

Privacy Notice – National Screening Programmes

Summary:

The NHS provides national screening programmes so that certain diseases can be detected at an early stage. These currently apply to bowel cancer, breast cancer, aortic aneurysms and diabetic retinal screening service. The law allows us to share your contact information with Public Health England so that you can be invited to the relevant screening programme.

More information can be found at: <https://www.gov.uk/topic/population-screening-programmes> or speak to the relevant healthcare professional looking after your care.

1) Data Controller contact details	Southend University Hospital NHS Foundation Trust, Prittlewell Chase, Westcliff-on-Sea, Essex, SSO 0RY T: 01702 435555 ICO Registration number: Z1972899
2) Data Protection Officer contact details	Matt Barker, Group Head of Information Governance Basildon and Thurrock University Hospital NHS Foundation Trust, Nethermayne, Basildon, Essex, SS16 5NL Tel: 01268 524900 Email: informationgovernance@btuh.nhs.uk
3) Purpose of the processing	The NHS provides several national health screening programmes to detect diseases or conditions earlier such as; cervical and breast cancer, aortic aneurysm and diabetes. More information can be found at: https://www.gov.uk/topic/population-screening-programmes The information is shared so as to ensure only those who should be called for screenings are called and or those at highest risk are prioritised.
4) Lawful basis for processing	The sharing is to support Direct Care which is covered under Article 6(1)(e); <i>“necessary... in the exercise of official authority vested in the controller”</i> And: Article 9(2)(h); <i>‘necessary for the purposes of preventative or occupational medicine for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...’</i> We will also recognise your rights established under UK case law collectively known as the <i>“Common Law Duty of Confidentiality”</i> *
5) Recipient or categories of recipients of the shared data	The data will be shared with relevant healthcare organisations including GP’s, local hospitals and diagnostic/treatment centres.
6) Rights to object	You have the right to object to this processing of your data and to some or all of the information being shared with the recipients. Contact the Data Controller. For national screening programmes: you can opt out so that you no longer receive an invitation to a screening programme. See: https://www.gov.uk/government/publications/opting-out-of-the-nhs-population-screening-programmes You can also speak to the relevant healthcare professional looking after your care.
7) Right to access and correct	You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law.

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8) Retention period	All records held by the NHS are subject to the Records Management Code of Practice for Health and Social Care Act 2016 (the Code). The Code sets out best practice guidance on how long we should keep your patient information before we are able to review and securely dispose of it.
9) Right to Complain.	You have the right to complain to the Information Commissioner’s Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

* “*Common Law Duty of Confidentiality*”, common law is not written out in one document like an Act of Parliament. It is a form of law based on previous court cases decided by judges; hence, it is also referred to as 'judge-made' or case law. The law is applied by reference to those previous cases, so common law is also said to be based on precedent.

The general position is that if information is given in circumstances where it is expected that a duty of confidence applies, that information cannot normally be disclosed without the information provider's consent.

In practice, this means that all patient information, whether held on paper, computer, visually or audio recorded, or held in the memory of the professional, must not normally be disclosed without the consent of the patient. It is irrelevant how old the patient is or what the state of their mental health is; the duty still applies.

Three circumstances making disclosure of confidential information lawful are:

- Where the individual to whom the information relates has consented;
- Where disclosure is in the public interest; and
- Where there is a legal duty to do so, for example a court order.