



Sussex Partnership  
NHS Foundation Trust



## **Confidentiality**

Keeping information safe  
and your rights

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## This leaflet tells you:

- ✔ what information we collect about you
- ✔ who we might share your information with and why
- ✔ how we keep information secure, confidential and up to date
- ✔ how you can request to see your own records

# Personal information and how we use it

## What information we collect

If you have been referred to our service we have to keep records by law. Records are held in paper and electronic form.

The record includes details about you and your care, for example:

- name, address, NHS number and date of birth
- your medical history
- assessment, care plan and reviews
- details that affect development of your care plan (such as benefits, housing details, social and work status)
- records of contact you have had with the service, in the form of casenotes

We must keep your records for a specified period. For mental health records this is 20 years after the date of last activity or eight years after the death of the patient. For people who have learning disabilities we have to keep records for life and until 10 years after death.

We must also record any risks to your health or the health of other people. For example, if you have:

- an allergy to penicillin
- a hearing impairment
- been physically or verbally aggressive towards other people
- been neglecting your health or are the victim of neglect

We will always tell you when we have recorded a risk unless we think telling you could lead to you or others being harmed. The recording of risks is to make sure that you and others are kept safe, but all of them are regularly reviewed to ensure that they are still applicable and we should be keeping them.

## Why we need this information

We need to keep records to make sure you get the right care and treatment. We hold this information after your treatment has finished, because we may need it if we see you again.

Sometimes we use parts of the information we collect for other reasons such as:

- planning new services and improving existing ones
- research (approved by the local research ethics committee)
- staff training
- helping other parts of the NHS to check we are doing what we say we will do
- financial audit
- improving patient safety

If we do this, the information will be anonymised so your personal details and anything which could identify you is removed.

## Changes to your personal information

It is important that your records are up-to-date. Please tell the clinical service you are working with if any of your personal details such as name, address or doctor change.

## Who else may we share this information with

We routinely share information within your care team; this may include your GP and other people who look after you. For example, we may be working with the following organisations in providing your care:

- Local councils
- Other NHS Trusts
- Charities, for example Housing Options

We may also share your information to comply with a legal obligation, such as sharing information with the police or courts for the prevention or detection of a crime or fraud.

We will record who we may be working with in providing your care in a consent form, and you may withdraw your consent for us to share with them at any point.

The law can sometimes require us to pass on information, for example, in the case of serious crime.

We only share information for specific purposes and must justify why. If we share information for reasons other than the two above, we will always ask you first.

We can keep your relatives, friends and carers informed about your treatment, but only if you want us to: they have no automatic right to see your records.

# How we keep your information safe

Our staff are trained to make sure they know about the Data Protection Act and their legal responsibilities to keep your information safe.

Anyone who receives information from us is also under a legal duty to keep it confidential. We take great steps to ensure information about you stays secure.

These steps include:

- locking away paper records
- using computer passwords
- making sure people are who they say they are if they ask for information
- only sharing information that is relevant to the purposes of providing you care
- shredding old records that have reached their retention dates
- auditing our data protection and information security processes
- requiring all staff to complete Information Governance training each year

## Confidentiality and how to apply to see your health record

Under the Data Protection Act 2018 you have the right to access information held about you. Or, you or a representative, for example a relative, solicitor or advocate, can ask to formally see your record as long as they have your written consent.

If you want to see your records, you can make a Subject Access Request in writing to:

Health Records  
Sussex Partnership NHS Foundation Trust  
Swandean  
Arundel Road  
West Sussex  
BN13 3EP  
Email: [health.records@sussexpartnership.nhs.uk](mailto:health.records@sussexpartnership.nhs.uk)

We will send you an application form, and more information, including your legal rights. There is no charge for this service and we have one month to respond in full to the request.

## How to get more information

If you would like to know more please speak to the staff involved in your care or contact:

The Data Protection Officer,  
Sussex Partnership NHS Foundation Trust  
Swandean  
Arundel Road  
West Sussex  
BN13 3EP

Telephone: **0300 304 0100**

Email: [dataprotectionofficer@sussexpartnership.nhs.uk](mailto:dataprotectionofficer@sussexpartnership.nhs.uk)

# Copying letters to patients

The government made a promise in the NHS plan, published in 2000, that people should be able to receive copies of letters written by professionals about their treatment. You have the right to receive copies of letter about your health care written by health professionals from Sussex Partnership.

