

PHYSIOLOGICAL MEASUREMENTS LTD (“the Company”)

PRIVACY NOTICE FOR NHS AND PRIVATE HEALTHCARE PATIENTS

1. INTRODUCTION

We are Physiological Measurements Ltd (“the Company”), a provider of community-based diagnostics and distributor of related medical devices. We provide services in partnership with the NHS, to private hospitals and private customers (non-NHS). We are a Limited company, registered in England and Wales 05478605. Our registered address is The Old Malt House, Willow Street, Oswestry, Shropshire, SY11 1AJ

Our Privacy Lead can be contacted in writing privacylead@pml.tel, The Data Protection Office, Physiological Measurements Ltd, the Old Malthouse, Willow Street, Oswestry, SY11 1AJ, 01691 676 496 (option 2).

The Company is committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the General Data Protection Regulation (**GDPR**). It applies to all employees, workers and contractors.

2. WHAT IS THE PURPOSE OF THIS DOCUMENT?

2.1 The Company is a "data controller" (ICO registration number Z9616007). Our Privacy Lead can be contacted in writing at privacylead@pml.tel, The Data Protection Office, Physiological Measurements Ltd, the Old Malthouse, Willow Street, Oswestry, SY11 1AJ, 01691 676 496 (option 2). This means that we are responsible for ensuring personal data is used in compliance with the data protection principles and for informing people about how they collect and use personal data. We are required under data protection legislation to notify you of the information contained in this privacy notice.

2.2 This notice applies to current and former NHS and Private Healthcare Patients referred to Physiological Measurements Ltd clinics or services. We may update this notice at any time.

2.3 It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

3. **DATA PROTECTION PRINCIPLES**

3.1 Please see <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/principles/>

4. **THE KIND OF INFORMATION WE HOLD ABOUT YOU**

4.1 Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

4.2 There are "special categories" of more sensitive personal data which require a higher level of protection.

4.3 We will collect, store, and use the following categories of personal information about you:

4.3.1 Personal contact details such as name, title, addresses, home and mobile telephone numbers, and personal email addresses.

4.3.2 Date of birth.

4.3.3 Gender.

4.3.4 Marital status and dependants.

4.3.5 Call recordings

4.4 We may also collect, store and use the following "special categories" of more sensitive personal information:

4.4.1 Information about your health, including any medical condition and medical diagnosis.

4.4.2 Information about your race or ethnicity

5. **HOW IS YOUR PERSONAL INFORMATION COLLECTED?**

5.1 We may collect information from you, your General Practitioner (or a referring General Practitioner), your specialist Nurse (referring to our service), your medical Consultant (referring to our service), your private hospital (referring to our service), technical systems, such as our computer networks and connections, CCTV, communications systems (including call recording), email systems, iPMC2 and financial systems.

6. **WHY WE ARE COLLECTING YOUR INFORMATION**

6.1 We will only use your personal information when the law allows us to. We will use only your personal information in the following circumstance:

6.1.1 where it is necessary to deliver health services to you

6.2 We may also use your personal information in the following situations, which are likely to be rare:

6.2.1 where we need to protect your interests (or someone else's interests);

For example:

- where medical history is disclosed to a hospital A&E department treating you after a serious accident

7. **SITUATIONS IN WHICH WE WILL USE YOUR PERSONAL INFORMATION**

7.1 We will only process your information in the above circumstance and, where it is necessary for the reasons of preventative or occupational medicine, medical diagnosis, the provision of health or social care or treatment or management of health or social care or treatment or management of health or social care systems and services on the basis of Union or Member State Law or a contract with a health professional

7.2 The situations in which we will process your personal information are listed below.

7.2.1 Assessing whether your referral meets the clinical and administrative requirements of our service

7.2.2 Booking your appointment

7.2.3 Sending you correspondence relating to your appointment

- 7.2.4 Sending you a text message reminder of your appointment
 - 7.2.5 Performing your diagnostic test
 - 7.2.6 Creating a diagnostic report for your doctor (or whoever referred you to the service)
 - 7.2.7 Sending a diagnostic report for your doctor (or whoever referred you to the service)
 - 7.2.8 Sending diagnostic report and images to a hospital directly (only if required)
 - 7.2.9 Sending you a text message asking for feedback on our service
 - 7.2.10 Providing activity reports to support invoices to our customer (either the Clinical Commissioning Group (CCG), Hospital or individual).
- 7.3 Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

Missing information

- 7.4 Your doctor (or whoever has referred you to our service) will provide us with the relevant personal information we need in order for you to be seen in our clinics. If any information missing, we will go back to your doctor (or whoever has referred you to our service) and ask them to provide.

Change of purpose

- 7.5 If we need to use your personal data for another reason not previously explained we will tell you.

8. HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION

- 8.1 "Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

8.1.1 for the reasons of preventative or occupational medicine, medical diagnosis, the provision of health or social care or treatment or management of health or social care or treatment or management of health or social care systems and services on the basis of Union or Member State Law or a contract with a health professional

8.2 Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests and you are not capable of giving your consent, or where you have already made the information public.

9. **DO WE NEED YOUR CONSENT**

9.1 We do not need your consent if we use special categories of your personal information in accordance with our written policy to perform health services.

10. **DATA SHARING**

10.1 We may have to share your data with third parties, including third-party service providers in the course of delivering health services to you.

10.2 We require third parties to respect the security of your data and to treat it in accordance with the law.

Why we might share your personal information with third parties

10.3 We will share your personal information (including sensitive personal data) with third parties relating to the health services we provide. For example, to NHS bodies who commissions or pays for the service we are providing to you or; if requested by an NHS acute hospital for the purposes of your onward care.

Which third-party service providers might process your personal information

10.4 "Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group. By way of example the following activities are carried out by third-party service providers: sonographer services, Echocardiographer services, IT services including cloud-based storage services, Software support services.

Security of your information

- 10.5 All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

When we might share your personal information with other third parties

- 10.6 We may need to share your personal information with a regulator or to otherwise comply with the law.

Transferring information outside the EU

- 10.7 We will not transfer the personal information we collect about you outside the EU.

11. DATA SECURITY

- 11.1 We have put in place measures to protect the security of your information. Details of these measures are available, please contact the Privacy Lead. Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

- 11.2 We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

- 11.3 We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

12. DATA RETENTION

How long we will use your information for

12.1 We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our retention policy which is available from the Privacy Lead. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

12.2 In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

13. **RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION**

Your duty to inform us of changes

13.1 It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

Your rights in connection with personal information

13.2 Under certain circumstances, by law you have the right to:

13.2.1 **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

13.2.2 **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.

13.2.3 **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).

13.2.4 **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground.

13.2.5 **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

13.2.6 **Request the transfer** of your personal information to another party.

13.3 If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please see the relevant section on the website “How to make a subject access request” or contact the Privacy Lead.

No fee usually required

13.4 You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

13.5 We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

14. RIGHT TO WITHDRAW CONSENT

14.1 In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Privacy Lead. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law in which case we will inform you why we cannot comply with your request.

15. **QUESTIONS OR COMPLAINTS**

We have appointed a Privacy Lead to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Privacy Lead. You have the right to make a complaint at any time to the Information Commissioner's Office ("ICO"), the UK supervisory authority for data protection issues.

16. **CHANGES TO THIS PRIVACY NOTICE**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact the Privacy Lead.