

## Privacy Policy

We are committed to complying with the General Data Protection Regulation and the Data Protection Act 2018. Looking after personal information shared with us is extremely important and we want you to be confident that personal data is kept safely and securely, it is also important you understand how we use it.

We have published this notice to help you understand how and why we collect information who we share it with, why and on what basis, and what your rights are.

If we make changes to this notice we will notify you by updating it on our website. We are known as the data controller of the personal data provided to us.

Should you need to contact us about any information within this notice please speak to Julie Trevor, Practice Manager of John O'Dowd Ltd on 01256 324430 or via email, [julie@johnodowd.co.uk](mailto:julie@johnodowd.co.uk).

When we receive personal data from either a solicitor or their appointed agency, health insurance providers, referring clinicians or patients we are usually given the following information:

- Full name
- Date of birth
- Home address
- Telephone number
- Email address
- GP details
- Medical records along with relevant images such as scans or x-rays
- Details of your claim (for medicolegal cases)

### How we use personal data

Data protection says that we are allowed to use and share personal data only where necessary and have a valid reason to do so. The law says we must have one or more of these reasons which are:

- **Contract** –Personal information is processed in order to fulfil a contractual arrangement, i.e., with a solicitor or their appointed agency or health insurance provider.
- **Legitimate Interest** – This means the interest we have in managing our practice and to allow us to offer the best care and advice in the most secure and appropriate way.
- **Consent** – When this has been given to a Solicitor or their appointed agent, health insurance provider or the patient coming to us direct for a consultation.
- **Legal obligation** – Where there is a statutory or other legal requirement to share the information, e.g., when we complying with a court order when we are acting as an expert witness.

We also process special category data and we must have one or more reasons to be able to do this, these are:

**(a) The data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;**

Consent is obtained via a Solicitor or their agent or health insurance provider for us to process data or by contacting us direct for a private consultation

**(f) Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;**

We need to process data in order to comply with court orders when acting as an expert witness

**(h) Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;**

We need to process data in order to offer the best care and medical advice

**Who we share data with and why**

Our database which holds subject data is hosted by an IT software company called Clanwilliam Health (DGL) Ltd and we use their cloud technology. We have the appropriate contractual provisions in place to ensure both confidentiality and security of your information.

**Healthcare Providers**

We share data with other health care providers when we refer on for further expert opinion or treatment and with selected hospitals and outpatient clinics when using their facilities to consult or treat our patients. All data is shared either via post or electronically ensuring data is password protected and/or encrypted.

**Transfers to Third Countries**

Some data is transferred outside of the European Economic Union by our transcription company, Dscribe, a secure, confidential, medical transcription service. All files are securely destroyed after 3 months from the date they are uploaded. Data is stored on secure servers within the UK for up to 3 months.

**How long we keep information**

We retain information until we are informed in writing by the instructing solicitor or their appointed agency that a case has settled or has been withdrawn, all files are then securely shredded using our appointed shredding company, Shred on Site, who issue a certificate of destruction once files have been destroyed, electronic data is deleted. Private patient data is stored for a maximum of 8 years following the last consultation.

All data is stored electronically and on paper. Paper records are locked away securely in our notes store with very limited access.

**Your rights**

You are entitled to request from us the following, known as your Data Subject Rights. There is more information regarding this from the ICO website, [www.ico.org.uk](http://www.ico.org.uk).

**Right of access**

To request access to personal information and how we process it

**Right to Erasure (right to be forgotten)**

To have personal information erased. Please contact Julie Trevor, Practice Manager to discuss this further.

**Right to rectification**

To have personal inaccurate data rectified

**Right of restriction of processing**

To restrict processing of personal information

**Right of data portability**

To electronically move, copy or transfer your personal information into a standard format

**Right to object**

To object to the processing of your personal data

You have the right to lodge a complaint with a data protection regulator in Europe where your legal rights have been infringed. Contact details for the ICO, Data Protection Regulator in the UK are available at [www.ico.org.uk](http://www.ico.org.uk). We encourage you to contact us first before making any complaint and we will seek to resolve any issues or concerns.