



## How Digital Health and Care Wales handles

# YOUR DATA

### WHY WE USE PERSONAL DATA

The personal data we hold reflects the varied nature of our role. For example:

- We host and maintain national IT systems used to provide care to the people of Wales;
- We develop and test new systems;
- We work on behalf of Health Boards and other organisations in Wales to link IT systems to ensure that doctors, nurses and other health and care professionals have the information they need to provide care to the people of Wales;
- We provide services that set information standards, making sure that IT systems use a common language; and
- We analyse information to provide reports and inform priorities for the NHS in Wales.

All of the above activities require access to personal data. This access is controlled – not all of the people working for us need access to all the personal data we hold and

we only allow access to personal data where it is required for somebody to do their job. Digital Health and Care Wales (DHCW) take this seriously and all of our employees are required to be trained on the appropriate use of personal data. Inappropriate access to personal data can result in disciplinary action, including dismissal.

For further information about our DHCW's functions, please see [The Digital Health and Care Wales \(Establishment and Membership\) Order 2020](#)

## TYPES OF PERSONAL DATA

To fulfil our functions and provide services, we collect, store and use a range of personal data ('processing').

We do not collect or process all of this personal data about all people all of the time. We only collect and process the personal data necessary for the particular task that we are carrying out. Where possible, your information will be pseudonymised (replacing identifiers with codes or 'keys') or anonymised (meaning individuals cannot be identified); for example when reports are produced.

The categories of personal data we process include:

- Contact details, including names, aliases, addresses, postcodes, telephone numbers and email addresses;
- Identifying details, including date of birth and reference numbers such as NHS numbers;
- Information about people's health and wellbeing including medical history and genetic data;
- Workplace, education or financial information;
- Information about patients' family, dependents or personal circumstances (so that professionals know who they can speak to about their care);
- Other information that could impact on the way people are treated or cared for, or which we are required to collect to understand who is using health and care systems. This includes data about people's religion, race, ethnicity, gender and sexual orientation;
- Online identifiers, including IP addresses and cookie identifiers (collected when you visit websites we are responsible for).

## HOW WE USE PERSONAL DATA

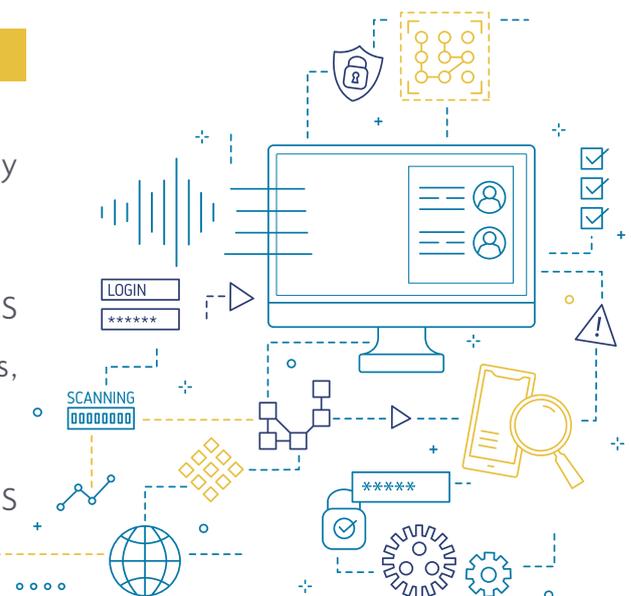
In the main, we process your personal data for purposes directly connected with ensuring that we support doctors, nurses and other clinical professionals, helping them provide high quality health care to patients in hospitals, GP practices and across the community. However, we do process it for other general reasons, such as:

- Providing you with information you have requested;
- Handling your enquiries, complaints or concerns;
- Providing access to certain areas of our websites;
- Using information in the context of your age, sex and other factors to offer, for example, screening services or immunisations. Such services are usually offered by other organisations but we often hold the information and facilitate the analysis;
- Informing you of services which may be relevant to you;
- Auditing and improving our IT systems and websites;
- Facilitating stakeholder engagement such as focus groups or surveys.

