

## Privacy Notice

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### Who we are

TAC Healthcare Group Ltd. (TAC) is a private provider of medical care and treatment carried out to the highest quality. To do this, we must keep records about you, your health and the care we have provided or plan to provide for you.

### The Purpose of the processing

In order to provide a healthcare service, we need to collect and use personal information for a range of purposes. Primarily, we collect data for healthcare and administration purposes. For example, a health professional will record details such as patient's treatment as this is essential information in order to provide a healthcare service including occupational health. Patient consent will be sought whether this is implied or explicit.

There are some cases where it is necessary and a legal requirement to process personal information even without the consent of service user or staff member. TAC respects patient choice and will respect an individual's request to withhold information from someone or an agency unless there is a legal requirement to disclose the information.

Other purposes for data collection and usage may include;

- ⌘ Staff Administration, i.e. pay, discipline, work management
- ⌘ Patient Records, i.e. contact details, treatment notes, results of tests/scans
- ⌘ Service improvement purposes, i.e. patient satisfaction survey
- ⌘ Training purposes to ensure staff are adequately trained to carry out their role
- ⌘ To conduct an investigation in response to a complaint or police enquiry
- ⌘ Accounts and records, i.e. keeping accounts related to business activity, customers, financial management, responding to freedom of information requests.
- ⌘ Research purposes, i.e. health or scientific research (published data will always be anonymous)
- ⌘ Performance monitoring and analysis to help us assess the quality and standard of our healthcare services.
- ⌘ Reporting, i.e. to provide reports to commissioners, employers and registration bodies such as Health Improvement Scotland and the Quality Care Commission

Wherever possible, TAC uses anonymised data for non-care purposes.

### Lawful basis for processing

Our basis for processing your data is **legitimate interests** and we process your health data **for the purposes of providing treatment or preventive or occupational medicine.**

Under GDPR some of the data we collect is classed as 'Special Category'. Under Article 9 lists the conditions we have identified for processing special category data:

- (a) Explicit consent
- (b) Employment, social security and social protection (if authorised by law)
- (h) Health or social care (with a basis in law)

The conditions that apply are Schedule 1 of the DPA 2018:

- (a) preventive or occupational medicine,
- (b) the assessment of the working capacity of an employee,
- (c) medical diagnosis,
- (d) the provision of health care or treatment

### The Legitimate interests for the processing

The information we gather is required by us so that we can ensure we are compliant with legislation and can make decisions about your employment, health, or treatment.

### Your information: what do we hold?

TAC is committed to protecting your privacy. We will only use information collected lawfully in accordance with the Data Protection Act 2018 and undertake not to use any information we may hold about you for any purpose other than that for which it was collected, unless we have obtained your consent. This includes not sending the information overseas without permission. We do not sell personal information.

Clinical records may be electronic, paper or a mixture of both, and we may use a combination of working practices and technology to ensure that your information is kept confidential and secure.

### Information Sharing

We will not share information about you for any reason unless:

- You ask us to do so
- Where a formal court order has been served on us
- In order to assist the police in the prevention and detection of crime
- To protect children and vulnerable adults
- We have special permission for health and research purposes (granted by the Health Research Authority) or
- For the health and safety of others, for example to report an infectious disease

We work with a number of NHS, partner agencies and other organisations to provide healthcare and other services for you.

We also contract with other organisations to provide a range of services for us, for example providing some human resource services for our staff. In these instances we ensure that our partner agencies handle our information under strict conditions and in line with the law.

All TAC staff have contractual obligations of confidentiality, enforceable through disciplinary procedures. Staff with access to patient identifiable information receive appropriate on-going training to ensure they are aware of their responsibilities. Our staff are granted access to personal data on a need-to-know basis only.

### Your information: What do we need from you?

Please tell us as soon as possible if there are any changes, such as a new address. This helps us to keep your information reliable and up to date.

### Your rights

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling

### Transfer of personal data to any third countries or international organisations

Should we need to transfer medical information to a third country, we will always seek your consent beforehand.

### Data retention period

We will keep your health records for 50 years from the date of the last entry or age 75, whichever is the longer. For Occupational Health we will keep your records for 6 years after you leave your employment or until you reach age 75 years (whichever is the sooner).

### Keeping your information safe

When you provide us with your personal information, we take steps to ensure that appropriate controls are in place to protect it.

TAC has achieved ISO 27001 certification and undergoes an annual, external, information security audit to ensure compliance.

We have implemented appropriate technical and organisational measures, internal controls, and information security routines intended to protect personal data against accidental loss, destruction, or alteration, unauthorised disclosure or access; or unlawful destruction.

### Compliance Statement with National Opt-Out for NHS England

TAC is one of many organisations working in the health and care system to improve care for patients and the public.

Whenever you use a health or care service, such as attending Accident & Emergency or using Community Care services, important information about you is collected in a patient record for that service. Collecting this information helps to ensure you get the best possible care and treatment. The information collected about you when you use these services can also be used and provided to other organisations for purposes beyond your individual care, for instance to help with:

- improving the quality and standards of care provided
- research into the development of new treatments
- preventing illness and diseases
- monitoring safety
- planning services

This may only take place when there is a clear legal basis to use this information. All these uses help to provide better health and care for you, your family and future generations. Confidential patient information about your health and care is **only used** like this where allowed by law.

Most of the time, anonymised data is used for research and planning so that you cannot be identified in which case your confidential patient information isn't needed.

You have a choice about whether you want your confidential patient information to be used in this way. If you are happy with this use of information you do not need to do anything. If you do choose to opt out your confidential patient information will still be used to support your individual care.

To find out more or to register your choice to opt out, please visit [www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters).

You can also find out more about how patient information is used at:

<https://www.hra.nhs.uk/information-about-patients/> (which covers health and care research); and <https://understandingpatientdata.org.uk/what-you-need-know> (which covers how and why patient information is used, the safeguards and how decisions are made).

You can change your mind about your choice at any time.

Data being used or shared for purposes beyond individual care does not include your data being shared with insurance companies or used for marketing purposes and data would only be used in this way with your specific agreement.

### Contacting us about your information

TAC has a Caldicott Guardian responsible for protecting the confidentiality of patient information and enabling appropriate information sharing. This person is called the Caldicott Guardian. Mr Kenneth Park is TAC's Caldicott Guardian.

If you have any questions or concerns regarding the information we hold on you or the use of your information, would like to opt out of having your information used by us or would like to know more about accessing your information: please contact us at:

#### Information Governance

TAC Healthcare Group  
387a North Deeside Rd  
Cults  
AB15 9SX  
Email: [Charles.Ogilvie@tachealthcare.com](mailto:Charles.Ogilvie@tachealthcare.com)  
Tel: 0333 0143488

*For independent advice about data protection, privacy and data sharing issues, you can contact:*

<p><u>Information Commissioner</u> Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF.  Phone: 08456 30 60 60 or 01625 54 57 45</p>	<p><u>Scottish Information Commissioner</u> Kinburn Castle, Doubledykes Road, St Andrews, Fife KY16 9DS Telephone: 01334 464610 e-mail: <a href="mailto:enquiries@itspublicknowledge.info">enquiries@itspublicknowledge.info</a> Website: <a href="http://www.itspublicknowledge.info">http://www.itspublicknowledge.info</a></p>
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