

## Data Privacy Policy – External

When CHALK STREAM MEDICAL LTD processes your personal data, it is required to comply with the Data Protection Act 2018 (“DPA”) and the UK GDPR (the DPA and UK GDPR are together referred to as the “Data Protection Legislation”).

Your personal data includes all the information we hold that identifies you or is about you, for example, your name, email address, postal address, date of birth, location data and in some cases opinions that we document about you; as well as special categories of data, including but not limited to, medical and health records, and information about your religious beliefs, ethnic origin and race, sexual orientation and political views

Everything we do with your personal data counts as processing it - including collecting, storing, amending, transferring and deleting it. We are, therefore, required to comply with the Data Protection Legislation to make sure that your information is properly protected and used appropriately.

This data privacy policy provides information about the personal data we process, why we process it and how we process it.

### Our responsibilities

CHALK STREAM MEDICAL LTD is the data controller of the personal data you provide. Dr James Coutts Donald will have day to day responsibility for ensuring that we comply with the Data Protection Legislation and for dealing with any requests we receive from individuals exercising their rights under the Data Protection Legislation.

#### What personal data do we process about you?

We process your personal data in order to provide you with the services you have requested, to fulfil the contract we have entered into with you and/or to receive services or goods from you. We may also process your personal data to respond to any queries or comments you submit to us and to correspond with you on a day-to-day basis.

We may need personal data from you to be able to provide services to you, to meet our legal obligations, to enter into a contract with you and/or to provide you with all the information you need. If we do not receive the personal data from you, we may be unable to fulfil our obligations to you.

More information about the personal data we process is set out below:

### Patients

Personal data that we may process about you (depending on the extent of the information you have provided to us) includes:

- Identity data such as your first name, middle names, last name, marital status, title, date of birth and gender
- Contact data such as your address, email address and telephone numbers
- Financial data including your bank account and payment card details
- Special categories of data including information about your medical background and health and diversity/equality information such as your race and ethnicity

We process most of your information on the grounds of consent from you, legitimate interests, performance of a contract we have entered into with you, protection of the vital interests of a Data Subject or, in the case of special categories of data, processing for the provision of health or social care or treatment or the management of health or social care systems or services.

#### *GP Connect*

We use a facility called GP Connect to support your direct care. GP Connect makes patient information available to all appropriate clinicians when and where they need it, to support direct patients care, leading to improvements in both care and outcomes.

GP Connect is not used for any purpose other than direct care.

Authorised Clinicians such as our GPs are able to access the GP records of the patients they are treating via a secure NHS Digital service called GP connect.

### Legal basis for sharing this data

In order for your Personal Data to be shared or processed, an appropriate “legal basis” needs to be in place and recorded. The legal bases for direct care via GP Connect is the same as the legal bases for the care you would receive from your own GP, or another healthcare provider:

- for the processing of personal data: Article 6.1 (e) of the UK GDPR: “processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller”.
- for the processing of “Special Category Data” (which includes your medical information): Article 9.2 (h) of the UK GDPR: “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”.

### Your rights

Because the legal bases used for your care using GP Connect are the same as used in other direct care situations, the legal rights you have over this data under UK GDPR will also be the same- these are listed elsewhere in our privacy notice.

## Suppliers

Personal data that we may process about you includes:

- Identity data such as your first name, middle names, last name, marital status, title, date of birth and gender
- Contact data such as your billing address and delivery address (whether residential or your company address), email address and telephone numbers
- Financial data including your bank account and payment card details (except to the extent the financial information is company rather than personal information); and
- Transaction data including details about payments made to you (where you are an individual)

We process most of your information on the grounds of our legitimate interests (including a business relationship with you or the company for which you work) and fulfilment of our contract with you (where you are an individual). Any information we process about the company for which you work rather than you as an individual is not covered by this data privacy policy.

## Candidates

Personal data that we are likely to process about you includes:

- Identity data such as your first name, middle names, last name, marital status, title, date of birth and gender
- Contact data such as your postal address, email address and telephone numbers
- Background data such as your education, career background and work experience
- Personal information such as your skills and qualities
- Any other information that you include on any CV, application or covering letter you send to us. If this information includes special categories of data we will process that information on the grounds of consent, because you have chosen to provide it to us.

We process most of your information on the grounds of our legitimate interests to determine whether or not we have a suitable vacancy for you.

If we obtain consent from you to the processing of your personal data, you can withdraw your consent at any time. This will not affect the lawfulness of any processing we carried out prior to you withdrawing your consent.