## HOW WE OBTAIN YOUR PERSONAL DATA

We collect your personal data from a variety of sources, including (but not limited to):

- Information provided by other NHS organisations (e.g. Health Boards, Trusts and GPs);
- Information provided by non NHS organisations (e.g. Local Authorities);
- Other sources of UK wide information (e.g. NHS Digital and Office of National Statistics);
- Surveys and research commissioned by us or other organisations; and
- Information you provide directly to us.



## THE LAWFUL BASIS FOR WHAT WE DO

Data protection legislation requires us to tell you the lawful basis for processing personal data in the way we do. Further information is available from the website of the Information Commissioner's Office. [Click here](#) for more information.

We generally rely on the following legal provisions:

- Public task: the processing is necessary to perform a task in the public interest.
- The provision of care: the processing is required for the purposes of health or social care or treatment or the management of health or social care systems.

Where we deem appropriate we may ask permission to use your personal data.

## WHO YOUR PERSONAL DATA SHARED WITH

Personal data is only shared with other organisations where it is necessary and lawful to do so. The range of information sharing partners reflects the wide scope of services and systems we are involved with. Our information sharing partners include:

- NHS organisations in Wales such as Health Boards, GPs and Pharmacists;
- Other care providing organisations, such as local authorities; and
- Suppliers of IT systems, some of whom are private companies who provide services under contract.

We will share personal data if we are required to do so by law – for example, by court order or to prevent fraud or other crimes.

We may use 'cloud' services, which means your personal data may be stored outside of the European Economic Area. If this occurs, we are obliged to have in place appropriate safeguards implemented with a view to protecting your data in accordance with applicable laws. Please use the contact details below if you want more information about the safeguards that are currently in place.

Anyone receiving personal data about you is under a legal duty to keep it confidential. We only request, use and share the minimum personal data necessary. We will never sell your personal data and we will not share it without the appropriate legal authority, or if appropriate to the circumstances, your informed consent.

We may share your personal data for other purposes; for example, to allow research to take place where it is in the public interest. This is subject to an approval process. Service planning or commissioning, and audit are some other purposes that may require your personal data to be shared. Anonymised or pseudonymised data will be used where possible and uses of personal data are subject to approval processes.

## HOW LONG WE KEEP YOUR PERSONAL DATA

We keep personal data for as long as we need to in order to fulfil the purpose(s) for which it was collected and to comply with our legal and regulatory obligations. NHS Wales has records retention schedules that identify how long data should be kept.

## SECURITY AND STORAGE OF DATA

DHCW recognises that your personal data is very valuable and so we take its security very seriously. We have set up systems and processes to prevent unauthorised access or disclosure of your data through the use of:

- Auditing - we keep records of those who access personal data;
- Access controls - members of staff are provided with their own username and password to access your personal data;
- Electronic records management - all healthcare records are stored confidentially and in secure locations;
- Computer controls - We have complex security controls to ensure our computers cannot be accessed by those not authorised to do so – such as hackers; and
- Encryption - computer devices that hold personal data such as laptops are encrypted in case the device storing the data is lost or stolen

All DHCW staff must complete Information Governance training. This training makes staff aware of the importance of the confidentiality and security of your personal data and makes clear that they are personally responsible for the security of such data.. This training must be completed every two years.

We also make sure that any third parties we deal with keep all personal data they process on our behalf safe and secure.

## YOUR RIGHTS

Data Protection legislation provides various individual rights for data subjects including:

- Right to be informed
- Right to access
- Right to rectification
- Right to erasure
- Right to restrict processing
- Right to data portability
- Right to object
- Rights in relation to automated decision making and profiling

Not all of these rights are absolute, which means we often have to balance your wishes against other requirements. For example, it is unlikely that a request from a data subject to delete their entire health record would be agreed. This is because there are other legal reasons that such records need to be kept. If future treatment is required, the individual could be at risk of harm if information about their medical history is not available. Each request to exercise one of the above rights will be assessed on its merits. Some rights are unlikely to apply in the context of the work we do; for example, the right to erasure and right to portability.

For an explanation of all your rights please see the ICO's guidance, which you can access on the [ICO's website](#).



If you wish to exercise any of these rights or have any queries or concerns regarding our processing of your personal data, please contact us using the contact details provided below.

