete to start the process. It can take up to 30 days to supply a copy of your record.

Complaints

In the event that you feel that UMS Occupational Health has not complied with the current data protection legislation, either in responding to your request or in our general processing of your personal information, you should raise your concerns in accordance with our complaints policy.