

SEL London Care Record Privacy Notice

The London Care Record enables health and care staff to have one secure view of a person's relevant health and care information. Even if a person's details are held in other London care organisations, information can still be accessed safely and securely. For example, if someone from Peckham (South East London) attends A&E at Chelsea and Westminster Hospital (North West London), staff involved can access the information they need to treat that person quickly and safely. This could include information on allergies, current medications, or existing long-term conditions.

Information is transferred securely, via a health information exchange system - this enables more effective care at the first point of contact.

1) Controller contact Details	As the London Care Record is supported by many organisations there is not a single point of contact. Any questions should be directed to the individual Health and Care organisations that are providing you care. A list of organisations that are participating in the program can be found here.
2) Data Protection Officer contact details	As the London Care Record is supported by many organisations there is not a single point of contact. Any questions should be directed to the individual Health and Care organisations that are providing your care.
3) Purpose of the processing	In the past, health and social care workers from different local organisations involved in your care have not had a system in place to share important information about your care automatically. To solve this problem, we have developed London Care Record. This is a single digital view of important information about you. This means, it displays information from separate record systems all in one place. Professionals who are involved in your care can see this information quickly and safely, so that they can treat and care for you. London Care Record does not gather new information. It makes existing information more accessible, anywhere you receive care. This means those involved in your care, such as GPs, hospital staff, district nurses, and social workers will now have faster access to information about you when they're caring or treating you. This helps them provide you with the most timely and efficient treatment.

4) Lawful basis for processing	Under Article 6 UK GDPR, processing of personal data (identifiable information) which is permitted where it is: • Article 6 (d) Vital Interest: - “Necessary to protect the vital interests of a data subject or another person where the data subject or another person is incapable of given consent” • Article 6 (e) Public Task: - “Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller” Article 9(2) sets out the circumstances in which the processing of special category data (including data concerning health) may take place. Provider Partners as public bodies with healthcare provision as their statutory purpose, may process personal data where necessary to fulfil this purpose provided that they satisfy one of the following conditions: • Article 9 (2) (b) Legal Obligation: - “Necessary for the carrying out of obligations under employment, social security or social protection law, or a collective agreement” • Article 9 (2) (c) Vital Interests: - “Necessary to protect the vital interests of a data subject who is physically or legally incapable of giving consent” • Article 9 (2) (d) Legitimate Activities - “processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects” • Article 9 (2) (f) Defence of Legal Claims - “Processing is necessary for the establishment exercise or defence of legal claims or whenever courts are acting in their judicial capacity” • Article 9 (2) (h) Provision of Healthcare Services: - processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services pursuant to contract with a health professional and subject to relevant DPA conditions and safeguards listed in Schedule 1, Part 1 of the DPA 2018.
4) Common Law Duty of Confidentiality	The Common Law Duty of Confidentiality is not applicable here as the London Care Record program supports the processing of data for the purposes of direct care.

5) Recipient or categories of recipients of the processed data	The London Care Record is based on a product called the Health Information Exchange (or HIE) from Cerner UK. A central Health Information Exchange is connected to a series of local Health Information Exchanges (HIEs) enabling data to be shared and accessed by health and care professionals across London. A list of organisations with connection to the London Care Record are listed here. We do note that new connections are made regularly so the relevant information is accurate as of the last published date and will update this list on a regular basis.
6) Rights to object	You can object to your records being shared between services. To do this, you can speak to the person providing your care such as a GP, healthcare professional or social worker, alternatively please see there for the application form However, it's important to know that: • Not allowing access to your information might affect the quality of care you receive • Only health and social care professionals involved in your care are allowed to access this information. These people view patient records to provide the best quality care they can • In many situations, it is necessary to share information between services to deliver care. There may be circumstances where an objection by a patient may not be upheld. For example: • If it is in the public interest for information to be shared. For example, if there is a safeguarding issue, or in the case of an individual who might be at risk from harming themselves or a member of the public. • If clinical care cannot be provided, for example, GPs providing appointments at the weekend need access to your GP record to provide you with safe effective care. In this instance, you may choose not to have the appointment. • If this is not upheld this will be communicated to you, including the reason for the request not being upheld and details of how to complain to the Information Commissioners Office. To object to your information being processed, please click here to submit a request
7) Right to access and correction	Under the Data Protection Act 2018, you can request a copy of your record. However, because the London Care record ONLY shares a limited amount of data provided by each organization and not your full records. So to ensure that you can obtain the full records held, you need to contact each care organisation involved in your care to obtain a copy of your records, via their local Subject Access Request processes.

8) Retention period	The data will be retained in line with the law and national guidance. Records Management Code of Practice - NHS Transformation Directorate (england.nhs.uk) or speak to your local organisation that are providing care.
9) Right to Complain.	If you wish to make complaint about the London Care record Service, please contact your local Care provider in the first instance. You have the right to complain to the Information Commissioner's Office. You can contact them at this link: https://ico.org.uk/global/contact-us/ or by calling their helpline on 0303 123 1113 (local rate) or 01625 545 745 (national rate). There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website).

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