

## Privacy Notice – NHS Digital

NHS Digital is the secure haven for NHS patient data, a single secure repository where data collected from all branches of the NHS is processed. NHS Digital provides reports on the performance of the NHS, statistical information, audits and patient outcomes (<https://digital.nhs.uk/data-and-information>). Examples include; outpatient waiting times, the numbers of staff in the NHS, percentage target achievements, payments to GPs etc and more specific targeted data collections and reports such as the Female Genital Mutilation, general practice appointments data and English National Diabetes Audits.

Organisations are required by the Health and Social Care Act to provide NHS Digital with information when instructed. This is a legal obligation which overrides any patient wishes. These instructions are called “Directions”.

We are required by Articles in the General Data Protection Regulations to provide you with the information in the following 9 subsections.

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1. <b>Data Controller</b> contact details	Kent and Medway NHS and Social Care Partnership Trust Head Office, Farm Villa, Hermitage Lane, Maidstone, Kent, ME16 9PH
2. <b>Data Protection Officer</b> contact details	Leanne McDougall Head of Information Governance, St Michaels House, St Michaels Road, Sittingbourne, Kent, ME10 3DW
3. <b>Purpose</b> of Processing	To provide the Secretary of State and others with information and reports on the status, activity and performance of the NHS.
4. <b>Lawful basis</b> for processing	<p>The legal basis supported by the GDPR provisions are:</p> <p style="text-align: center;"><i>Article 6(1)(c) “processing is necessary for compliance with a legal obligation to which the controller is subject.”</i></p> <p>And</p> <p style="text-align: center;"><i>Article 9(2)(h) “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 on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;”</i></p>
5. <b>Recipient or categories of recipients</b> of the processed data	The data will be shared with NHS Digital according to directions which can be found at <a href="https://digital.nhs.uk/article/8059/NHS-England-Directions-">https://digital.nhs.uk/article/8059/NHS-England-Directions-</a>
6. Rights to <b>object</b>	You have the right to object to some or all the information being processed under GDPR Article 21. Please contact the Data Controller or Data Protection Officer.
7. Right to <b>access and correction</b>	You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law.
8. <b>Retention</b> Period	The data will be retained for active use during the processing and thereafter according to NHS Policies and the law.
9. Right to <b>Complain</b>	<p>You have the right to complain to the Information Commissioner’s Office, you can use this link</p> <p><a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a></p> <p>or call their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>