

Data Protection – Musculoskeletal Service Patient Survey

About this Notice

The purpose of this Notice is to tell you what information we (Sandwell and West Birmingham Hospitals NHS Trust) collect and hold about you, what we do with it, how we will look after it and who we may share it with when we use your personal data to ask for your feedback as part of the Musculoskeletal (MSK) Service Patient Survey. We also explain your rights in respect of your information and the choices you can make about the way your information is used and how you can object to us processing your personal data for this purpose.

We are happy to provide any additional information or explanation needed. Please see the section entitled [Sandwell and West Birmingham Hospitals NHS Trust Contacts](#) below.

Letting you know when things change

We check these details regularly to make sure that they are up to date and tell you how we are using your information. The last time these details were checked was January 2020.

Who we are and what we do

Sandwell and West Birmingham Hospitals NHS Trust is an integrated care organisation. We are dedicated to improving the lives of local people, to maintaining an outstanding reputation for teaching and education, and to embedding innovation and research. Together with Sandwell and West Birmingham Clinical Commissioning Group we are responsible for the care of 530,000 local people from across North-West Birmingham and all of the towns within Sandwell.

The Trust is registered as a Controller with the Information Commissioners Office. A Controller is an organisation which is responsible for deciding how your information is handled and making sure that your information is protected and used appropriately. The Information Commissioner's Office is the organisation which makes sure that your information is handled properly.

Our Data Protection Registration Number is **Z6719634**. You can view our Data Protection Registration here: <https://ico.org.uk/ESDWebPages/Entry/Z6719634>.

The MSK Patient Survey

The MSK Patient Survey helps us to understand more about you and your problem and to see how much your condition is impacting on your day to day life to help us plan your care. We also want to capture how much impact your treatment has had on your condition, and what you think of our services. Providing feedback is completely voluntary and will not affect the level of care we provide to you. In addition to the questions you will be asked you will also be able to provide us with additional comments in free text fields.

Collecting this data and feedback gives you the opportunity to see what other patients are saying about our services and helps us to understand what we are doing well and where we need to improve our services.

You can give us feedback by completing questions on a computer, tablet or via a smartphone in response to contact from our external communications company.

We will not be able to tell who you are from the feedback you give to us following treatment, unless you want us to contact you to discuss it, in which case you would need to provide us with your name and contact details.

The information we collect from you is only shared in a way which does not tell us who you are and is only shared with our trusted partners such as our local commissioners and health research groups.

The legal basis we rely upon to process your personal data

The legal basis we rely upon to process your personal data for the MSK Patient Survey is Article 6(1)(e) “necessary for the performance of a task carried out in the public interest, or in the exercise of official authority vested in the Controller”.

We will also be relying upon Article 9(2)(h) “necessary for the purposes of...” “...the management of health and social care systems and services” to process information about your health and care where this relates to asking for your feedback to the MSK Patient Survey.

How we make sure that your information is protected

Keeping your information safe and secure

We do a number of things to make sure that your information is safe, this includes controlling access to our buildings, making sure that the people we employ are honest and trustworthy and understand how they should handle your information safely.

We ensure that laptops are encrypted, which means that any information held on them is scrambled so that someone who does not have the key cannot gain access to it.

We make sure that the computer systems we use are secure and protected against people who should not have access to your information being able to see it.

We have appointed a Data Protection Officer who, along with our Caldicott Guardian and Senior Information Risk Owner are responsible for the management and protection of personal information within Sandwell and West Birmingham Hospitals NHS Trust.

Monitoring

We carry out regular checks to make sure that the protection we have put in place is working properly and that your information is safe and secure.

External organisations

We make sure that any organisations who provide services to us, or who we work with, are honest and trustworthy and have the same sort of protection in place as we do, including making sure that the people they employ are fully trained and that checks have been made to make sure that they are trustworthy and honest before they are employed.

Sharing information with external third party suppliers

We will use an external communications supplier to contact you to ask you for feedback. To enable them to do this, we will need to share the following information with our external communications company:

Forename, Surname, Mobile Number, Email, Date of Birth, Gender, Ethnicity, Hospital Site/Clinic, Site of Pain, and Appointment date. We collect data on age, gender, and ethnicity to ensure that all patients have their needs met by the MSK service and to highlight any patient groups where this is not the case so that we can improve care.

While you are having treatment you and your clinician will be able to access your data which will be held by our communications company. We will be provided with an anonymised version of your data while you are having treatment and we will keep this after you have been discharged. As the information will be anonymised, we will not be able to tell who you are.

Securely destroying your information when it is no longer needed

When you have been discharged, your data will be pseudonymised by our communications company, which means that we cannot tell who you are.

Before any electronic storage devices are disposed of, the device will either be physically destroyed, so that information cannot be retrieved from it, or the information held on the device will be overwritten multiple times which results in the deleted information being completely removed from the device.

Location of processing

All personal data processed as part of the MSK Patient Survey is processed within the UK.

What to do if you are unhappy with the way we use your information

If you are concerned, or not happy with the way we have collected or used your information, you can contact the [Data Protection Officer](#), or the [Information Governance Team](#) using the contact details below.

