

ERS Medical Privacy Notice

ERS Medical respects your rights to data privacy and data protection when you communicate (online or offline) with us through our website, Contact Centre of Operations and our ambulance and courier staff as they complete their work.

Contact Information

If you have a question about this Privacy Notice or how we use your personal information, please email info@ersmedical.co.uk or write to us at ERS Medical, Hetton Court, The Oval, Leeds LS10 2AT.

What is a Privacy Notice?

A privacy notice is a statement that describes how ERS Medical collects, uses, retains and discloses personal information. Different Organisations sometimes use different terms and it can be referred to as a privacy statement, a fair processing notice or a privacy policy.

To ensure that we process your personal data fairly and lawfully we are required to inform you:

- Why we need your data;
- How it will be used and;
- Where it will be stored;
- Who it will be shared with.

This information also explains what rights you have to control how we use your information.

The law determines how organisations can use personal information. The key laws are: The Data Protection Act (DPA), the Human Rights Act (HRA), relevant health service legislation, and the common law duty of confidentiality.

ERS Medical is a 'Data Processor' and depending on the data a 'Data Controller', for the purposes of the Data Protection Act.

ERS Medical recognises the importance of protecting all personal and confidential information in all that we do, and takes care to meet its legal duties.

This part of the fair processing notice outlines the management of the notice, contact details and other access to information legislation.

How we Control Data

ERS Medical has an extensive Business Management System (BMS), which has policies, procedures and work instructions, detailing how we provide strict controls on both Data Security and Information Governance. The specific sections of our BMS that covers these areas are:

- BMS/1.02 – Record Retention Storage and Disposal;
- BMS/1.03 – Audit;
- BMS/1.04 – Remedial and Preventative Action;
- BMS/1.07 – Risk Management;
- BMS/1.09 – Information Governance;
- BMS/10.01 – Information Services;
- BMS/10.02 – Information Services Code on Conduct;
- BMS/10.03 – Secure Transfer of Information;
- BMS/10.04 – IT and Data Security
- Information Governance Policy Statement;
- Staff Handbook.

Complaints About how we Process Your Personal Information

In the first instance, you should contact the ERS Medical Contact Centre of Operations on **0333 240 4999** or by accessing our webpage at:

<http://ersmedical.co.uk/contact>

The ERS Medical Contact Centre of Operations is open 24 hours a day 365 day a year, to receive and handle your call.

You can also email ERS Medical at complaints@ersmedical.co.uk

What Information ERS Medical collects about you.

We only collect and use your information for the lawful purposes of administering the business of NHS England. These purposes include:

- Planning and booking patient ambulance journeys and the continuation of care;
- Accounting and Auditing;
- Accounts and records;
- Advertising, marketing & public relations;
- Crime prevention and prosecution of offenders;
- Education;
- Health administration and services;
- Information and databank administration;
- Sharing and matching of personal information for the NHS national fraud initiative;
- Staff administration.

What types of personal data does ERS Medical handle?

We process personal information to enable us to support the provision of healthcare services to patients, maintain our own accounts and records, promote our service, and to support and manage our employees. We also process personal information about health care workers that deliver services throughout ERS Medical.

We also use information to support and monitor commissioned health services in England and Scotland to enable us to deliver high quality healthcare. This type of information will usually be provided by and to the NHS in an aggregate or anonymised form, so that we cannot identify an individual.

The types of personal information we use include:

- Personal details such as names, addresses, telephone numbers;
- Family details for example next of kin details;
- Education & training records of our staff;
- Employment details, for example for those that work for us either directly or are commissioned by us to provide a service on our behalf;
- Financial details, where we provide a service for payment;
- Lifestyle and social circumstances;
- Visual images, personal appearance and behaviour, for example if CCTV images are used as part of building security;
- Details held in the patient's record required for the safe planning and transportation of our service users;
- Responses to surveys, where individuals have responded to surveys about healthcare issues.

We may also process sensitive classes of information that may include:

- Racial and ethnic origin;
- Offences (including alleged offences), criminal proceedings, outcomes and sentences;
- Trade union membership;
- Religious or similar beliefs;
- Employment tribunal applications, complaints, accidents, and incident details.

This information will generally relate to our staff. In terms of patient information, information may include, but not be limited to:

- Clinical information such as diagnoses of medical conditions;
- Infectious status;
- Allergies;
- Medications prescribed and currently being administered;
- Height and weight;
- Mobility or service users and details of any special instructions or equipment required;
- Physical or mental health details including any behavioural issues or triggers.

How will ERS Medical use information about you?

Your information is used to run and improve ERS Medical. It may be used to:

- Check and report on how effective ERS Medical is;
- Ensure that money is used properly for services it is commissioned to provide;
- Investigate complaints, legal claims or important incidents;
- Make sure that ERS Medical gives value for money;
- Make sure services are planned to meet patients' needs in the future;
- Review the care given to make sure it is of the highest possible standard;
- To improve the efficiency of healthcare services, by sharing information with NHS and sometime other organisations for a specific, justified purpose and approved by the ERS Medical Caldicott Guardian.

