

## Fair Processing Notice – Patient Data

When One5 Health processes your personal data we are required to comply with “**Data Protection Legislation**”, including the General Data Protection Regulation 2016 (“**GDPR**”) and the Data Protection Bill 2017.

Your personal data is all the information we hold that identifies you or is about you. This includes, but is not limited to, your name, email address, postal address, telephone number/s, date of birth, location data, occupation, language/s spoken, NHS number, NHS GP and family/carer/emergency contact details. The personal data that we process may in some cases include opinions that we document about you, as well as special categories of data including but not limited to medical and health records, care plans and information about your ethnic origin and race, gender, sexual orientation and marital status.

Everything we do with your personal data counts as processing it, including collecting, storing, amending, transferring and deleting it. We are therefore required to comply with the Data Protection Legislation to make sure that your information is properly protected and used appropriately.

This fair processing notice provides information about the personal data we process, why and how we process it.

### **Our responsibilities**

One5 Health is the data controller of the personal data you provide. We have appointed a Privacy Officer who has day to day responsibility for ensuring that we comply with the Data Protection Legislation and for dealing with any requests we receive from individuals exercising their rights under the Data Protection Legislation.

### **Why do we process your personal data?**

We process your personal data in order to provide you with the services you have requested and, where applicable, to fulfil the contract we have entered into with you. We may also process your personal data to respond to any queries or comments you submit to us and to correspond with you on a day to day basis.

We may need personal data from you to be able to provide services to you, to meet our legal obligations, to enter into a contract with you and/or to provide you with all the information you need. If we do not receive the personal data from you, we may be unable to fulfil our obligations to you.

We process most of your information on the grounds of special categories of data processing for the purposes of medical diagnosis, provision of health care or treatment or the management of health care systems or services, legitimate interests (eg, if we need to inform you of any important changes to our healthcare service), performance of a

contract we have entered into with you, consent from you or on occasion protection of the vital interests of a Data Subject.

If we obtain consent from you to the processing of your personal data, you can withdraw your consent at any time. This will not affect the lawfulness of any processing we carried out prior to you withdrawing your consent.

### **Who will receive your personal data?**

We only transfer your personal data to the extent we need to and/or that you request. We do not transfer your personal data outside of the EEA. If any third parties transfer personal data outside of the EEA, eg whilst providing services to a supplier of One5 Health, it is good practice that they be advised by the supplier to transfer the data in compliance with proper data protection procedures.

Recipients of your personal data include, but are not limited to:

- Secondary healthcare consultants or allied health professionals when specialised care is required
- Medical investigation or pathology providers when investigations or tests are required
- Pharmacies if we are required to forward your data to enable them to fill a prescription for you
- Hosted data centres (for secure storage of health records)
- Insurers or employers – only if you have specifically requested that we forward information to these parties
- Your NHS GP – only if you have specifically requested that we forward information

### **How long will we keep your personal data?**

As with NHS GP practices, and in accordance with Information Governance Alliance (IGA) guidelines, we will retain your personal data for a standard period of 100 years after your last medical appointment with One5 Health. This is in case any queries or issues arise and for health, administrative and/or statutory reasons. Your information will be kept securely at all times.

Following the end of the retention period, your files and personal data we hold about you will be permanently deleted or destroyed. If we are required to obtain your consent to process your personal data, any information we use for this purpose will be kept until you withdraw your consent, unless we are entitled to retain the personal data on the basis of other grounds set out in the Data Protection Legislation.

### **What are your rights?**

You benefit from a number of rights with respect to the personal data we hold about you. We have summarised the rights which may be available to you below, depending on the grounds on which we process your data. More information is

available from the Information Commissioner's Office website (<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>). These rights apply for the period in which we process your data.

## **1. Access to your data**

You have the right to ask us to confirm that we process your personal data, as well as having the right to request access to/copies of your personal data. You can also ask us to provide a range of information, although most of that information corresponds to the information set out in this fair processing notice.

We will provide the information free of charge unless your request is manifestly unfounded or excessive or repetitive, in which case we are entitled to charge a reasonable fee. We may also charge you if you request more than one copy of the same information.

We will aim to provide the information you request as soon as possible and in any event within one month of having received your request, or any further information we require from you in order to process your request, however please be aware that there may be exceptions to this timescale. If we need more information to comply with your request, we will let you know.

## **2. Rectification of your data**

If you believe personal data we hold about you is inaccurate or incomplete, you can ask us to rectify that information. We will comply with your request within one month of receiving it unless we do not feel that it is appropriate, in which case we will let you know why. We will also let you know if we need more time to comply with your request.

## **3. Right to be forgotten**

In some circumstances, you have the right to ask us to delete personal data that we hold about you. This right is available to you:

- Where we no longer need your personal data for the purpose for which we collected it
- Where we have collected your personal data on the grounds of consent and you withdraw that consent
- Where you object to the processing and we do not have any overriding legitimate interests to continue
  - processing the data
- Where we have unlawfully processed your personal data (i.e. we have failed to comply with GDPR); and
- Where the personal data has to be deleted to comply with a legal obligation

There are certain scenarios in which we are entitled to refuse to comply with a request. If any of those apply, we will let you know.

#### **4. Right to restrict processing**

In some circumstances, you are entitled to ask us to suppress processing of your personal data. This means we will stop actively processing your personal data but we do not have to delete it. This right is available to you:

- If you believe that the personal data we hold is inaccurate – we will cease processing it until we can verify its accuracy
- If you have objected to us processing the data – we will cease processing it until we have determined whether our legitimate interests override your objection
- If the processing is unlawful; or
- If we no longer need the data but you would like us to keep it because you need it to establish, exercise or defend a legal claim

#### **5. Data portability**

You have the right to ask us to provide your personal data in a structured, commonly used and machine-readable format so that you are able to transmit the personal data to another data controller. This right only applies to personal data you provide to us:

- Where processing is based on your consent or for performance of a contract (i.e. the right does not apply if we process your personal data on the grounds of legitimate interests); and
- Where we carry out the processing by automated means  
We will respond to your request as soon as possible and in any event within one month from the date we receive it. If we need more time, we will let you know.

#### **6. Right to object**

You are entitled to object to us processing your personal data:

- If the processing is based on legitimate interests or performance of a task in the public interest or exercise of official authority
- For direct marketing purposes (including profiling); and/or
- For the purposes of scientific or historical research and statistics

In order to object, you must have grounds for doing so based on your particular situation. We will stop processing your data unless we can demonstrate that there are compelling legitimate grounds which override your interests, rights and freedoms or the processing is for the establishment, exercise or defence of legal claims.

#### **Automated decision making**

Automated decision making means making a decision solely by automated means without any human involvement. This would include, for example, an online credit reference check that makes a decision based on information you input without any

human involvement. We do not carry out any automated decision making using your personal data.

### **Your right to complain about our processing**

If you think we have processed your personal data unlawfully or that we have not complied with GDPR, you can report your concerns to the supervisory authority in your jurisdiction. The supervisory authority in the UK is the Information Commissioner's Office ("**ICO**"). You can call the ICO on 0303 123 1113 or get in touch via other means, as set out on the ICO website - <https://ico.org.uk/concerns/>.

### **Any questions?**

If you have any questions or would like more information about the ways in which we process your data, please email [care@one5.health](mailto:care@one5.health) or write to:

Privacy Officer One5 Health, 98A Southgate Road, London, N1 3JD