

Complaints, Subject Access Requests and Freedom of Information Requests

Privacy Notice

Summary

This Practice Group holds and uses patient data for the purposes of Complaints, Subject Access Requests and Freedom of Information Requests.

We collect and store information about your health and care that has been received directly from you or organisations such as Local Authorities, other GP Practices, NHS Trusts and NHS Clinical Commissioning Groups (CCGs).

Under GDPR and the Data Protection Act 2018, you have the right to see or be given a copy of any personal data we hold about you. To gain access to a copy of your information, you will need to make a Subject Access Request (SAR) to the Practice.

Under the Freedom of Information Act 2000, you have the right to request copies of non-personal information held by the Practice. To gain access to a copy of your information, you will need to make a Freedom of Information (FOI) Request to Penrose Health.

Should you wish to make a complaint to the Practice, then there may be a need for them to view and access your patient data or request some from you directly. This will allow the Practice to investigate your complaint.

Details of processing

Purpose of the processing

Legal Obligations of the Practice

Lawful basis for processing

The lawful justifications for the processing and possible sharing of this data are:

Article 6(1)(c) "the processing is necessary for compliance with any legal obligation to which the controller is subject"

Where your complaint or SAR involves processing of special category data the relevant condition for processing that data will be:

Article 9(2)(g) "substantial public interest" as defined by Data Protection Act 2018, Schedule 1, Part 2, Section 6(2)(a) "the exercise of a function conferred on a person by an enactment or rule of law"

Recipient or categories of recipients of the shared data

The data will be shared with Local Authorities, other GP Practices, NHS Trusts and NHS Clinical Commissioning Groups (CCGs)

Retention period

The data will be retained for active use during the processing and thereafter according to NHS Policies and the law.

Your rights

Right to object

You have the right under Article 21 of the GDPR to object to your personal information being processed. Please contact the Practice if you wish to object to the processing of your data. You should be aware that this is a right to raise an objection which is not the same as having an absolute right to have your wishes granted in every circumstance.

GP Practices process personal data under Article 6(1)(c) on a lawful and legitimate basis where the organisation is obliged under law to comply with

- The General Data Protection Regulations (GDPR)
- The Freedom of Information Act
- The NHS Constitution
- The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009

By complying with these laws, the Practice has compelling legitimate grounds for the processing which override the interests, rights and freedoms in the right to object.

Right to access and correct

You have the right to access any identifiable personal data that is being processed or shared and to have any inaccuracies corrected.

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).

Contact details

Controller Contact Details	Penrose Health	3 Kingfisher Square Staunton Street, London SE8 5DA	020 8318 0190 privacy.penrosehealth.co.uk
Data Protection Officer	Claire Clements	1 Lower Marsh, 3rd Floor, Lower Marsh, Waterloo, London, SE1 7NT	claireclements@nhs.net