

Express Diagnostics Privacy Notice

The Data Protection Act (2018) and [UK General Data Protection Regulations](#) implemented ([01 January 2021](#)) control the use of your personal information by companies, organisations or government departments.

Under the Act, Express Diagnostics (the Company) is defined as both a 'data controller' and 'data processor' of personal information. The Company is registered with the Information Commissioners Office (**Registration number Z5672122**).

The objective of Express Diagnostics is to provide our patients with high quality healthcare services. In order to meet this objective, we need to use personal information relating to you, including records of diagnostic tests and treatments we have carried out or that are planned to be carried out with your consent.

The lawful basis for Express Diagnostics processing personal information is based on **Consent**, for self-referral customers, **a Legitimate Interest**, relating to NHS patients referred by their doctor for diagnostic tests at the Express Diagnostics Clinic and the analysis of the diagnostic test recordings, and as a **Contractual Need** for companies or individuals who have been employed are employed, or are contractors supplying products to Express Diagnostics.

Express Diagnostics will process personal data for patients who use our services for the purpose of a 'Contractual Need' the data processed may include: These contracts are held with local CCG's and other NHS Trusts.

Name, address, date of birth, NHS number, GP details, telephone number, medical history, gender, The diagnostic test request(s) from you or your doctor. The record(s) of any previous diagnostic test reports or assessments carried out in our Clinic or analysed and reported on by analysts (Company employees), using specialised computer analysis equipment.

Express Diagnostic will process personal data from Companies who supply products and services. The processing of this data is of a 'Contractual Need', the data processed may include:

Name, email address, postal address, telephone number, Job number, Company details, bank details.

Express Diagnostic will collect personal data for applicants, employees and former employees. The processing of this data is of a 'Contractual need', 'Vital interest and also to remain 'Compliant with Legal Obligations'. We will collect this data to perform DBS checks, and to ensure we are able to employ, train and pay you. The data processed may include:

Name, address, telephone number, date of birth, National Insurance number, bank details, criminal convictions, qualifications, emergency contact details, employment and education history, references.

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Why we collect information about you

To assist the people who care for you, we use the diagnostic test results and records produced at Express Diagnostics to:

- Provide a sound basis for all health decisions made by you and your healthcare professional involved in your care pathway.
- Allow you to work with those providing care.
- Make sure your care is safe and effective.
- Work effectively with those providing you with care.

Information Sharing

Departments within NHS England may also need to use the records we hold about you, in order to:-

- Check the quality of care we provide (called clinical audit).
- Collect data regarding public health matters.
- Ensure NHS funding is being allocated appropriately.
- Help investigate any concerns or complaints you may have about the services and care you have received.

In order to apply and maintain a consistent level of Data Protection to your personal data at all stages of processing, and ensure that your data is not exposed to any risks throughout the transfer process, and where there may be a need to transfer personal data to another EEA country to fulfil parts of our Contractual need. The Data Protection Act (2018) limits our ability to transfer personal data outside the countries within the EEA (ie: the countries which are subject to the same or very similar data protection standards for example the EU General Data Protection Regulation).

For your benefit, we may need to share information from your health records with other NHS healthcare providers involved in your direct care. We will always seek your permission to share your information with organisations, for purposes other than your direct care. However, in exceptional circumstances, we may need to share this information without your permission, where:-

- It is in the public interest – for example, there is a risk of death or serious harm.
- There is a legal requirement to share it – for example, to protect a child or vulnerable adult.
- A court orders us to share it.
- There is a legitimate enquiry from the police under the Data Protection Act for information relating to a serious crime.

You have the right to withdraw or refuse consent to your information being shared at any time but please note that not sharing your information, may affect the quality and safety of the care you receive.

Note: - Inspectors from the Care Quality Commission (CQC) have legal powers of access to Patient Personal Information, **without first seeking the Consent of the patient(s)**. These

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powers may be exercised when they undertake inspections of regulated activities carried out by Express Diagnostics Clinical Services.

National Data Opt-out

Express Diagnostics is compliant with the National Data Opt-out policy. Information provided to us as part of the patient care-pathway, is processed strictly in accordance with the instructions provided by the Data Controller (e.g. the Referring GP Practice). Additionally, all data processing is conducted in accordance with healthcare industry codes of practice and current data protection legislation.

Further information on the National Data Opt-Out programme can be found here:

<https://digital.nhs.uk/services/national-data-opt-out-programme>

How long we keep your data

We will only retain your personal data for as long as:

- Patient data is processed and retained in accordance with the Records Management NHS Code of Practice for Health and Social Care (2016), which sets the required standard.

Your Rights

Under the Data Protection Act 2018 and the UK General Data Protection Regulations, you have the right to request:

- Information about how your personal data is processed
- A copy of that data, by making a subject access request
- That if any data stored/held is inaccurate we will correct it within a timely manner

You can also:

- Raise an objection about how your data is processed
- Request that your personal data is erased if there is no longer a justification for it
- Ask that the processing of your personal data is restricted in certain circumstances (The Company may seek advice on complying with such a request)

CCTV

Our premises reception area is surveyed by CCTV for the purpose of security. Images and videos are retained for a set amount of time before being deleted in accordance with ICO guidelines.

Marketing

Express Diagnostics carries out basic forms of direct marketing, which means, if you engage with Express Diagnostics in your capacity as a patient, then we may process your personal data for marketing purposes to keep you up to date with the services that we offer/provide.

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Website Cookies

Our website uses cookies to distinguish you from other users of our website, this helps us to provide you with a good experience when you browse our website.

By law, website operators are required to ask for a website users permission when placing certain kinds of cookie on their device for the first time.

Where consent is required, the law states that it should be 'informed consent', which means we must ensure that you understand what cookies are and why we want to use them.

We are dedicated to providing the best digital service to you whilst at the same time protecting your privacy.

What are Cookies

Cookies are text files containing small amounts of information which are downloaded to your device when you visit a website. Cookies are sent back to the originating website on each subsequent visit, or to another website that recognizes that cookie. Cookies are useful because they allow a website to recognize a user's device.

Cookies do lots of different jobs, like remembering your preferences, and letting you navigate between pages efficiently, and generally improving your user experience.

If you have any enquiries regarding your data please contact:

The Data Protection Officer
DPO@expressdiagnostics.co.uk
Express Diagnostics
Plymouth Science Park
Derriford
Plymouth
PL6 8BU

For more information please contact The Information Commissioners Office (ICO)

For independent advice on data protection legislation, privacy and data sharing, or to complain to the ICO about the possibility of data processing that infringes data protection legislation, please contact:

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Phone: 0303 123 1113

Website: www.ico.gov.uk

Compiled by: Ben Jones Signature: [Signature] Date: 14 Sep 21

Approved by: D.J. MORRIS Signature: [Signature] Date: 14 Sep 2021