## Who will receive your personal data?

**Please note - although the UK is no longer part of the EU, we still comply with the following:**

We only transfer your personal data to the extent we need to. We do not transfer your personal data outside of the EEA.

## How long will we keep your personal data?

We will retain your personal data as long as you remain a patient of the practice, or for 6 years in case a contract claim arises. In the case of medical records, data will be stored up until 10 years after death in line with national guidance. Your information will be kept securely at all times.

Following the end of the relevant retention period, your files and the personal data covered by the retention period will be

permanently deleted or destroyed.

## What are your rights?

You benefit from a number of rights in respect of the personal data we hold about you. We have summarised the rights which may be available to you below, depending on the grounds on which we process your data. More information is available from the Information Commissioner's Office website (<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>). These rights apply for the period in which we process your data.

### 1. Access to your data

You have the right to ask us to confirm that we process your personal data, as well as having the right to request access to/copies of your personal data. You can also ask us to provide a range of information, although most of that information corresponds to the information set out in this data privacy policy.

We will provide the information free of charge unless your request is manifestly unfounded, excessive or repetitive, in which case we are entitled to charge a reasonable fee. We may also charge you if you request more than one copy of the same information.

We will provide the information you request as soon as possible and in any event within one month of receiving your request. If we need more information to comply with your request, we will let you know.

### 2. Rectification of your data

If you believe personal data we hold about you is inaccurate or incomplete, you can ask us to rectify that information. We will comply with your request within one month of receiving it unless we do not feel it is appropriate, in which case we will let you know why. We will also let you know if we need more time to comply with your request.

### 3. Right to be forgotten

In some circumstances, you have the right to ask us to delete personal data we hold about you. This right is available to you:

- Where we no longer need your personal data for the purpose for which we collected it
- Where we have collected your personal data on the grounds of consent and you withdraw that consent
- Where you object to the processing and we do not have any overriding legitimate interests to continue processing the data
- Where we have unlawfully processed your personal data (i.e. we have failed to comply with UK GDPR); and
- Where the personal data has to be deleted to comply with a legal obligation

There are certain scenarios in which we are entitled to refuse to comply with a request. If any of those apply, we will let you know.

### 4. Right to restrict processing

In some circumstances, you are entitled to ask us to suppress processing of your personal data. This means we will stop actively processing your personal data but we do not have to delete it. This right is available to you:

- If you believe the personal data we hold is not accurate – we will cease processing it until we can verify its accuracy
- If you have objected to us processing the data – we will cease processing it until we have determined whether our legitimate interests override your objection
- If the processing is unlawful; or
- If we no longer need the data but you would like us to keep it because you need it to establish, exercise or defend a legal claim

### 5. Data portability

You have the right to ask us to provide your personal data in a structured, commonly used and machine-readable format so that you are able to transmit the personal data to another data controller. This right only applies to personal data you provide to us:

- Where processing is based on your consent or for performance of a contract (i.e. the right does not apply if we process your personal data on the grounds of legitimate interests); and
- Where we carry out the processing by automated means

We will respond to your request as soon as possible and in any event within one month from the date we receive it. If we need more time, we will let you know.

## 6. Right to object

You are entitled to object to us processing your personal data:

- If the processing is based on legitimate interests or performance of a task in the public interest or exercise of official authority
- For direct marketing purposes (including profiling); and/or
- For the purposes of scientific or historical research and statistics

In order to object, you must have grounds for doing so based on your particular situation. We will stop processing your data unless we can demonstrate that there are compelling, legitimate grounds which override your interests, rights and freedoms or the processing is for the establishment, exercise or defence of legal claims.

## Automated decision making

Automated decision making means making a decision solely by automated means without any human involvement. This would include, for example, an online credit reference check that makes a decision based on information you input without any human involvement. It would also include the use of an automated clocking-in system that automatically issues a warning if a person is late a certain number of times (without any input from HR, for example).

We do not carry out any automated decision making using your personal data

## Your right to complain about our processing

If you think we have processed your personal data unlawfully or that we have not complied with UK GDPR, you can report your concerns to the supervisory authority in your jurisdiction. The supervisory authority in the UK is the Information Commissioner's Office ("ICO"). You can call the ICO on 0303 123 1113 or get in touch via other means, as set out on the ICO website: <https://ico.org.uk/concerns/>.

## Any questions?

If you have any questions or would like more information about the ways in which we process your data, please contact Dr James Coutts-Donald via [info@chalk.stream](mailto:info@chalk.stream)