

## Privacy Notice – Screening Programmes

We take the security of your data seriously. This document sets out more information about a particular scenario relating to your data and should be read in conjunction with the adult & children's privacy notices.

### Screening programmes

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 practice.

We are required by Articles in the General Data Protection Regulations to provide you with the information in the following 9 subsections.

### Data Controller contact details

Dr Mark Edwards, Caldicott Guardian

University Health Service, University of Southampton, Highfield, Southampton SO17 1BJ

Email: [data.protection@unidocs.co.uk](mailto:data.protection@unidocs.co.uk)

### Data Protection Officer contact details

Caroline Sims

Southampton City CCG, Oakley Road, Southampton SO16 4GX

Email: [caroline.sims@nhs.net](mailto:caroline.sims@nhs.net)

### Purpose of the processing

The NHS provides several national health screening programs 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 screening are called and or those at highest risk are prioritised.

### Lawful basis for processing

The sharing is to support Direct Care which is covered under the following articles:

Article 6(1)(e); "necessary... in the exercise of official authority vested in the controller";

Article 9(2)(h) '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...'

We will also recognise your rights established under UK case law collectively known as the "Common Law Duty of Confidentiality"\*

**Recipient or categories of recipients of the shared data**

The data will be shared with the Department of Health & NHS England

**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 practice to register your objection.

For national screening programmes: you can opt out so that you no longer receive an invitation to a screening programme. Please see <https://www.gov.uk/government/publications/opting-out-of-the-nhs-population-screening-programmes> or speak to the practice.

**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. If we share or process your data in an emergency when you have not been able to consent, we will notify you at the earliest opportunity.

**Retention period**

The data will be retained in line with the law and national guidance.

**Right to Complain**

To complain, please contact either the practice's Caldicott Guardian or Data Protection Officer.

You also have the right to complain to the Information Commissioner's Office:

Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow SK9 5AF

Tel: 0303 123 1113 or 01625 545 745

Web: <https://ico.org.uk/global/contact-us/>

University Health Service  
Building 48  
University of Southampton  
Highfield  
Southampton SO17 1BJ

Tel: 023 8055 7531

Email: [surgery@unidocs.co.uk](mailto:surgery@unidocs.co.uk)

## University Health Service – Privacy Notice

VERSION HISTORY			
Document: PRIVACY NOTICE – SCREENING PROGRAMMES			
Version	Date	Author	Notes
1	13/5/18	SPCL	
2	30/5/18	ME	
3	20/08/18	ME	CHANGE DPO TO CAROLINE SIMS

### **\* “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.*