

Parents and Carers – Data Protection and Privacy Notice

Introduction

Your child's personal data is data which by itself or with other data available to us can be used to identify your child. We are Birmingham Women's and Children's NHS Foundation Trust, the data controller. Our Trust is registered with the Information Commissioner's Office (ICO) to process personal and special categories of information under the General Data Protection Regulation (GDPR) and Data Protection Act 2018 (subject to parliamentary approval) and our registration number is Z6078102.

This data protection and privacy notice sets out how we will use your child's personal data. You can contact our Data Protection Officer at Birmingham Children's Hospital, Steelhouse Lane, Birmingham B4 6NH if you have any questions.

The Types of Personal Data and Special Categories of Personal Data We Collect and Use

We will use yours and or your child's personal data for the reasons set out below and we will collect most of this directly during your contact with the hospital. The sources of personal data collected indirectly are mentioned in this statement. The personal data we use may include:

- Full name and personal details including contact information (eg home, address , post code and address history, email address, home and mobile telephone numbers);
- GP details;
- Date of birth and or age;
- NHS and local hospital number;
- Ethnic origin;
- Genetic data;
- Data for the purposes of uniquely identifying your child;
- Clinical information about your child;
- Gender;
- Sexual orientation;
- Preferred method of communication.

Sharing of Your Personal Data

Subject to applicable data protection law, we may share your child's personal data with:

- Relevant staff at Birmingham Women's and Children's NHS Foundation Trust;
- Other related organisations and other persons who help us to provide our services;
- Our legal and other professional advisors including our solicitors;



- Other organisations or persons who help us to improve our services;
- In an emergency or to otherwise protect your child's vital interests;
- Anyone else where we have your consent or where it is required by law.

Using Your Personal Data: Legal Basis and Purposes

We will process your child's personal data:

1. As necessary for **medical diagnosis, the provision of health care and management of health care systems** eg

- To register your child on our patient administration system for the purposes of creating a health record;
- To store your child's information in written records and on electronically on computer;
- To keep our records updated;
- To verify yours and your child's identity;
- To verify that your child is a current patient of our Children's Hospital or Women's Hospital;
- To verify that you are a parent/carer of a current or past patient;
- For risk management purposes;
- To share your child's information with other people and organisations that are either responsible for or directly involved in your child's care. This may involve taking your child's information off site.

2. As necessary **to comply with a legal obligation** eg

- When you exercise your rights under data protection law and make requests for information we hold about your child;
- For compliance with legal and regulatory requirements and related disclosures eg quality reviews, incident reporting, handling of complaints;
- For activities relating to the prevention, detection and investigation of crime;

We will process your special category (sensitive) personal data eg, ethnic origin and gender:

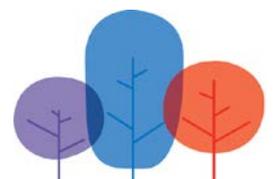
3. As necessary **to protect your child's vital interests** eg where there are safeguarding concerns;

4. For the **establishment, exercise or defence of legal claims**. During the claims process we will share your child's information with legal advisors.

5. As necessary to serve the **substantial public interest** in ensuring that Trust serves its population and surrounding areas eg you may be asked to participate in patient satisfaction surveys. Personal information may be used to help us improve the quality of services we provide.

6. As necessary in **the public interest area of Public Health**. We may be asked to provide information to Public Health England eg to improve outcomes for a specific group of the population with a specific condition.

7. For **statistical or scientific purposes** eg clinical trials research, clinical audit.



8. Based on your **consent**

Where we have asked for your consent you are free at any time to change your mind and withdraw your consent, if you do please talk to the people looking after your child or contact PALS (Patient Advice & Liaison Service)

International Transfers

Your child's personal data may be transferred outside the UK and the European Economic Area. While some countries have adequate protections for personal data under applicable laws, in other countries steps will be necessary to ensure appropriate safeguards apply to it. These include imposing contractual obligations on adequacy.

Criteria Used to Determine Retention Periods

We will retain your child's personal data in line with the Records Management NHS Code of Practice for Health & Social Care 2016.

Your Rights Under Applicable Data Protection Law

Your rights are as follows (noting that these rights do not apply in all circumstances and that data portability is only relevant from May 2018):

- The **right to be informed** about our processing of your child's personal data;
- The right to have your child's personal data **corrected if it is inaccurate** and to have **incomplete personal data completed**;
- The right to **object** to processing of your child's personal data;
- The right to **restrict processing** of your child's personal data;
- The right to **have your child's personal data erased** (the 'right to be forgotten) where it is no longer necessary for Birmingham Women's and Children's NHS Foundation Trust to retain such information;
- The right to **request access** to your personal child's data and information about how we process it;
- The right to **move, copy or transfer** your child's personal data ('data portability').

You have the right to complain to the Information Commissioner's Office (ICO). It has powers and can investigate compliance with data protection law: <https://ico.org.uk/>. For more details on all the above you can contact our Data Protection Officer at Birmingham Children's Hospital, Steelhouse Lane, Birmingham B4 6NH.

Data Anonymisation and Aggregation

Your personal data may be converted into statistical or aggregated data which cannot be used to identify you, and then used to produce statistical research and reports. This aggregated data may be shared and used in all the ways described above.

