



# GDPR STATEMENT OF INTENT

Bio-Scientific Limited (t/a: Dr D.Hugh Rushton |  
Consultant Trichologist)

Effective From:  
01/01/2020

[www.dhrtrichology.com](http://www.dhrtrichology.com)  
[dhrtrichology@gmail.com](mailto:dhrtrichology@gmail.com)

## Your information, what you need to know

This privacy notice explains why we collect information about you, how that information may be used, how we keep it safe and confidential and what your rights are in relation to this.

## Why we collect information about you

Health care professionals who provide you with care are required by law to maintain records about your health and any treatment or care you have received. These records help to provide you with the best possible healthcare and help us to protect your safety.

We collect and hold data for providing healthcare services to our patients and running our organisation which includes monitoring the quality of care that we provide. In carrying out this role we may collect information about you which helps us respond to your queries or secure specialist services. We may keep your information in written form and/or in digital form.

The records may include basic details about you, such as your name and address. They may also contain more sensitive information about your health, and also information such as your interactions with our organisation.

## Details we collect about you

The health care professionals who provide you with care maintain records about your health and any treatment or care you have received previously (e.g. from Hospitals, GP Surgeries, etc.). These records help to provide you with the best possible healthcare.

Records which this Clinic may hold about you includes the following:

- Details about you, such as your address and next of kin
- Any contact the Clinic has had with you, such as appointments, clinic visits, and written or verbal correspondence
- Notes and reports about your health
- Details about your treatment and care
- Results of investigations, such as laboratory tests, or trichograms
- Relevant information from other health professionals, relatives or your carers

## How we keep your information confidential and safe

Everyone working for our organisation is subject to the Common Law Duty of Confidence. Information provided in confidence will only be used for the purposes advised with consent given by the patient, unless there are other circumstances covered by the law. All our staff are required to follow our Code of Practice on Confidential Information and they are required to protect your information, inform you of how your information will be used, and allow you to decide if and how your information can be shared. All our staff are expected to make sure information is kept confidential and receive regular training on how to do this.

The health records we use may be electronic, on paper or a mixture of both, and we use a combination of working practices and technology to ensure that your information is kept confidential and secure. Your records are backed up securely in line the Clinic's standard procedures. We ensure that the information we hold is kept in secure locations, is protected by appropriate security and access is restricted to authorised personnel.

We also make sure external data processors that support us are legally and contractually bound to operate and prove security arrangements are in place where data that could or does identify a person are processed.

We are committed to protecting your privacy and will only use information collected lawfully in accordance with:

- Data Protection Act 2018
- Human Rights Act
- Common Law Duty of Confidentiality
- Health and Social Care Act 2015
- And all applicable legislation

We maintain our duty of confidentiality to you at all times. We will only ever use or pass on information about you if we reasonably believe that others involved in your care have a genuine need for it. We will not disclose your information to any third party without your permission unless there are exceptional circumstances (such as a risk of serious harm to yourself or others) or where the law requires information to be passed on.

### How we use your information

We aim to provide you with safe, high quality care that is based on accurate, up to date information and the data we collect from you enables us to facilitate this objective.

This information is also used to work with others involved in your care, and this may involve sharing information with other health and social care organisations.

### Clinical Research

Sometimes anonymised data may be used for research purposes – but we will always ask your permission before releasing any information for this purpose which could be used to identify you.

### Data Retention

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

By law we have to keep certain basic information about our patients (including Contact, Identity, Financial, Transaction and Medical Data) for at least 7 years after they cease being an active customer, for both tax and “duty of care” purposes.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

### Who are our partner organisations?

We may have to share your information, subject to strict agreements on how it will be used, with the following organisations:

- NHS and Private General Practitioners
- NHS and Private Specialist Consultants
- NHS and Private Hospitals
- NHS and Private Allied Health Care Practitioners
- Police
- Other 'data processors'

When we are sharing information to support third parties in providing your care, we will work hard to ensure it is the minimum necessary and that it is done so securely and lawfully. We aim to ensure that we only use your personal information in a way that you would reasonably expect.

When we share information that is used for healthcare management or planning, this does not allow for you to be identified.

Sometimes we will be required to share information for other reasons;

- When required to by law
- We have special permission for health or research purposes (e.g. if you have agreed to take part in a research trial)
- There is a strong public interest (e.g. there is a risk of serious harm or crime)

### Right to withdraw consent to share personal information (Opt-Out)

If you are happy for your data to be extracted and used for the purposes described in this privacy notice, then you do not need to do anything. If you do not want your information to be used for any purpose beyond providing your care you can choose to opt-out. If you wish to do so, please let us know so we can code your record appropriately. We will respect your decision if you do not wish your information to be used for any purpose other than your care but in some circumstances, we may still be legally required to disclose your data.

### Opt-Out

If you do not want information that identifies you to be shared outside the practice, for purposes beyond your direct care, you can register an 'Opt-Out'. This prevents your personal confidential information from being used other than in particular circumstances required by law.

### Access to your information

Under the Data Protection Act 2018 everybody has the right to see, or have a copy, of data we hold that can identify you, with some exceptions. You do not need to give a reason to see your data. If you want to access your data, you must make the request in writing. Under special circumstances, some information may be withheld.

If you wish to have a copy of the information we hold about you, please contact the Clinic.

### Change of Details

It is important that you tell the person treating you if any of your details such as your name or address have changed or if any of your details are incorrect in order for this to be amended. Please inform us of any changes so our records for you are accurate and up to date.

### Mobile telephone number

If you provide us with your mobile phone number, we may use this to send you reminders about your appointments or other pertinent information. Please let us know if you do not wish to receive reminders on your mobile.

### Notification

The Data Protection Act 2018 requires organisations to register a notification with the Information Commissioner to describe the purposes for which they process personal and sensitive information.

We are registered as a data controller and our registration can be viewed online in the public register at: [http://ico.org.uk/what\\_we\\_cover/register\\_of\\_data\\_controllers](http://ico.org.uk/what_we_cover/register_of_data_controllers)

Any changes to this notice will be published on our website.

### Complaints

If you have concerns or are unhappy about any of our policies or services, please contact the Clinic on 0207 637 4853, or via email to: [dhtichology@gmail.com](mailto:dhtichology@gmail.com) or in writing to:

24 Harmont House,

20 Harley Street,

London

W1G 9PJ.

For independent advice about data protection, privacy and data-sharing issues, you can contact:

The Information Commissioner

Wycliffe House

Water Lane

Wilmslow Cheshire SK9 5AF

Phone: 0303 123 1113

Website: [www.ico.gov.uk](http://www.ico.gov.uk)

Information we are required to provide you

|                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Data Controller contact details                                  | 2nd floor 21-22 Great Castle Street London W1G 0HZ                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Data Protection Officer contact details                          | dhrtrichology@gmail.com                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Purpose of the processing for the provision of your healthcare   | <ul style="list-style-type: none"> <li>· To give direct health to individual patients.</li> <li>· For example, when a patient agrees to a referral for direct care, such as to a hospital, relevant information about the patient will be shared with the other healthcare staff to enable them to give appropriate advice, investigations, treatments and/or care.</li> <li>· To check and review the quality of care. (This is called audit and clinical governance).</li> </ul>                                                                                                                 |
| Lawful basis for processing for the provision of your healthcare | <p>These purposes are supported under the following sections of the GDPR:</p> <p>Article 6(1)(e) ‘...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...’; and</p> <p>Article 9(2)(h) ‘necessary for the purposes of preventative 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...’</p> <p>Healthcare staff will also respect and comply with</p> |

their obligations under the common law duty of confidence.

Purpose of the processing for medical research and to measure quality of care

Medical research and to check the quality of care which is given to patients (this is called clinical audit).

The following sections of the GDPR mean that we can use medical records for research and to check the quality of care (national clinical audits)

Article 6(1)(e) – ‘processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller’.

For medical research: there are two possible conditions.

Lawful basis for processing for medical research and to measure the quality of care

Either:

Article 9(2)(a) – ‘the data subject has given explicit consent...’

Or:

Article 9(2)(j) – ‘processing is necessary for... scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member States law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and interests of the data subject’.

To check the quality of care (clinical audit):

Article 9(2)(h) – ‘processing is necessary for the

purpose of preventative...medicine...the provision of health or social care or treatment or the management of health or social care systems and services...'

|                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Purpose of the processing to meet legal requirements</p>   | <p>Compliance with legal obligations or court order.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>Lawful basis for processing to meet legal requirements</p> | <p>These purposes are supported under the following sections of the GDPR:</p> <p>Article 6(1)(c) – ‘processing is necessary for compliance with a legal obligation to which the controller is subject...’</p> <p>Article 9(2)(h) – ‘processing is necessary for the purpose of preventative...medicine...the provision of health or social care or treatment or the management of health or social care systems and services...’</p>                                                                                                                                                                                                      |
| <p>Rights to object</p>                                       | <ul style="list-style-type: none"> <li>· You have the right to object to information being shared between those who are providing you with direct care.</li> <li>· This may affect the care you receive – please speak to the Clinic.</li> <li>· You are not able to object when information is legitimately shared for safeguarding reasons.</li> <li>· In appropriate circumstances it is a legal and professional requirement to share information for safeguarding reasons. This is to protect people from harm.</li> <li>· The information will be shared with the local safeguarding service (City of Westminster Social</li> </ul> |



Services).

|                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Right to access and correct</p>          | <ul style="list-style-type: none"> <li>· You have the right to access your records and have any errors or mistakes corrected. Please speak to a member of staff or look at our 'subject access request' policy on the Clinic's website.</li> <li>· We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view.</li> </ul> |
| <p>Retention period</p>                     | <p>Medical records will be kept in line with the law and national guidance. Information on how long records are kept can be found in our "Data Protection, Privacy and Cookies Policy" or speak to the Clinic.</p>                                                                                                                                                                                                                                                                                                                                                          |
| <p>Right to complain</p>                    | <p>You have the right to complain to the Information Commissioner's Office. You may follow this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a> or call the helpline 0303 123 1113</p>                                                                                                                                                                                                                                                                                                                                       |
| <p>Data we get from other organisations</p> | <p>We may receive information about your health from other organisations who are involved in providing you with health and social care. This means your medical record will be kept up-to date when you receive care from other parts of the health service.</p>                                                                                                                                                                                                                                                                                                            |

### Reviews of and Changes to our Privacy Notice

We will keep our Privacy Notice under regular review. This notice was last reviewed in January 2020.