

## PRIVACY NOTICE – Overseas Patients

### Introduction

This document summarises who we are, what information we hold about you, what we will do with the information we hold including who we may share it with and how long we will keep the information for. This document also explains what rights you have with respect to your information.

### Who are we?

University Hospitals Sussex NHS Foundation Trust is a public organisation providing acute and healthcare services to the population of Brighton and Hove, parts of East Sussex and West Sussex, as well as specialist medical services on a regional and supra-regional basis.

The Trust is registered with the Information Commissioner's Office (Registration Number Z1745658)

Our name, address and contact details are:

University Hospitals Sussex NHS Foundation Trust

Worthing Hospital

Lyndhurst Road

WORTHING

West Sussex

BN11 2DH

Tel: 01903 205111

[www.uhsussex.nhs.uk](http://www.uhsussex.nhs.uk)

### Why do we collect information about you?

Firstly, the most important reason for which we need information about you is to ensure we are able to provide you with appropriate healthcare services.

We need information about you in order to comply with our legal obligation, which are that we must verify that all patients are entitled to NHS care free at the point of delivery. Our obligations are set out in the Department of Health & Social Care Guidance on implementing the overseas visitor charging regulations.

Whilst we receive information from you when you come into contact with us, we may also receive information about you from other individuals or organisations, such as when you are referred for treatment, or in response to questions relating to your eligibility for free NHS care.

Where it is necessary for discharging our obligations in this area, your personal information may be shared with other external organisations such as us, but not limited to, the Home Office. The information provided may be used and retained by the Home Office for its own purposes, which include enforcing immigration controls overseas, at the ports of entry and within the UK. The Home Office may also share this information with other law enforcement and authorised debt recovery

agencies for purposes including national security, investigation and prosecution of crime, and collection of fines and civil penalties

### **What types of information do we use?**

**Personal data** means any information relating to an identified or identifiable individual; an identifiable person is one who can be identified directly or indirectly.

**Special category data** means any information relating to racial or ethnic origin, political opinions, religious beliefs, trade union activities, physical or mental health, sexual life or details of criminal offences.

### **What do we use your information for?**

The hospital may need to process your information in order to:

- Establish your identity and your entitlement to free NHS treatment
- Ensure that the information we hold about you is valid and up to date
- Record outstanding NHS debts and provide this to the Department of Health & Social Care
- Determine your immigration status using Home Office services
- Prevent, detect and prosecute fraud and other crime
- Provide translation and interpreter services to you
- Collect payment for NHS services provided

Where we process your personal and/or special category data for this purpose, we will do so to comply with a legal obligation to which the Trust is subject.

There may other occasions when we will be obliged to process your information in order to comply with a court order, coroner's instruction, to prevent or detect crime or to comply with the law.

If we process your information for other purposes that are not described above, then we will obtain your consent to do so before we process it.

### **With whom do we share your information?**

We may need to share your information with external organisations, such as:

- NHS managers and the Department of Health for the purposes of planning, commissioning, managing and auditing healthcare services.
- Organisations with statutory investigative powers such as the Care Quality Commission, the General Medical Council, the Audit Commission or the Health Service Ombudsman.
- Department of Health & Social Care, Home Office and registered charities.
- Solicitors, the police, the courts (including a Coroner's court), debt recovery agencies, clinical commissioning groups and to tribunals and enquiries.
- Government agencies or public bodies within your home country.

- Companies that provide translation services and with whom we have a contract.
- Medical insurers for the purposes of administration of a claim for payment of medical expenses.

### **How long do we keep your personal information for?**

The NHS has a comprehensive set of guidelines, which govern the length of time that we may keep your records for, which are called the NHS Retention Schedules. University Hospitals Sussex NHS Foundation Trust will comply with the NHS Retention Schedules. There may be occasions where the Trust will be obliged to vary from the NHS Retention Schedules, for examples, in response to a Court Order or other equivalent legal requirement. Information about the NHS Retention Schedules may be found via the NHS Digital Website at: <https://transform.england.nhs.uk/information-governance/guidance/records-management-code/>

### **What measures do we take to protect your information?**

We take our duty to protect your personal information and confidentiality seriously. We are committed to taking all reasonable measures to ensure the confidentiality and security of personal data for which we are responsible, whether computerised or on paper.

We have appointed a Senior Information Risk Owner (SIRO), a 'Caldicott Guardian' and Data Protection Officer who between them are responsible for the management of confidentiality. We use access control systems to allow only those that have a need to access your records and we have monitoring systems in place to verify who has accessed your records.

Under the NHS Confidentiality Code of Conduct, all of our staff are required to protect your information, and to complete mandatory training to protection and maintain patient confidentiality.

Everyone working for the NHS is subject to the common law duty of confidentiality. Information provided in confidence will only be used for the purposes advised or consented to, unless it is required or permitted by the law.

### **What are your rights in relation to your personal information?**

Unless subject to an exemption, you have the following rights with respect to your personal data:

- To request a copy of personal data held about you by University Hospitals Sussex NHS Foundation Trust
- To request that the University Hospitals Sussex NHS Foundation Trust corrects any personal data if it is found to be inaccurate or out of date
- To request your personal data is erased where it is no longer necessary for University Hospitals Sussex NHS Foundation Trust to retain such information
- To withdraw your consent to the processing at any time if you have previously given consent for processing

- To, where there is a dispute in relation to the accuracy or processing of your personal data, request a restriction is placed on further processing
- To object to the processing of your personal data
- To lodge a complaint with the Information Commissioners Office.

Further information about your rights can be found via the Information Commissioners website, which is <https://ico.org.uk/>

### **What happens if we need to transfer your information abroad?**

University Hospitals Sussex NHS Foundation Trust do not routinely transfer information outside the European Union but may do so if there is a need to make contact with a government agency in your home country, or possibly your medical insurer. Some organisations we share with, such as debt recovery agencies may transfer information outside the European Union as if there is a need to do so.

Where this is the case we will ensure that the security and protections that are put in place are of equivalent standard to those standards that we would use with the European Union when processing your information.

### **Where can you get further information?**

If you do not wish to have your information used in any of the ways described, please contact:

Data Protection Officer  
University Hospitals Sussex NHS Foundation Trust  
Worthing Hospital  
Lyndhurst Road  
WORTHING  
West Sussex  
BN11 2DH  
Tel: 01903 205111  
The Trust website address is [www.uhsussex.nhs.uk](http://www.uhsussex.nhs.uk)