



Protecting and Using Your Information

Information for the General Public, Patients and Service Users of the Strategic Planning and Performance Group of the Department of Health

Privacy Notice

Introduction

The Health and Social Care Board (HSCB) officially closed on 31 March 2022 with its functions migrating to the Strategic Planning and Performance Group (SPPG) of the Department of Health (DoH) NI on 1st April 2022.

SPPG is responsible for planning, improving and overseeing the delivery of effective, high quality, safe health and social care services within available resources, for the population of Northern Ireland. To fulfil our responsibilities there will be occasions when we need to process personal information. Personal information that we process about you is governed by the [Data Protection Act 2018](#) and the [UK General Data Protection Regulations](#) (UK GDPR)

What Information is collected?

SPPG will only use the minimal personal data necessary. Where possible the SPPG will fulfil its functions using anonymised or pseudonymised* information; for example, when carrying out performance management work or when supporting service improvement. There will however be occasions when personal information and 'Special Category Data' is required to be processed; for example, when SPPG is considering individual funding requests/extra contractual referrals, when arranging patient travel, when preparing submissions to the Troubles Permanent Disablement Payment Scheme or when fulfilling our statutory responsibilities in regard to Social Care and Children. Where personal information is being processed it may include such details as:

- personal details
- family details
- education, training and employment details
- financial details including employee salary details
- goods and services

*Pseudonymisation is a technique that replaces or removes information in a data set that identifies an individual. Pseudonymisation may involve replacing names or other identifiers which are easily attributed to individuals with, for example, a reference number.

- lifestyle and social circumstances
- visual images
- responses to surveys and consultations.

In terms of special category data that may be processed this might include:

- health data
- racial and ethnic origin
- offences and alleged offences
- criminal proceedings, outcomes and sentences
- trade union membership
- physical or mental health details
- religious or similar beliefs
- sexual life.

We may need to collect information about you from other people and organisations; for example, other Health and Social Care (HSC) organisations; other statutory bodies; third party organisations (such as independent health sector); staff; service users; members of the public.

What Lawful Basis do we rely on?

For the SPPG to process personal information we must have a lawful basis for doing so and at least one of the following must apply:

- Consent:** an individual must give clear consent for us to process their personal data and then only for a specific purpose.
- Contract:** the processing is necessary for a contract the DOH has with an individual, or because they have asked the individual to take specific steps before entering into a contract.
- Legal obligation:** the processing is necessary for the SPPG to comply with the law (not including contractual obligations).
- Vital interests:** the processing is necessary to protect someone's life.
- Public task:** the processing is necessary for the SPPG to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.

The processing that the SPPG carries out is most likely to fall under (c) and (e) above.

Where Special Category data is processed such as data relating to, race, ethnicity, political opinion, genetic or health related data and sexual orientation we are required to identify a further lawful basis for doing so and at least one of the following must apply:

- (a) Explicit consent
- (b) Employment, social security and social protection law
- (c) Vital interests
- (d) Not-for-profit bodies
- (e) Made public by the data subject
- (f) Legal claims and judicial acts
- (g) Substantial public interest conditions
- (h) Health or social care
- (i) Public health
- (j) Archiving, research and statistics

The processing SPPG carries out is most likely to fall under (g), (h) and (j) above. Where this is the case we also need to meet the associated condition in UK law, set out in Part 1 of Schedule 1 of the DPA 2018.

What do we do with your information?

The strategic priorities of the SPPG can be broadly summarised as follows:

1. Arranging or 'commissioning' a comprehensive range of modern and effective Health and Social Care services for the 1.8 million people who live in NI.

2. Performance managing Health and Social Care that directly provide services to the public and support service improvements in pursuit of optimal quality and value for money, in line with relevant government targets.
3. Effectively deploying and managing annual funding from the NI Executive – currently around £6.6 billion – to ensure that this is targeted upon need and reflects the aspirations of local communities and their representatives

We collect information pursuant to the above priorities. Other reasons personal information may be processed include:

- Arranging treatment outside of Northern Ireland.
- Helping to review the provision of Health and Social Care to ensure it is of the highest standard.
- Training and educating staff.
- Looking after the health and social welfare of the general public.
- Investigating complaints or legal claims.
- Preparing statistics on activity and performance.

