

## HALIFAX CHIROPRACTIC CENTRE - PATIENT PRIVACY NOTICE (May 2018, updated August 2020)

The Halifax Chiropractic Centre is aware of its obligations under the General Data Protection Regulation GDPR and is committed to protecting the privacy and security of your personal information. This privacy notice describes, in line with GDPR, how we collect and use personal data about you during and after your time as a patient of this clinic. It also sets out how we use that information, how long we keep it for and other relevant information about your data.

This notice applies to current and former patients.

### Data controller details

The clinic is a data controller meaning that it determines the processes to be used when using your personal data. Our contact details are: **Halifax Chiropractic Centre, 20 Clare Road, Halifax HX1 2HX Tel: 01422 252625, email: [info@halifaxchiropractic.co.uk](mailto:info@halifaxchiropractic.co.uk)**

### Data protection principles

In relation to your personal data, we will comply with data protection law. This says that the personal information we hold about you must be:

- Processed fairly, lawfully and in a clear, transparent way
- Collected only for valid reasons that we find proper for the course of your time as a patient and not used in any way that is incompatible with those purposes
- Only used in the way that we have told you about
- Accurate and up to date
- Kept only as long as is necessary for the purposes we outline
- Process it in a way that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed
- Kept securely

### Types of information we hold about you

Personal data or information means any information that an individual from which that person can be identified. It does not include data where the identity has been removed. We hold many types of data about you including:

- Your personal details including name, address, date of birth, email address, phone numbers
- Gender
- Marital status
- Occupation
- Banking or financial information
- Next of kin and their contact numbers (emergency point of contact)
- Personal medical or health information, including past medical history
- Information concerning examination and treatment at your first and subsequent visits
- Letters of referral to or from the clinic regarding your treatment with us

### Special categories of data

There are "special categories" of more sensitive personal data which require a higher level of protection, such as information about a person's health or sexual orientation. We hold the following special categories of data about you:

- Health

Occasionally, although not routinely collected, we may also record the following data in order to assist us in providing you with the most appropriate care:

- Sex life
- Sexual orientation
- Race
- Ethnic origin
- Genetic and biometric data

We will use your special category data:

- To ensure the care you receive at the clinic is appropriate to your condition
- To determine reasonable adjustments that should be made for access to the clinic or to treatment

We must process special categories of data in accordance with more stringent guidelines. We will process special categories of data when the following applies:

- You have given explicit consent to the processing (our consent form)
- We must process the data in order to carry out our legal obligations
- We must process data for reasons of substantial public interest

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

### How we collect your data

We collect data in a variety of ways and this will usually start when you make an enquiry to the clinic and continue when you attend your first and subsequent appointments. At this clinic, we keep paper and electronic records. Information we write down on paper may be transferred to our electronic system. We may receive information about you from your GP or other healthcare provider regarding your referral or, with your permission, additional information that will help us continue with your treatment. We may also hold the results of tests that you have undertaken and that are relevant to your treatment with the clinic.

Personal data is kept in the clinic in the following ways:

- Chiropractic and other health records, including imaging (x-ray, ultrasound, MRI) – paper and electronic
- Personal contact details as described above – paper and electronic

- Accounting information – paper and electronic
- Details of past, current and future appointments – paper and electronic

All paper records are kept in locked filing cabinets, except when in use, and are also stored in a secure (locked) room overnight. All electronic records are stored on our secure, encrypted server. Access is limited by password protection. Other software that we use is GDPR compliant. Backups are encrypted and stored securely away from the main server, but never leave the premises, which is secured by alarm.

#### **Why we process your data (How we will use information about you)**

The law on data protection allows us to process your data for certain reasons only; these are classed as legitimate interests. Most commonly, we will use your personal information in the following circumstances:

- In order for us to carry out our contract to you (your requesting treatment and our agreement to provide it constitutes a contract) which will include confirming appointments, informing you of changes to appointments or clinic arrangements, changes to facilities or services at the clinic
- In order to provide you with the best possible treatment by recording health and treatment information which would be in your best interest
- In order to carry out legally required duties such as those required by me by my government appointed regulator
- Where it is necessary for our legitimate interests and your interests and fundamental rights do not override those interests

We may use your personal information in these rare situations:

- Where we need to protect your or someone else's interests
- Where it is needed in the public interest or for official purposes

#### **Situations in which we will use your personal information**

We need all the categories of information to primarily allow us to perform our contract of treatment with you and to enable us to comply with legal obligations

#### **If you do not provide your data to us**

One of the reasons for processing your data is to allow us to carry out our duties in line with your contract of care with us. If you do not provide us with the data needed to do this, we will be unable to perform that care to ensure your best interests are being maintained. We may also be prevented from continuing with your treatment with us due to our legal obligations.

#### **Change of purpose**

We will only use your personal information for the purposes for which we collected it unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

#### **Automated decision making**

No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

#### **Sharing your data**

Your data will be shared with colleagues within the clinic but only where it is necessary for them to undertake their duties. This includes, for example, other chiropractors working for, at or on behalf of the clinic, reception staff and other administrative staff or other healthcare practitioners that may work at the clinic.

