

# Keeping your information confidential and safe

This leaflet explains the information we hold about you, why we hold your information, how we use and keep your information safe and confidential, how you can access your health records and your information rights.



## **Your personal information as a patient**

During the course of its activities, Marie Curie collects, stores and processes your personal information so that we can give you the best service we can, and the care and treatment you need, when you need it. We recognise the need to treat personal and sensitive data in a fair and lawful manner. No personal information held by us will be processed unless the requirements for fair and lawful processing can be met. Access to personal and sensitive data is controlled, and only available on a 'need to know' basis. All staff receive training on the principles of data protection and information security.

## **What types of personal data do we handle for you?**

We aim to provide you with the highest quality care. To do this, we must keep records about you and the care we provide for you. We collect, store and process your personal information when you have been referred. The personal data we process in relation to our care is provided to us both by the individual and by a third party healthcare professional who has referred the individual to us for care.

This data may include personal demographics (including gender, race, ethnicity, sexual orientation, religion), contact details such as names, addresses, telephone numbers and emergency contact(s), medical information including physical health or mental condition(s), medications, previous treatments and records of care given by other health and social care organisations.

Health records are held on paper and electronically, and we have a legal duty to keep these confidential, accurate and secure at all times in line with Data Protection Laws.

This includes personal details, such as patients’:

- name and address
- telephone number and email address
- date of birth
- next of kin
- health information, such as notes about your illness, treatment and care including your medication, results of x-rays, scans and tests.

## **What is the purpose of processing this data?**

The legal basis for the processing this data is that Marie Curie has a duty to care for its patients and is contracted to provide healthcare by the NHS. Processing this data is necessary for the provision of health and social care and the treatment of patients, and for the management of health or social care systems and services.

Information collected about you to deliver your health care is also used to assist with:

- Making sure your care is coordinated and of a high standard
- Assessing your condition against a set of risk criteria to ensure you are receiving the best possible care
- Using statistical information to plan services to meet the needs of the population

- Preparing statistics on our performance for NHS commissioners, the Care Quality Commission and other regulatory bodies
- Helping train staff and support research
- Supporting the funding of your care
- Reporting and investigation of complaints, claims and untoward incidents
- Reporting events to the appropriate authorities when we are required to do so by law.

If we need to use your personal information for any reason beyond those stated above, we will discuss this with you. You have the right to ask us not to use your information in this way. However, there are exceptions to this:

- If the public interest is thought to be of greater importance: for example, if a serious crime has been committed; if there are risks to the public or our staff; to protect vulnerable children or adults
- Where we have a legal duty, for example reporting some infectious diseases, wounding by firearms and complying with court orders
- If we need to use the information for medical research. We have to ask permission from the Confidentiality Advisory Group (appointed by the NHS Health Research Authority) to do this.

Our staff are trained to handle your information correctly and protect your confidentiality and privacy; we do not undertake automated decision-making such as profiling. We aim to maintain high standards, adopt best practice for

our record keeping and regularly check and report on how we are doing. Your information is never collected for direct marketing purposes and is not sold on to any other third parties. Your information is not processed overseas.

## **Sharing your information**

Sometimes your care may be provided by members of a care team, which might include people from other organisations such as health; social care; education; or other care organisations. Information may be shared with these other professionals in order to provide you with direct care and to safeguard the welfare of yourself and others. If you have objections to us sharing your information, we will respect these wherever possible. If for any reason we do have to share information against your wishes, you will be informed at the earliest opportunity. If any information needs to be shared with anyone else, for any other purpose, your consent will be obtained.

## **Who else will you share my information with?**

Your information may be used to help us plan and improve our services, for example through research, audit or statistical information. When we do this we anonymise it so that it is not possible to identify you.

We may use or give other healthcare or social care organisations anonymous information to support audit and research. Where we do this, all identifying information is removed.

Patients who have selected National Data Opt out are automatically excluded from research and audit data selections.

We will always ask your permission to use your personal story or photograph for promoting Marie Curie. We do not share your information with organisations for the purpose of marketing.

## **Will you share information with my family?**

We will only share information about you with your family, friends or carers if you give us your permission.

## **How do you keep my records safe?**

Everyone working at Marie Curie has a legal and professional duty to keep your personal, financial and health information confidential. We follow strict guidelines about how information is collected, stored and shared. Your information is further protected by Marie Curie's compliance with the requirements of the:

- Data Protection Act (2018) UK General Data Protection Regulation
- Confidentiality: NHS Code of Practice (2003)
- Regulators Code of Fundraising Practice (2016)

Patient confidentiality is monitored by our Caldicott Guardian, a senior clinician who ensures Marie Curie protects patients' right to confidentiality.

## **How long do you keep my records?**

We follow national guidance and so keep your health records for the time we are involved in your care and usually for eight years after that. Other information we may hold about you will be kept for a shorter time. Our records management policy sets out the criteria we use for data retention as required by legislation or national guidance provided by statutory authorities. When no longer required for day to day processing, personal information will be archived, either electronically or if in hard copy, stored in a secure archive held off site and then destroyed when the retention period has ceased.

## **Can I see my own record?**

You have the right to see a copy of any information we hold about you. If you want to look at your care record, please ask a member of the team looking after you. They can also explain anything that you may find difficult to understand. If you wish to have a copy of your health record, please email your hospice with your request.

## **Your rights**

Data Protection laws give individuals rights in respect of the personal information that we hold about you. These are:

- To be informed why, where and how we use your information
- To ask for access to your information
- To ask for your information to be corrected if it is inaccurate or incomplete
- To ask for your information to be deleted or removed where there is no need for us to continue processing it

- To ask us to restrict the use of your information
- To ask us to copy or transfer your information from one IT system to another in a safe and secure way, without impacting the quality of the information
- To object to how your information is used
- To challenge any decisions made without human intervention (automated decision making).

## What if I have concerns?

If you have any questions or concerns about how we use your health, financial and personal information please contact us.

Should you have any queries about your data, please contact our Data Protection Officer at **[dpo@mariecurie.org.uk](mailto:dpo@mariecurie.org.uk)**

Should you wish to log a complaint about the use of your information, details of our complaints procedure can be found on our website **[mariecurie.org.uk/feedback](https://mariecurie.org.uk/feedback)**

If you are still unhappy with the outcome of your enquiry you can write to The Information Commissioner at Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or call **01625 545 700**.

**[mariecurie.org.uk](https://mariecurie.org.uk)**

