

# Public Health Privacy Notice

## Plain English explanation

Public health encompasses everything from national smoking and alcohol policies, the management of epidemics such as flu, the control of large-scale infections such as TB and Hepatitis B to local outbreaks of food poisoning or Measles. Public Health England (PHE) monitors the numbers of certain infections that occur in healthcare settings through routine surveillance programmes and advises on how to prevent and control infection in establishments such as hospitals, care homes and schools. In order to allow PHE to carry out accurate monitoring of infections, it may rely on information held by NHS North East London (NEL) with regards to Healthcare Acquired Infections (HCAIs).

This will necessarily mean the subjects personal and health information being shared with the Public Health organisations.

Some of the relevant legislation includes:

Health Protection (Notification) Regulations 2010 (SI 2010/659)  
 Health Protection (Local Authority Powers) Regulations 2010 (SI 2010/657)  
 Health Protection (Part 2A Orders) Regulations 2010 (SI 2010/658)  
 Public Health (Control of Disease) Act 1984  
 Public Health (Infectious Diseases) Regulations 1988 and  
 The Health Service (Control of Patient Information) Regulations 2002

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| 1) <b>Controller</b> contact details                               | NHS North East London<br>4th Floor – Unex Tower<br>5 Station Street<br>London E15 1DA<br><a href="http://www.northeastlondon.icb.nhs.uk">www.northeastlondon.icb.nhs.uk</a>  |
| 2) <b>Data Protection Officer</b> contact details                  | NHS NEL DPO<br><a href="mailto:nelondonicb.ig@nhs.net">nelondonicb.ig@nhs.net</a>  |
| 3) <b>Purpose</b> of the processing                                | There are occasions when medical data needs to be shared with Public Health England, the Local Authority Director of Public Health, or the Health Protection Agency, either under a legal obligation or for reasons of public interest or their equivalents in the devolved nations  |
| 4) <b>Lawfulness Conditions and Special Categories</b>             | The legal bases will be:<br><br>Article 6(1)(c) “processing is necessary for compliance with a legal obligation to which the controller is subject”<br><br>and<br><br>Article 9(2)(i) “processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices.” |
| 5) <b>Recipient or categories of recipients</b> of the shared data | The data will be shared with Public Health England<br><a href="https://www.gov.uk/government/organisations/public-health-england">https://www.gov.uk/government/organisations/public-health-england</a> and equivalents in the devolved nations.   |
| 6) <b>Rights to object</b>   | You have the right under Article 21 of the GDPR to object to your personal information being processed. Please contact NEL if you wish to object to the processing of your data. You should be aware that this is a right to raise an objection which is not the same as having an absolute right to have your wishes granted in every circumstance.   |
| 7) <b>Right to access and correct</b>                              | You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a Court of Law.  |

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| <b>8) Retention period</b>   | The data will be retained for active use during the period of the public interest and according to legal requirements and Public Health England's criteria on storing identifiable data<br><a href="https://www.gov.uk/government/organisations/public-health-england/about/personal-information-charter">https://www.gov.uk/government/organisations/public-health-england/about/personal-information-charter</a> |
| <b>9) Right to Complain.</b> | You have the right to complain to the Information Commissioner's Office. You can contact them at this link: <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a> or by calling their helpline on 0303 123 1113 (local rate) or 01625 545 745 (national rate).<br>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website).                      |