



## **Covid-19 and your information - Updated on 30 July 2020**

### **Supplementary Privacy Notice on Covid-19 for Patients/Service Users/ Employees**

This Privacy Notice explains how we may use your information to protect you and others during the Covid-19 outbreak. It supplements our main Privacy Notice which is available [\[here\]](#).

The health and social care system is facing significant pressures due to the Covid-19 outbreak. Health and care information is essential to deliver care to individuals, to support health and social care services and to protect public health. Information will also be vital in researching, monitoring, tracking and managing the outbreak. In the current emergency it has become even more important to share health and care information across relevant organisations.

Existing law which allows confidential patient information to be used and shared appropriately and lawfully in a public health emergency is being used during this outbreak. Using this law the Secretary of State has required NHS Digital; NHS England and Improvement; Arms Length Bodies (such as Public Health England); local authorities; health organisations and GPs to share confidential patient information to respond to the Covid-19 outbreak. Any information used or shared during the Covid-19 outbreak will be limited to the period of the outbreak unless there is another legal basis to use the data. Further information is available on gov.uk [here](#) and some FAQs on this law are available [here](#).

During this period of emergency, opt-outs will not generally apply to the data used to support the Covid-19 outbreak, due to the public interest in sharing information. This includes [National Data Opt-outs](#). However in relation to the Summary Care Record, existing choices will be respected. Where data is used and shared under these laws your right to have personal data erased will also not apply. It may also take us longer to respond to Subject Access requests, Freedom of Information requests and new opt-out requests whilst we focus our efforts on responding to the outbreak.

In order to look after your health and care needs we may share your confidential patient information including health and care records with clinical and non clinical staff in other health and care providers, for example neighbouring GP practices, hospitals, partner organisations, including social care and the NHS 111 Service. We may also use the details we have to send public health messages to you, either by phone, text or email.

During this period of emergency we may offer you a consultation via telephone or video-conferencing. By accepting the invitation and entering the consultation you are consenting to this. Your personal/confidential patient information will be safeguarded in the same way it would with any other consultation.



We will also be required to share personal/confidential patient information with other health and care organisations and other bodies engaged in disease surveillance for the purposes of protecting public health, providing healthcare services to the public and monitoring and managing the outbreak. Further information about how health and care data is being used and shared by other NHS and social care organisations in a variety of ways to support the Covid-19 response is [here](#).

NHS England, NHS Improvement and NHSX have developed a single, secure store to gather data from across the health and care system to inform the Covid-19 response. This includes data already collected by NHS England, NHS Improvement, Public Health England and NHS Digital. New data will include 999 / 111 call data, data about hospital occupancy and A&E capacity data as well as [data provided by patients themselves](#). All the data held in the platform is subject to strict controls that meet the requirements of data protection legislation.

## **Video Consultations**

During this period of emergency, our Emergency Operations Centre (999 Service) and NHS 111 Service may seek to use video consultation, as part of providing direct care.

*\*By accepting the invitation and entering the video consultation you are consenting to this.*

Personal/confidential patient information will continue to be safeguarded in the same way it would with any other consultation / contact with our service.

The information which is provided by the caller and used for the telephone assessment with these services will determine whether video consultation should be considered as beneficial to the need(s) of the patient. No video data is stored, although the data which is collected by the service from the video call is recorded and may be used as part of the treatment and care of the patient.

Sometimes additional personal details may need to be collected for the purposes of identifying the patient and providing their care. For example,

- A patient's visual presentation which may hold key clinical information.
- Family circumstances, including housing, may be collected following visual presentation.
- Any safeguarding concerns if evidence arises within a video consultation.

Video consultations are not recorded. However, data subjects still have the right to access any data collected surrounding the video consultation, including notes from the consultation. Information collected during the video consultation (i.e. assessment notes) will be shared with other health professionals directly involved in the patients care.

This also includes our NHS 111 Service and 999 Service where clinically needed.



There will be no change to the way that your personal information is processed. The only difference is where it is clinically appropriate the service may now seek to use video technology for its 'see and treat' assessments. This use will be optional and through caller/patient consent\*.