We may share your data with third parties in order to facilitate a referral to another healthcare practitioner, investigation or to keep your GP informed about your progress with treatment. Other processors that may process data on our behalf include a locum chiropractor or self-employed chiropractor.

When sharing information (with your consent) with an insurance company or solicitor, they will be co-controller. This means that they determine the processes used when processing your data and is beyond our control.

We may also share your data with third parties as part of a clinic sale or restructure, or for other reasons to comply with a legal obligation upon us. We would always keep you informed of these situations.

We have a legal obligation to share your contact details with the NHS Track and Trace Service or other professional body in response to a legitimate request regarding Coronavirus (Covid-19) or any other notifiable disease in line with current government guidelines.

#### **Transferring information outside the EU**

Names and email addresses for our newsletter are stored on MailChimp's server which is located in the USA and is GDPR compliant. No other data is stored with bodies outside the EU.

#### **Data Security – Protecting your data**

We have put in place measures to protect the security of your information against accidental loss or disclosure, alteration, unauthorised access, destruction or abuse. We have implemented processes to guard against such. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

Measures we have in place to protect your data include, but are not restricted to:

- Paper records, when not in use, are kept in a non-portable locked container or filing cabinet
- Our server is encrypted and access to the computer is also password protected
- Access to our patient management system is restricted to administration staff and is password protected
- Computer security (firewalls, virus checkers, anti-malware software etc) are installed and updated regularly
- All computers are scanned daily
- Backups are encrypted and securely stored away from the server, but never leave the premises

- We have a policy where no data is removed from the clinic. On the rare occasion when this is necessary e.g. taking a consent form to view diagnostic imaging at the local hospital, express permission from the Practice Manager is required
- All areas where data is stored are locked overnight and when the clinic is not in use
- Windows are protected by window locks and some also have security grills
- The building is protected by an intruder alarm
- All staff are vetted and have signed a confidentiality agreement
- Only senior management has access to CCTV records
- All security measures are reviewed regularly

Where we share your data with third parties, we provide written instructions to them to ensure your data is held securely and in line with GDPR requirements. Third parties must implement appropriate technical and organisational to ensure the security of your data

#### **How long we keep your data**

In line with data protection principles, we only keep your data for a long as we need it, which will be at least for the duration of your being a patient with us and we are legally required by the Chiropractic Regulator (the General Chiropractic Council) to keep this data for:

- 8 years after your time as a patient has ended if aged 18 or over at the date of the last visit, discharge or communication
- Until the patient's 25<sup>th</sup> birthday if they were under 17 years of age at the date of the last visit, discharge or communication
- Until the patient's 26<sup>th</sup> birthday if they were aged 17 at the date of the last visit, discharge or communication

To determine any appropriate retention period for personal data beyond the statutory requirement above, we consider the amount, nature and sensitivity of the 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.

Once we no longer have a lawful use for retaining your information, we will dispose of it in a secure manner that maintains data security.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

#### **Your duty to inform us of changes**

It is important that personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your time as a patient with us.

#### **Your rights in relation to your data**

The law on data protection gives you certain rights in relation to the data we hold on you:

- Right of access – you have the right to request a copy of the information we hold about you
- Right of rectification – If any data we hold about you is incomplete or inaccurate, you can require us to correct it
- Right to be informed – we must tell you how we use your data (the purpose of this Privacy Notice) and any changes to how we use your data
- Right to have information deleted – if you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it
- Right to restrict processing – e.g. if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured the data is correct
- Right to portability – you may request to transfer the data we hold about you to another organisation
- Right to object – you have the right to object to certain types of processing such as direct marketing

#### **To access what personal information is held, identification will be required**

If you want to access your data, review, verify or correct your data, request we erase 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 the Practice Manager in writing at Halifax Chiropractic Centre, 20 Clare Road, Halifax HX1 2HX

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee for a second or subsequent copy of information or if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances. If this is the case, we will provide you with a reason as to why.

In order to help us confirm your identity and ensure your right to access (or exercise any of your other rights) we require two forms of identification – valid driving licence or passport or birth certificate and a utility bill not older than three months. This is a security measure to ensure that personal information is not disclosed to any person who has no right to receive it. If we are dissatisfied, further information may be sought before personal data can be released.

#### **Right to withdraw consent**

Where you have provided consent to the collection, processing and transfer of your data, you have the right to withdraw that consent at any time. There will be no consequences for withdrawing consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so e.g. erasure records. To withdraw consent, please contact the Practice Manager.

#### **Making a complaint**

If you have any questions about this Privacy Notice or how we handle your personal data, please contact the Practice Manager in writing. If you do not receive a response from us within 30 days, you can complain to the Information Commissioner's Office (ICO).

The details for each of these contacts are:

#### **GDPR lead for handling data subject requests and data complaints is:**

Practice Manager, Halifax Chiropractic Centre, 20 Clare Road, Halifax HX1 2HX  
Tel: 01422 252625 Email: [info@halifaxchiropractic.co.uk](mailto:info@halifaxchiropractic.co.uk)

#### **Information Commissioner's Office (ICO):**

Wycliffe House, Water Lane, Wilmslow SK9 5AF  
Tel: 0303 123 1113 Email: <https://ico.org.uk/global/contact-us/email/>