



SCOTTISH VEIN CENTRE

PRIVACY NOTICE

Overview

The Scottish Vein Centre (SVC / we / us) maintains a policy of transparency and providing accessible information to individuals about how we will use their personal data which is a key element of the Data Protection Act 2018 (DPA) and the EU General Data Protection Regulation (GDPR) 2018. The most common way to provide this information is in a privacy notice.

The Information Commissioner's Office (ICO) have provided key recommendations in their code of practice to develop a clear and effective privacy notice. ico.org.uk (2018)

The code uses the term 'privacy notice' to describe all the privacy information that we make available or provide to individuals when we collect information about them. This can encompass all the information you provide using the channels referred to in this code.

This Privacy Notice can also allow us to give individuals greater choice and control over how their personal data is used. This is a further element of best practice and demonstrates that we are using personal data fairly and transparently

Collection and use of personal information fairly and transparently

The first principle of data protection is that personal data must be processed fairly and lawfully. The DPA says that in order for the processing to be fair, the data controller (i.e. SVC in control of processing the data) has to make certain information available to the data subjects (the individuals whom the data relates to), so far as practicable:

- who the data controller is;
- the purpose or purposes for which the information will be processed; and
- any further information which is necessary in the specific circumstances to enable the processing to be fair.

This applies whether the personal data was obtained directly from the data subjects or from other sources.

The GDPR has further requirements about what information should be available to data subjects.

Being transparent by providing a privacy notice is an important part of fair processing. You can't be fair if you are not being honest and open about who

you are and what you are going to do with the personal data you collect. However, this is only one element of fairness. Providing a privacy notice does not by itself mean that our processing is necessarily fair. We also need to consider the effect of our processing has on the individuals concerned.

Therefore the main elements of fairness include:

- using information in a way that people would reasonably expect. This may involve undertaking research to understand people's expectations about how their data will be used;
- thinking about the impact of our processing. Will it have unjustified adverse effects on them? and;
- being transparent and ensuring that people know how their information will be used. This means providing privacy notices or making them available.

To cover all these elements, The Scottish Vein Centre has due consideration for the following issues in producing this privacy notice:

- What information is being collected?
 - All our patients demographics and contact details.
 - All relevant clinical information
 - All clinical investigations and results
 - All concerns and aspirations of our service users
 - Any disabilities or special needs of our service users
- Who is collecting it?
 - Basic data at first telephone interview by our Clinic Manager
 - Subsequent detailed clinical data by Consultant (data controller)
 - Clinical investigations / information by Consultant
- How is it collected?
 - Initial interview data paper recorded (Manager)
 - All subsequent information first recorded on paper file
 - Selected clinical data transferred to electronic database
 - Database information is stored in cloud technology
- Why is it being collected?
 - Relevant clinical data will be used for diagnosis and treatment
 - Follow-up data will be used to monitor progress of treatment
- How will it be used?
 - All data will be used to assist in clinical decision making
 - Some core clinical data may be used for clinical research
- Who will it be shared with?
 - Data on diagnosis, treatment and outcomes is shared
 - Only the service users GP will receive this information
 - All service users have the right to refuse this correspondence

- This refusal must be stated in writing and signed
- Research data will be anonymized and stored separately
- Service user consent will be sought for research sharing
- What will be the effect of this on the individuals concerned?
 - All service users will be confident of their privacy
 - No service user data will be shared for use by third parties
- Is the intended use likely to cause individuals to object or complain?
 - SVC has a strict confidentiality policy
 - SVC has policies of Privacy, Equality and Dignity
 - SVC has an approved Complaints Procedure
 - SVC has a separate Consent Procedure

Giving individuals appropriate control and choice

The Scottish Vein Centre will obtain verbal consent from all service users initially. Subsequent agreement to data collection and sharing of data is recorded electronically on our database.

In order to process their information we will explain what we are asking all clients to agree to and why. This will go hand in hand with providing our privacy notice. Our website includes information about obtaining consent. Further detailed Policy document information is readily available on request.

Individual service users have the right to inform the Information Commissioner if they feel that their data has been unfairly or illegally shared with unauthorized third parties. The ICO can take enforcement action if the IC finds an organisation is in breach of the requirements of the GDPR and DPA, including a failure to provide adequate and fair processing information.

www.ico.org.uk/make-a-complaint

Who might we share your personal data with?

We may have to share your personal data with third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

Data Security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

Data retention : How long will you use my personal data for?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Details of retention periods for different aspects of your personal data are available in our retention policy which you can request from us by contacting us.

Your legal rights

You have a number of rights in relation to your personal data. These are:

- Request access to your personal data.
- Request correction of your personal data.
- Request erasure of your personal data.
- Object to processing of your personal data.
- Request restriction of processing your personal data.
- Request transfer of your personal data.
- Right to withdraw consent.

These are more fully set out below.

YOUR LEGAL RIGHTS EXPLAINED

You have the right to:

Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes, which will not normally arise. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at info@scottishveincentre.co.uk if you wish to make a request.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time of withdrawal.

How to complain

You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Helpline number: 0303 123 1113

Scottish Vein Centre contact details :

E-mail : info@scottishveincentre.co.uk

Contact person : Dr. Raj Bhat, Medical Director &
Designated Data Protection Officer

Address : 19 Hawtornbank Lane
Edinburgh
EH4 3BH