You can also raise a complaint with our [Complaints Team](#) using the contact details above.

You can also tell the organisation which is responsible for making sure that your information is handled properly, this organisation is called the **Information Commissioner's Office** who can be contacted at:

Postal Address:	Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF
Telephone Number:	08456 30 60 60 or 01625 54 57 45
Website Address:	www.ico.org.uk

Your rights

Under the General Data Protection Regulations you have a number of rights over how we handle the personal information we process about you as part of the MSK Patient Survey, they are:

The right to object

You have the right to object to the processing of your personal data for the purpose of conducting the MSK Patient Survey. If you want to object, please contact us on 0121 5072664 (option 3) between 10am to 4pm Monday to Friday.

The right of access

You will have full access to your data while you are being treated by the MSK Service, after which time it will be pseudonymised which will mean that we will not be able to tell who you are.

The right to rectification

If you think that the data we use to conduct the MSK Patient Survey is incorrect or incomplete, you have the right to ask us to correct or complete it. If you want to amend your personal data, please ask when you arrive for your appointment.

The right to restriction of processing

If there is a disagreement regarding the accuracy or completeness of your personal data, access to your data can be restricted until the accuracy of your data has been confirmed.

You can also request that a restriction on processing is placed on your personal data if you need us to keep it longer than we normally would, so that you can establish, exercise, or defend any legal claims, or if you have objected to the processing and you are awaiting confirmation that your request has been actioned.

[The right to lodge a complaint with the Information Commissioner's Office](#)

If you are unhappy with the way we handle your personal information, you can make a complaint to the Information Commissioner's Office, who are the Regulator for the General Data Protection Regulations and the Data Protection Act 2018.

Further information

If you have any queries, or want to know more about the way we use your personal information for the MSK Patient Survey, or if you don't want us to use your information in any of the ways listed below, please contact us using the details for the [Information Governance Team](#) below.

Sandwell and West Birmingham Hospitals NHS Trust Contacts

Although all NHS staff have a legal duty to keep your personal information confidential, the Trust has identified specific people who are responsible for making sure that your information is handled properly and your rights and wishes are respected. If you have any concerns or queries about how we collect, use, and share your information, you can contact the people below directly.

[Caldicott Guardian](#)

We have a person called a Caldicott Guardian who is responsible for making sure that your information is handled properly in line with your rights and the law. Our Caldicott Guardian is:

Caldicott Guardian:	Dr David Carruthers
Postal Address:	Sandwell and West Birmingham Hospitals NHS Trust Lyndon West Bromwich B71 4HJ
Telephone Number:	0121 553 1831
E-mail Address:	igovernance@nhs.net

[Senior Information Risk Officer \(SIRO\)](#)

We have a Senior Information Risk Officer (known as a SIRO) who is responsible for ensuring that your information is handled securely. Our SIRO is:

Senior Information Risk Owner:	Kam Dhami
Postal Address:	Sandwell and West Birmingham Hospitals NHS Trust Lyndon West Bromwich B71 4HJ
Telephone Number:	0121 553 1831
E-mail Address:	igovernance@nhs.net

Data Protection Officer

We have a Data Protection Officer (known as a DPO), reporting directly to the highest level of management within the Trust.

Data Protection Officer

Postal Address: Trust Headquarters
Health and Wellbeing Centre
Sandwell General Hospital
Lyndon
West Bromwich
B71 4HJ

Telephone Number: 0121 507 3837

E-mail Address: swbh.swbdpo@nhs.net

The Data Protection Officer acts independently and is responsible for informing and advising the Trust and our staff of their obligations under Data Protection law. The DPO is also responsible for awareness-raising, staff training, the provision of advice, and monitoring the Trust's compliance with all European and UK data protection law and the Trust's data protection related policies.

Information Governance Team

The Information Governance Team is responsible for supporting the Caldicott Guardian, Senior Information Risk Officer and the Data Protection Officer in ensuring that your personal information is collected, used and shared appropriately, securely and in line with the law.

Sandwell and West Birmingham Hospitals NHS Trust - Information Governance Team:

Postal Address: Sandwell and West Birmingham Hospitals NHS
Trust – FAO Information Governance Team
Sandwell and West Birmingham Hospitals NHS
Trust
Lyndon
West Bromwich
B71 4HJ

Telephone Number: 0121 507 4681/0121 507 3782

E-mail Address: igovernance@nhs.net

Complaints Team

The Complaints Team is responsible for handling any complaints or concerns you may have about the handling of your information.

Sandwell and West Birmingham Hospitals NHS Trust - Complaints Team:

Postal Address: Sandwell and West Birmingham Hospitals NHS –
FAO Quality Team
Complaints Department
Sandwell & West Birmingham Hospitals NHS
Trust
Sandwell Hospital
Lyndon
West Bromwich
B71 4HJ

Telephone Number: 0121 507 4346 (10 am until 4 pm, Monday to Friday)

E-mail Address: swbh.complaints@nhs.net