## OUR WEBSITES

### GOOGLE ANALYTICS

Our websites may use [Google Analytics](#) (external website), a web analytics service provided by Google Inc. ('Google'). Google Analytics uses 'cookies' and JavaScript code to help analyse user activity on websites. The information generated about your use of the website (including your IP address) will be transmitted to and stored on Google servers in the United States.

Google will use this information to produce user activity reports for the website visited. Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf.

Google will not associate your IP address with any other data previously held. You may refuse the use of cookies by selecting the appropriate settings on your browser. Please note that if cookies are disabled, you may not be able to use the full functionality of this website. By using this website, you consent to the processing of data about you by Google in the manner and for the purposes set out above.

Read [Google's Full Privacy Policy](#) (external website) and [Terms of Service](#) (external website) for detailed information.

### WHAT ARE COOKIES?

Cookies are small files that websites put on your computer hard disk drive when you visit. Cookies pass information back to websites each time you visit. They are used to uniquely identify web browsers, track user trends and store information about user preferences. You can restrict/disable cookies on your browser; please note that some website features may not function properly without cookies.



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## SEARCH ENGINE

Our website may contain search facilities. Search queries and results may be logged anonymously to help us improve our website and search functionality. No identifiable personal data will be collected by us.

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## PURPOSE AND LEGAL BASIS FOR PROCESSING

The purpose for implementing all of the above is to maintain and monitor the performance of our websites and to constantly aim to improve the sites and the services it offers to our users. The legal basis we rely on to process your personal data is article 6(1)(f) of the UK GDPR, which allows us to process personal data when its necessary for the purposes of our legitimate interests.

## LINKS TO OTHER WEBSITES

Our websites and websites hosted by us may contain links to other websites. This policy only applies to DHCW and does not cover other organisations websites. These organisations should have their own terms and conditions.

## CCTV

Our offices may have CCTV cameras and if you visit us in person you may be recorded. Any office that has CCTV cameras will have clear signs to indicate the presence of the cameras. These cameras are for security purposes and the video will not be used for any other purpose.

## CHANGES TO THIS POLICY

We keep our privacy policy under regular review to ensure it remains relevant, accurate and up to date. Any changes to this privacy policy will apply to you and the information held about you immediately.

## CONTACT US

Please contact the Data Protection Officer for further information regarding this policy, including how to exercise your rights:

Data Protection Officer

Digital Health and Care Wales

Tŷ Glan-yr-Afon

21 Cowbridge Road East

Cardiff

CF11 9AD

[DHCW.InformationGovernance@wales.nhs.uk](mailto:DHCW.InformationGovernance@wales.nhs.uk)

## RIGHT OF COMPLAINT

You have the right to lodge a complaint in relation to this privacy notice or our processing activities with the Information Commissioner's Office, which you can do through the website or their telephone helpline.

[ico.org.uk/global/contact-us/](https://ico.org.uk/global/contact-us/)

## DEFINITIONS

TERM	DEFINITION
Data Protection Officer	Certain categories of organisation, including any public body or authority (except courts in their judicial capacity) are required to designate a suitably qualified Data Protection Officer (DPO). The tasks of the DPO are set out in Article 39 of UK GDPR
Data subject	A 'data subject' is an identified or identifiable natural person
Genetic data	Personal data relating to the inherited or acquired genetic characteristics of a natural person which give unique information about the physiology or the health of that natural person and which result, in particular, from an analysis of a biological sample from the natural person in question

TERM	DEFINITION
Data Protection Legislation	<p>The UK GDPR is the retained EU law version of the EU's General Data Protection Regulation (GDPR). It contains the definitions, conditions, principles and rights that apply to the processing of personal data in the UK.</p> <p>The Data Protection Act 2018 creates specific provisions, such as exemptions allowed by UK GDPR, and incorporates the provisions of EU Data Protection Directive 2016/680 – the Law Enforcement Directive.</p>
Personal data	<p>Any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person</p>
Processing	<p>Any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction</p>
Profiling	<p>Any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or movements</p>

TERM	DEFINITION
Pseudonymised data / Pseudonymisation	The processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable natural person