We may keep your information in written form or on a computer. Whenever possible all information that identifies you will be removed.

Storing and Protecting your Information

ERS Medical only stores personal information within the United Kingdom. Physical records are stored in secure locations managed by ERS Medical. Digital records are secured and encrypted, for protection on ERS Medical designated servers only. We do not share out storage facilities within other organisations. This service is managed for ERS Medical by our contracted IT provider.

Sharing your Information

There are many reasons why we share information. This can be due to:

- Our obligations to comply with current legislation;
- In the best interest of a vulnerable person;
- Our duty to comply with a Court Order;
- You have consented to disclosure in a transparent.

We do not share your data with bodies outside of the European Economic Area.

We are aware of the requirements to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such.

Retaining information

ERS Medical will only retain information for as long as necessary. Records are maintained in line with our internal retention schedule which determines the length of time records should be kept.

Protecting your information

We take our duty to protect your personal information and confidentiality seriously. We are committed to taking all reasonable measures to ensure the confidentiality and security of personal data for which we are responsible, whether computerised or on paper.

We have appointed a Senior Information Risk Owner (SIRO) who is accountable for the management of all information assets and any associated risks and incidents, and a 'Caldicott Guardian' who is responsible for the management of patient information and patient confidentiality.

All staff are required to undertake annual information governance training.

Under the ERS Medical Handbook and Code of Conduct, all our staff are also required to protect your information, and inform you of how your information will be used. This includes, in most circumstances, allowing you to decide if and how your information can be shared.

Everyone working for ERS Medical is subject to the common law duty of confidentiality. Information provided in confidence will only be used for the purposes advised and consented to by the service user, unless it is required or permitted by the law.

Information for Job Applicants

ERS Medical holds a separate Privacy Notice for Job Applicants and this can be found on our website and or on request when applying for a position within ERS Medical.

Your Rights

You have the following rights in relation to the personal data we hold on you:

- a) The right to be informed about the data we hold on you and what we do with it;
- b) The right of access to the data we hold on you. We operate a separate Subject Access Request policy and all such requests will be dealt with accordingly;
- c) The right for any inaccuracies in the data we hold on you, however they come to light, to be corrected. This is also known as 'rectification';
- d) The right to have data deleted in certain circumstances. This is also known as 'erasure';
- e) The right to restrict the processing of the data;
- f) The right to transfer the data we hold on you to another party. This is also known as 'portability';
- g) The right to object to the inclusion of any information;
- h) The right to regulate any automated decision-making and profiling of personal data.

In addition to the above rights, you also have the unrestricted right to withdraw consent, that you have previously provided, to our processing of your data at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

If you wish to exercise any of the rights explained above, please contact the Data Protection Officer at ERS Medical. Please email info@ersmedical.co.uk or write to us at ERS Medical, Hetton Court, The Oval, Leeds LS10 2AT.

Processing of Special Categories of Personal Data

Article 9 of the EU GDPR provide some special considerations for certain types of data. ERS Medical reserves the right to use these special provisions, especially Section H or Article 9, which states an exemption to the processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purposes of uniquely identifying a natural person, data concerning health or data concerning a natural person' sex life or sexual orientation shall **be prohibited**.

Section H: Processing is necessary for the purpose or preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnoses, the provision of health or social care or treatment or the management of health and 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 of article 9.

How to Access Your Information

The Data Protection Act and the General Data Protection Regulations (GDPR) gives you the right to see the information that ERS Medical or any organisation holds about you and why.

Right of Access (Subject Access Request)

The Data Protection Act and the General Data Protection Regulations (GDPR) gives you the right to see the information that ERS Medical holds about you and why. These are commonly referred to as Subject Access Requests and these requests must be made in writing to ERS Medical and you will need to provide us with:

- Adequate information (for example your full name, address, date of birth, NHS number, employee number, etc.) so that your identity can be verified and your information located.
- We will also require specifics of what information you are requesting to enable us to locate this in an efficient manner.

Where a fee is applicable under the terms of the Data Protection Act and subsequent legislation, we will inform you in writing. In due course our disbursement scheme (which outlines these fees) will be available.



We aim to comply with requests for access to personal data as quickly as possible. We will endeavour to deal with all requests within 1 month of receipt, unless the request is highly complex, where we may need to extend this period out. If this occurs we will contact the applicant and explain the why the extension is necessary.

We want to make sure that your personal information is accurate and up to date. If you think any information is inaccurate or incorrect then please let us know through or Contact Centre of Operations (CCO) on **0333 240 4999**

or by accessing our webpage at:

<http://ersmedical.co.uk/contact>