

Public Health Privacy Notice

Public health encompasses everything from national smoking and alcohol policies, the management of epidemics such as flu, the control of large-scale infections such as TB and Hepatitis B to local outbreaks of food poisoning or Measles. Public Health England (PHE) monitors the numbers of certain infections that occur in healthcare settings through routine surveillance programmes and advises on how to prevent and control infection in establishments such as hospitals, care homes and schools. In order to allow PHE to carry out accurate monitoring of infections, it may rely on information held by NEL with regards to Healthcare Acquired Infections (HCAs).

This will necessarily mean the subjects personal and health information being shared with the Public Health organisations.

Some of the relevant legislation includes:

Health Protection (Notification) Regulations 2010 (SI 2010/659)
 Health Protection (Local Authority Powers) Regulations 2010 (SI 2010/657)
 Health Protection (Part 2A Orders) Regulations 2010 (SI 2010/658)
 Public Health (Control of Disease) Act 1984
 Public Health (Infectious Diseases) Regulations 1988 and
 The Health Service (Control of Patient Information) Regulations 2002

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	There are occasions when medical data needs to be shared with Public Health England, the Local Authority Director of Public Health, or the Health Protection Agency, either under a legal obligation or for reasons of public interest or their equivalents in the devolved nations.
4) Lawfulness Conditions and Special Categories	The legal basis will be Article 6(1)(c) “processing is necessary for compliance with a legal obligation to which the controller is subject.” And Article 9(2)(i) “processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices,..”
5) Recipient or categories of recipients of the shared data	The data will be shared with Public Health England https://www.gov.uk/government/organisations/public-health-england and equivalents in the devolved nations.

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6) Rights to object	You have the right under Article 21 of the GDPR to object to your personal information being processed. Please contact NEL 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.
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.
8) Retention period	The data will be retained for active use during the period of the public interest and according to legal requirements and Public Health England's criteria on storing identifiable data https://www.gov.uk/government/organisations/public-health-england/about/personal-information-charter .
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)