## How it works

The subject of copying letters to you will be raised at your appointment/meeting with the person looking after your treatment. You will be asked to sign a form to show your choices. This form will be kept in your health record. If you change your mind, at any time, you should inform the person looking after you - they will give you another form to sign so everyone is clear about your wishes.

Letters you will be copied into could include:

- letters between members of the team looking after you, your
- GP, other doctors, therapists or other health care professionals
- letters to other agencies such as social services, housing
- or benefits agencies, employers or insurance companies
- copies of care plans, assessments or referral forms

You can choose whether or not you want to have these copies. If you do, you can also choose how you want to receive them.

You can choose to have copies of everything or not to have any copies at all.

You can also decide how you get copies. You can ask for everything to be sent to you in the post, or you can arrange to collect your copies - usually from your team base or the hospital where your health professional is based.

If English is not your first language, we can provide these letters translated into the language that is easier for you. If you are partially sighted or blind, they can also be made available in large print or audio versions.

Sometimes we will not be able to supply copies of letters and other documents.

This may happen because:

- The clinician feels it may cause you harm
- The letter includes information about somebody else who has not given consent for the details to be shared

For more information about your Data Protection Rights please contact Information Governance. Their contact details are on page 11.

# Freedom Of Information

## Freedom of Information Act 2000

The Freedom of Information Act gives you the right to request information from public services, including the NHS. The aim of the Act is to promote trust and confidence in our public services by providing clear information and being open about what we do. It doesn't apply to personal data, which is covered by the Data Protection Act.

## The information available

We recognise the importance of the Freedom of Information Act. We have made sure that most of our corporate and business information is available through our publication scheme. The scheme is a complete guide to the information we publish routinely.

You can find it on our website at [www.sussexpartnership.nhs.uk/documents-reports](http://www.sussexpartnership.nhs.uk/documents-reports) or you can request a copy by writing to the Freedom of Information Officer. The contact details are on page 10.

The Act divides information into 'classes'. A class is the information available on a specific topic. We reflect these classes in our Scheme. Information is not limited to paper documents; it also includes electronic information.

## Exceptions

Your right to obtain information may be limited by some exemptions which are listed within the Act. This means we may not be able supply the information requested or may be able to supply only part of it. If we can, we will supply information with the exempt information removed.

## Making a request

You must make any request under the Freedom of Information Act in writing. You can make your request by email. You must include your name and address so that we can contact you. You do not have to tell us why you want the

information, but you must tell us enough about the information you want to enable us to identify it correctly and to find it.

There may be a charge for the information. We will let you know how much when we receive your inquiry.

We have 20 working days in which to send you the information you request.

The address to write to is:

Freedom of Information Officer  
Sussex Partnership NHS Trust  
Swandean  
Arundel Road  
West Sussex  
BN13 3EP

Email: [foi@sussexpartnership.nhs.uk](mailto:foi@sussexpartnership.nhs.uk)

## Complaints and appeals

If you have any concerns or complaints about how we have handled your request, about our publication scheme, or about the care you have received, please contact:

Patient Advice and Liaison Service (PALS)  
Sussex Partnership NHS Trust  
Swandean  
Arundel Road  
West Sussex  
BN13 3EP

Telephone: **0300 304 2198**

Email: [pals@sussexpartnership.nhs.uk](mailto:pals@sussexpartnership.nhs.uk)

You can also contact the Information Commissioner's Office (ICO), who has responsibility for ensuring that organisations comply with the Data Protection Act. The ICO can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Website: [www.ico.org.uk](http://www.ico.org.uk)

## Other useful contacts

### Information Governance and Health Records

Sussex Partnership NHS Foundation Trust  
Swandean  
Arundel Road  
West Sussex  
BN13 3EP

Telephone: **0300 304 2025**

Email: [information.governance@sussexpartnership.nhs.uk](mailto:information.governance@sussexpartnership.nhs.uk)  
[health.records@sussexpartnership.nhs.uk](mailto:health.records@sussexpartnership.nhs.uk)

### Sussex Partnership NHS Foundation Trust

Trust Headquarters  
Swandean  
Arundel Road  
West Sussex  
BN13 3EP

Telephone: **0300 304 0664**

Website: [www.sussexpartnership.nhs.uk](http://www.sussexpartnership.nhs.uk)

Information about translations and alternative formats:  
Contact number is **0300 304 2025**



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 [Sussex Partnership NHS Foundation Trust](https://www.linkedin.com/company/sussex-partnership-nhs-foundation-trust)

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**HEADS ON**  [www.headsoncharity.org](http://www.headsoncharity.org)

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