



EMRAD PRIVACY NOTICE

What is EMRAD?

EMRAD is the East Midlands Radiology Consortium which aims to deliver timely and expert radiology services to patients across the East Midlands, regardless of where they are being treated. Radiology services include imaging tests like x-rays and scans.

The EMRAD network comprises the following Acute NHS Trusts:

- Burton Hospitals
- Chesterfield Royal Hospital
- Derby Teaching Hospitals
- Kettering General Hospital
- Northampton General Hospital
- Nottingham University Hospitals
- Sherwood Forest Hospitals
- United Lincolnshire Hospitals

A key benefit for patients is that clinicians, and other staff who support your care, can access your complete radiology imaging record, including scans, reports and clinical opinions, regardless of where they are based in the East Midlands, which enables clinicians to provide more care closer to patients' homes.

It will also help to avoid unnecessary appointments and duplicate or repeat scans.

What personal information is captured?

In addition to your demographic information (name, address, GP, etc) the system stores images from all radiology tests you undergo at any of the EMRAD hospitals. It also stores all radiology reports for these tests and records patient dose¹, and protocol information, using a system called DoseWatch, for procedures using X-rays.

How long are records kept?

There are national records management standards in the NHS for how long we need to keep information about you. This varies depending on the type of information. Typically, a patient's health record is destroyed or deleted **8 years** following the end of treatment, or death. Records for some patients, e.g. children's records, are kept much longer.

Who can access my information?

Only those involved in providing or supporting your care are able to access your information. Your information will not be shared with anyone else, unless there is a clear legal basis for doing so, for example, with your explicit consent.

¹ DoseWatch information is used for clinical audit and the optimisation of clinical images acquired within imaging departments. Clinical imaging and scientific staff will only have access to information relevant to their work. The information is analysed by clinical scientists or clinical imaging staff and is used to feed back to clinical staff on their use of imaging equipment and patient exposures.

FINAL DRAFT

EMRAD has implemented FairWarning's Patient Privacy Intelligence™, which is a leading compliance and information security platform to provide assurance for the privacy and confidentiality of patient health information in the EMRAD GE PACS application, in particular to proactively audit whether user access to patient records is legitimate. In doing so, EMRAD uses the FairWarning Patient Privacy Intelligence solution to help demonstrate compliance with data protection legislation.

Do I have a choice about who can access my information?

If you wish to restrict who can access your information it is possible that an imaging examination will not be able to be performed in an EMRAD hospital. However, all events in the EMRAD system are logged so we can see who accesses your record, when, and what changes were made. If you have any concerns about who is accessing your radiology information you can contact the Radiology Department at your local hospital.

Is my information safe?

By law all healthcare staff must keep your information secure and confidential. Your rights are protected under data protection legislation. The systems we use in the NHS comply with stringent levels of safety, security and confidentiality.

What are my rights?

- 1. The right to be informed** – this encompasses our obligation to provide fair processing information, which we do through this privacy notice.
- 2. The right of access** – this is your right to obtain confirmation that we process your data and access to it. For details about how to obtain confirmation that we process your data and/or to access your personal health data, please contact your Trust's Data Protection Officer.
- 3. The right to rectification** – this is your right to have your personal data rectified if it is inaccurate or incomplete. If you believe that the information recorded about you is incorrect, you will need to tell us so that we are able to contact the person who entered the information. We will correct factual mistakes and provide you with a copy of the corrected information. Wherever possible, we will also tell you the names of any third parties that we have disclosed this data to.

If you are not happy with an opinion or comment that has been recorded, we will add your own comments to the record so they can be viewed alongside any information you believe to be incorrect. If you have any concerns about the accuracy/ completeness of your EMRAD records, please contact your Trust's Data Protection Officer.

- 4. The right to erasure** – this is also known as your 'right to be forgotten', where there is no compelling reason to continue processing your data in relation to the purpose for which it was originally collected or processed.

Your health record is retained in accordance with NHS national guidance, and because of our legal obligation to keep health records, it is extremely rare that we destroy or delete records earlier than the recommended retention period. However, if you believe you have compelling grounds for having all or part of your record erased you should contact your Trust's Data Protection Officer.

The clinician in charge of your care and our Caldicott Guardian will decide whether we can safely accommodate your request. If you are unhappy with

FINAL DRAFT

our decision you may wish to register a complaint to the Information Commissioner.

5. **The right to restrict processing** – this is your right to block or suppress the processing of your personal data. If you raise an issue relating to your health record that requires us to restrict processing, we will put an alert on our main patient system to flag that we are investigating your concerns. Please note it will not be possible to restrict processing while you are receiving care and treatment.
6. **The right to data portability** – this is your right to obtain and re-use any information you have provided to us as part of an automated process. At present EMRAD does not process any personal data that meets this requirement.
7. **The right to object** – this is your right to object to the hospital processing your health data because of your particular situation. Because of our legal obligation to keep health records it is extremely rare that we would stop processing your data if you wish to continue to be treated by the hospital. If you believe you have compelling grounds for the hospital to stop processing your data you should contact your Trust's Data Protection Officer.

The clinician in charge of your care and our Caldicott Guardian will decide whether we can safely accommodate your request. If you are unhappy with our decision you may wish to register a complaint to the Information Commissioner.

8. **Rights in relation to automated decision making and profiling** – GDPR provides safeguards for individuals against the risk that a potentially damaging decision is taken without human intervention. At present this does not apply to EMRAD.

Useful contacts

EMRAD Trust	Data Protection Officer
Burton Hospitals	Anne Woodhouse, anne.woodhouse1@nhs.net
Chesterfield Royal Hospital	[TBC]
Derby Teaching Hospitals	Anne Woodhouse, anne.woodhouse1@nhs.net
Kettering General Hospital	[TBC]
Northampton General Hospital	[TBC]
Nottingham University Hospitals	Rory King, DPO@nuh.nhs.uk
Sherwood Forest Hospitals	Jacquie Widdowson, jacqui.widdowson@nhs.net
United Lincolnshire Hospitals	[TBC]

Information Commissioner	Post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF Fax: 01625 524 510 Tel: 01625 545 700 Email: mail@ico.gsi.gov.uk
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