

Privacy Notice – Complaints, Subject Access Requests and Freedom of Information Requests

NEL Commissioning Support Unit collects, processes and stores data for the purposes of Complaints, Subject Access Requests and Freedom of Information Requests.

We collect and store information that has been received directly from you or organisations such as Local Authority and GP Practices if you are a patient with the Continuing Healthcare, IFR or Medicines Management Teams.

Under GDPR and the Data Protection Act 2018, you have the right to see or be given a copy of any personal data held about you by NEL. To gain access to a copy of your information, you will need to make a Subject Access Request (SAR) to the NEL IG Team, who handle any such requests:

nelcsu.information-governance@nhs.net

1 Lower Marsh

London

SE1 7NT

Under the Freedom of Information Act 2000, you have the right to request copies of non-personal information held by NEL. Any such requests about the CSU or work undertaken by NEL should be directed to NHS England:

england.contactus@nhs.net

Should you wish to make a complaint to NEL, then there may be a need for them to view and access your patient data or request some from you directly. This will allow us to look into your complaint. Complaints can be sent to NHS England:

0300 311 22 33

england.contactus@nhs.net

England, PO Box 16738, Redditch, B97 9PT

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1) Contact details	NHS NEL Commissioning Support Unit Clifton House 75-77 Worship Street London EC2A 2DU
2) Data Protection Officer contact details	NEL Head of Information Governance nelcsu.dpo@nhs.net 03000 428 438
3) Purpose of the processing	Legal Obligations of the organisation.
4) The Lawfulness Conditions and Special Categories	<p>The lawful justifications for the processing and possible sharing of this data are;-</p> <p>Article 6(1)(c) “the processing is necessary for compliance with any legal obligation to which the controller is subject”</p> <p>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”</p>
5) Recipient or categories of recipients of the shared data	The data may be shared with NHS England.
6) Rights to object	<p>You have the right under Article 21 of the GDPR to object to your personal information being processed. Please contact us 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.</p> <p>We process personal data under Article 6(1)(c) on a lawful and legitimate basis where the organisation is obliged under law to comply with</p> <ul style="list-style-type: none"> • 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 <p>By complying with these laws, NEL has compelling legitimate grounds for the processing which override the interests, rights and freedoms in the right to object.</p>
7) 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.
8) Retention period	The data will be retained for the period as specified in the national records retention schedule.

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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) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)
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