

# OPTICA Acute

## FDP Product Privacy Notice

### Product Description

NHS Trusts use this product to make sure that you do not stay in hospital any longer than is absolutely necessary. It lets your care teams see relevant information about you at the same time in the same place to arrange your discharge from hospital. This allows your care teams to work together to make sure you have all the care, equipment, medication and support you need to be discharged from hospital safely as soon as possible.

### What are the purposes for processing my personal data in this Product?

This Product processes personal information (called 'personal data' under data protection laws) about patients who are in hospital and require a discharge plan to support the better coordination of their discharge from hospital with all of the organisations involved in their care. This includes information about your health, medical condition and the medication you are prescribed. The Product enables your care team to more effectively coordinate your discharge

### What personal data about me is processed in this Product?

Personal data which directly identifies you (we call this directly identifiable personal data) will be processed by NHS Trusts about patients who are having planned treatment scheduled, for the purposes above. Data that is processed by hospitals that use this Product may include your:

- name
- address
- telephone number
- date of birth
- gender
- sex
- NHS number or hospital record number
- health information, including information about your medical condition, symptoms, diagnosis and medication

Personal data about members of staff involved in the delivery of care may also be processed when using this Product, including their names and email addresses.

### Who is my personal data shared with?

Your personal data is accessed and used by health care professionals from both in the hospital and other organisations such as Bradford District Metropolitan Council who are providing you

with individual care and treatment, and support staff who need to support health care professionals to administer your care journey.

The Product will enable the NHS Trust share statistical counts of data that don't identify you with NHS England.

## UK GDPR Information

### Controllers of your personal data

Under data protection law the NHS Trusts using the Product are the legal controllers of your personal data. The specific NHS Trusts using the Product are listed on the Product Description page of the NHS England website [here](#).

### Legal grounds for processing your personal data

The processing of personal data by NHS Trusts for the purposes explained above is permitted under the following legal grounds under data protection law (this is UK GDPR and the Data Protection Act 2018 (DPA2018)):

- **Public Task** - *Article 6(1)(e) of UK GDPR 'necessary for the performance of a task carried out in the public interest or in the exercise of official authority...'*
- **Health Care** - *Article 9(2)(h) of UK GDPR 'necessary for the purposes of preventative 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...'* In addition, the legal grounds under paragraph 2 of Part 1 of the DPA 2018 apply (health care purposes).

The personal data processed about patients by the NHS Trust for the purposes above is also confidential data. As the NHS Trust is processing your confidential data to provide you with individual care, it is relying on your implied consent to do this, as you would reasonably expect the hospital to process your personal information this way to provide you with care. The NHS Trust will keep your personal data confidential and only use and share it with other members of the care team to provide you with care, where you would reasonably expect them to, and subject to strict controls to ensure your information remains confidential.

### Processor acting on behalf of NHS Trusts

The data platform contractor, Palantir Technologies UK LTD is a processor acting on behalf of the NHS Trusts who are using this Product. They provide the data platform and the technology that the Product uses and only act on the instructions of the NHS Trust.

### Sub-Processor

North of England Commissioning Support Unit act as a sub-processor on behalf of Palantir Technologies UK LTD to enable the smooth running of the platform.

## Your rights under UK GDPR

You have the following rights under UK GDPR in relation to the processing of your personal data by the NHS Trust for the purposes above:

- Right to be informed
- Right of access
- Right to rectify
- Right to object

Further information about these rights is in the NHS Federated Data Platform Privacy Notice [here](#).

## Does the National Data Opt Out or any other opt out apply to this Product?

The National Data Opt Out and Type 1 Opt Outs do not apply to the processing of your personal data by the NHS Trust for the purposes explained above. This is because the NHS Trust is processing your personal data to provide you with individual care and treatment and these opt-outs don't apply in these circumstances.

## More information

For more information about how personal data is processed within the Federated Data Platform please see the NHS Federated Data Platform Privacy Notice [here](#).

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