Information relating to this video assessment will be noted within the patient record, but the video consultation itself will not be recorded. However, the 111 / 999 call audio will still be recorded in the usual way using our existing call-recording systems.

## **COVID – 19 testing**

In such circumstances where you tell us you're experiencing Covid-19 symptoms we may need to collect specific health data about you. Where we need to do so, we will not collect more information than we require, and we will ensure that any information collected is treated with the appropriate safeguards.

Data may be shared with laboratories both government run and increasingly in the private sector under the guidance of PHE. This data is limited to that which is required to ensure test results can be communicated back to the individual. Normally this will be a phone number, home address and email address linked to a named individual with date of birth and where available NHS number.

We may amend this privacy notice at any time so please review it frequently. The date at the top of this page will be amended each time this notice is updated.

## **Test and Trace – Visitors Forms**

It is critical that organisations take a range of measures to keep everyone safe. In line with directives issued by NHS England organisations must now implement a process relating to Test and Trace.

Information is critical to the response to COVID-19. Key pieces of data extracted from health and care settings, combined with information provided by patients themselves, will be used in new ways to care for people and help the NHS and social care to better understand and respond to the virus.

As a Trust SECAmb will now be maintaining records of visitors to support NHS Test and Trace. The following information is required in line with the 'Maintaining records of staff, customers and visitors to support NHS Test and Trace' guidance published by the Department of Health and Social Care on 2 July 2020. No additional data will be collected for this purpose.



The Trust will be a data controller for the data obtained at the point the information is collected from you and will be responsible for compliance with data protection legislation for the period of time it holds the information. This is set at 21 days, following which time your data will be securely destroyed.

The information recorded is kept to a minimum and includes the following personal data. No additional data will be collected for this purpose.

1. Reason for visiting the Trust
2. Full name
3. Preferred contact number
4. Trust site visited
5. Date of visit
6. Arrival and departure times
7. Name of Trust staff member being visited
8. Consent for the information to be held for 21 days\*

*\*In the event of a declared outbreak by Public Health England this data will be held for an indefinite period until all investigations are completed.*

### **GDPR Legal basis**

Article 6 (1) (e) Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law. No special category data (health information) is processed therefore Article 9 conditions do not apply.

### **Test and Trace Service**

Due to the COVID-19 outbreak the Trust was asked to establish a Test and Trace cell to support the Public Health England (PHE) Tier 1 contact tracing level (referred to as complex cases) of the service through the implementation of a local contact tracing policy of their employees when a staff member\* is confirmed as COVID-19 positive.

\*This caveat also includes CFR's, Volunteers, Contractors and Patients which the Trust has provided care to as an emergency service.

Positive cases may be identified internally or passed to the Trust via secure email from Public Health England. The Trust needs to accurately record details of confirmed or suspected COVID-19 cases and staff who may have been exposed to COVID-19 through contact with those individuals.

\*Information will be held and retained in line with the Records Management Code of Practice for Health and Social Care 2016.

*\*In the event of a declared outbreak by Public Health England this data will be held for an indefinite period until all investigations are completed.*



The information (data collection) recorded is kept to a minimum, with associated role-based access controls in place. This includes the following personal data:

1. Operating unit or department
2. Full name and address
3. Date of birth
4. Payroll number
5. Preferred contact number
6. Preferred email address
7. NHS number
8. CAD Reference (where applicable)
9. COVID-19 test location, date and results (where required)
10. Additional notes

The information is hosted within SECAMB systems. Access to records is recorded, ensuring a log of who has viewed records can be pulled.

There are defined role-based access controls in place. These roles are assigned by the COVID-19 Management Team who will ensure that only those individuals who require access to data are assigned. There is also a process in place to ensure the closure of system access when required. The system allows records to be altered by authorised personnel with validations in place to ensure correct information is entered where possible.

### **GDPR Legal Basis**

Article 6 (1) (e) Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law

Article 9 (2) (h) – Necessary for the purposes of preventative or occupational medicine, for assessing the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems.