

# FAIR PROCESSING NOTICE

HEALTHY LONDON PARTNERSHIP:

NHS Connect

May 2020

## WHO ARE WE?

We are a partnership of London's NHS, London Councils, Public Health England, Mayor of London, plus other organisations and individuals working together to make London the world's healthiest city. The Healthy London Partnership is hosted by NEL Commissioning Support Unit, Clifton House, 75-77 Worship Street, London, EC2A 2DU, which is the legal entity responsible for this Fair Processing Notice.

The Healthy London Partnership is a "data controller" in respect of the information we hold about you regarding your use of NHS Connect. This means that we are responsible for deciding how your personal information is used and ensuring it is kept safe and secure.

## OUR DATA PROTECTION OFFICER

Our Data Protection Officer is responsible for overseeing what we do with your information and monitoring our compliance with data protection laws. If you have any concerns or questions about our use of your personal information, you can contact our Data Protection Officer by writing to Kevin Winter at NEL Commissioning Support Unit, 1 Lower Marsh, 3rd Floor, Waterloo, London, SE1 7NT or by emailing [nelcsu.dpo@nhs.net](mailto:nelcsu.dpo@nhs.net).

## THE INFORMATION WE PROCESS ABOUT YOU

The purpose of Healthy London Partnership is to work together with our partner organisations to facilitate and improve health and care in London. As part of this work, we have developed a digital support assistant to provide information

about the Covid-19 virus and what you can do to stay safe and well (including up-to-date NHS guidance), and find out if you need any assistance with your daily living.

To do this, we collect information which you provide to us via the support assistant's conversations with you, and the advice the support assistant has given you. The types of personal data we may collect and process about you include:

- **Your name, age, height and weight, details about health conditions you have;**
- If you tell us you would like some assistance, we will also ask for **your postcode, details of the GP practice where you are registered (if you know it and are happy to share with us) and your contact details;**
- We will also ask you whether you would like to tell us about **things you are worried about, and the kind of support you think you need.** You don't need to fill this part in if you prefer not to.

## HOW AND WHY WE PROCESS YOUR PERSONAL INFORMATION

In accordance with the data protection laws, we need a "lawful basis" for collecting and using information about you. There are a variety of different lawful bases for using personal information which are set out in the data protection laws.

We have set out below the different purposes for which we collect and use your personal information, along with the lawful bases we rely on to do so.

Why we use your information	Our lawful basis for using your information
<ul style="list-style-type: none"> <li>• Giving you information about Covid-19 (based on up-to-date NHS guidance), including advice based on what you tell us about yourself</li> </ul>	For the initial collection and processing of your information to assess what support services you may be eligible for we rely on:

<ul style="list-style-type: none"> <li>• Keeping a record of the advice we have given you.</li> <li>• If you would like assistance, taking your contact details so we can put an appropriate service in touch with you.</li> <li>• Gathering information on the things people are worried about and support people have told us they need, so support service providers can try to deliver the right level of services in your locality.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Official authority:</b> It is necessary for the performance of a task carried out in the public interest or in the exercise of our official authority.</li> <li>• <b>Health:</b> It is necessary for the purposes of medical diagnosis, the provision of health or social care or treatment, or the management of health and social care services</li> <li>• <b>Public interest:</b> It is necessary in the interest of public health.</li> </ul> <p>Where you have asked us to share your information directly with care and support organisation we rely on:</p> <ul style="list-style-type: none"> <li>• <b>Explicit consent:</b> The data subject has given their explicit consent to their information being shared.</li> </ul>
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## STORING YOUR INFORMATION AND DELETING IT

This information will be kept on a computer which is part of our main IT infrastructure. We will only retain your personal information 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. Where it is no longer necessary to keep your information, we will delete it. Details of retention periods for different aspects of your personal information are available in our retention policy, which is available from our Data Protection Officer, whose contact details are above.

## KEEPING YOUR INFORMATION CONFIDENTIAL

The Healthy London Partnership is committed to protecting your privacy; we will only use information collected lawfully in accordance with the General Data Protection Regulation (“EU GDPR”) and UK Data Protection Act 2018 (DPA 18). We will not use any information we hold about you for any purpose

incompatible with that for which it was collected, unless we have obtained your consent or where it is required by law.

In addition, we are subject to the “Common Law Duty of Confidence”. Under the NHS Confidentiality Code of Conduct all our staff are also 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 unless there is a legal exemption.

We ensure that our partner agencies handle our information under strict conditions and in line with the law. All staff have contractual obligations of confidentiality, enforceable through disciplinary procedures. Staff with access to patient identifiable information have received appropriate on-going training to ensure they are aware of their responsibilities and staff are granted access to personal data on a need-to-know basis only.

We have appropriate cyber-security controls to protect our IT and regularly review and monitor any suspicious activity.

We will not send or store information collected in countries where the laws do not protect your privacy to the same extent as the law in the UK.

We will not track you or attempt to identify you by the use of cookie technology or IP address. We ensure that there is data segregation between your site visit data and the information you provide in the digital support assistant. We will only ever provide reports internally or externally in anonymised format in line with the Information Commissioner’s code of practice meaning you will not be able to be identified.

## **THE SOURCE OF YOUR INFORMATION**

In order for the Healthy London Partnership to perform its functions mentioned above, we collect information about you directly from you using the NHS Connect support system.

## SHARING YOUR INFORMATION

It is your choice to decide whether you would like us to share your information with care or support organisations. There will be no detrimental effect for you by saying no. You will be able to contact any of the organisations directly to access services for which you are eligible. Where you have consented to us sharing your information, those receiving organisations will be data controllers of the information we have shared.

## ON ONGOING PROCESSING FOR ELIGIBILITY

If you instruct us to, we will on an ongoing basis continue to check if you become eligible for additional help and support. We will only do this automatically with your permission.

## YOUR RIGHTS

By law you have the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

Under certain circumstances you have the right to:

- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information in certain circumstances. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information if we are relying on a legitimate interest (or those of a third party) or public interest/official authority as our lawful basis for processing and there is something about your particular situation which leads you to object to processing on this ground. You also have the right to object if we are processing your personal information for direct marketing purposes.
- **Request the restriction** of processing of your personal information. This enables you to ask us to suspend the processing of personal information about

you, for example if you want us to establish its accuracy or the reason for processing it.

- **Request the transfer** of your personal information to another party in certain circumstances.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact our Data Protection Officer using the contact details above.

## YOUR RIGHT TO WITHDRAW CONSENT

At any time, you have the right to withdraw consent in the limited circumstances where we are relying on your consent to process your data for a specific purpose.

## ADVICE

If you have any questions or concerns regarding the information we hold on you or the use of your information, please contact us: Kevin Winter, Data Protection Officer, NEL Commissioning Support Unit, Clifton House, 1 Lower Marsh, 3rd Floor, Waterloo, London, SE1 7NT or by emailing [nelcsu.dpo@nhs.net](mailto:nelcsu.dpo@nhs.net).

## RIGHT TO COMPLAIN TO THE ICO

For independent advice about data protection, privacy and data-sharing issues, or to make a complaint, you can contact the Information Commissioner at: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Phone: 08456 30 60 60 or 01625 54 57 45 Fax: 01625 524 510 Website: [www.ico.gov.uk](http://www.ico.gov.uk)