Sharing Personal Information

SPPG may on occasion be obliged to provide personal information it holds to another statutory organisation (such as a Police Force, Health Regulator or Investigatory Body both nationally and internationally) or via a Court Order.

The SPPG will only share personal identifiable information where it is necessary and where there is a relevant lawful basis to do so. When required this may involve transferring personal identifiable information outside of the UK. Any transfers will be in full compliance with all aspects of the UK GDPR and the Data Protection Act 2018.

We will keep you informed of information sharing via the provision of Privacy Notices which will be similar in content to this document and will provide you with the necessary information to ensure the processing is fair and lawful.

Where we require your consent to share your personal information we will contact you to seek that consent and, where relevant, you have a right to withdraw your consent at any time.

Information may also be shared in a way that does not identify individuals for example for non-direct care purposes such as service improvement, for research or to help identify trends.

Transfers

It may sometimes be necessary to transfer personal information overseas. When this is needed information may be transferred to countries or territories around the world. However any transfers must be made in full compliance with all aspects of the Data Protection Act and UK GDPR.

Security of your information

SPPG take your privacy seriously. In line with legislation the SPPG has a range of Information Security measures and strict standards to protect paper and electronically held information. Staff will only access your information on a strict 'need to know' basis. All staff have a legal duty to keep your information safe and confidential, as does anyone who receives information about you from the SPPG.

How long will we keep your personal data?

We will retain personal information in line with specific guidance issued by the Department of Health. The length of time we keep your information for will depend on the types of records created. If you want to find out more about how long your records are retained, you can ask staff or view the "Good Management, Good Records" section under "Disposal Schedule" on Department of Health's website at this [link](#).

Your Rights

The Data Protection Act 2018 and UK GDPR provide individuals with a number of rights relating to their personal data:

- The right to obtain confirmation that their personal information is being processed and access to personal information;
- The right to have personal information rectified if it is inaccurate or incomplete;
- The right to have personal information erased and to prevent processing, in specific circumstances;
- The right to 'block' or suppress processing of personal information, in specific circumstances;
- The right to portability, in specific circumstances;
- The right to object to the processing, in specific circumstances;
- Rights in relation to automated decision making and profiling;

Further information on your rights can be found on the Information Commissioners website at this [link](#).

Access to Information

The UK GDPR gives individuals the right to access information that SPPG holds about them by submitting a Subject Access Request (SAR). Subject Access Requests should, where possible, be made in writing either in hard copy or electronically and submitted to the Data Protection Officer using the contact details below. You will need to provide:

- adequate information (for example full name, address, date of birth) so that identity can be verified and information located
- an indication of what information is being requested, to enable the DOH to locate this in an efficient manner

Requests for access to personal information to the SPPG will be dealt with as quickly as possible, and within a calendar month of receipt unless there is a reason for delay that is justifiable under the Data Protection Act 2018 or the UK GDPR. If an extension is required, SPPG will advise the data subject within the calendar month, accompanied with any reason(s) for delay. We want to make sure that personal information is accurate and up to date. If you think any information is inaccurate or incorrect then please let us know.

How can I find out more information or who can I complain to?

If you want to know more about how we use your information or if you are unhappy with any aspect about how we use your information or comply with your request you can contact:

Data Controller Name: Department of Health (DoH)
Address: 12-22 Linenhall Street, Belfast. BT2 8BS
Email: SPPGcommunications@hscni.net

Data Protection Officer
Address Annexe: 3, Castle Buildings, Stormont, Belfast. BT4 3SQ
Email: DPO@health-ni-gov.uk

Should you wish to make a complaint you can contact the Data Protection Officer, as per details above or alternatively you may wish to contact:

The Information Commissioner's Office
3rd Floor 14 Cromac Place,
Belfast
BT7 2JB
Telephone: 028 9027 8757

Changes to this Privacy Notice

We will keep this Privacy Notice under regular review and will make it available on the Department of Health website.