

## Your rights

The Data Protection Act 1998 gives you the right to know how NHS Lothian will use your personal health information and also the right to access any personal information we hold about you. This leaflet gives a short description of the general uses of personal health information.

You also have the right to object to how we use certain information about you. You can ask us to change or restrict the way NHS Lothian uses your information and we will comply with your wishes if possible.

If you wish to view or receive a copy of your health records, please contact the health records department in the hospital you attended or our Legal Services Manager. They will explain how you can obtain your records and answer any queries you may have once you have read your health records.

If you have any queries about any of the details contained in this leaflet, please contact the Information Governance Manager for further advice.

## Contact details

For more information on issues of confidentiality and uses of personal information:

NHS Lothian Caldicott Guardian  
Waverley Gate  
2-4 Waterloo Place  
Edinburgh EH1 3EG  
0131 465 5813

Information Governance Manager  
Waverley Gate  
2-4 Waterloo Place  
Edinburgh EH1 3EG  
0131 465 5444

Legal Services Manager  
Department of Health Records  
Edinburgh Royal Infirmary  
51 Little France Crescent  
EDINBURGH EH16 4SA  
0131 242 3042

Head of Health Records for  
NHS Lothian  
St John's Hospital  
Howden Road West  
LIVINGSTON EH54 6PP  
0131 441 8502



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## Protecting Personal Health Information

### A guide for patients

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NHS Lothian needs to record details of your medical history, personal life and treatment as part of your care.

Our staff require this information to care for you properly. All NHS staff must work to a strict code of confidentiality.

This information is kept in paper or computerised systems.

## **The Caldicott Guardian**

NHS Lothian, like all other NHS organisations, has a Caldicott Guardian. The Caldicott Guardian's job is to oversee how we use information and enforce patients' rights to confidentiality.

## **How the NHS uses information**

As well as direct patient care, NHS Lothian uses patient information for a wide range of other purposes. Using information in this way is extremely valuable and can improve healthcare for everybody. We may use it to:

- Protect the health of the general public
- Check that we run our services efficiently
- Plan health services for the future
- Train our staff
- Carry out medical research

When we use information in this way, it is usually made anonymous. We do, however, sometimes use information that identifies individuals and these uses are explained below. This information is always kept in a secure, confidential manner. If you can be identified from the information it is only used with your consent (your permission) or with the authorisation of the Caldicott Guardian.

## **Sharing your information**

All staff working within NHS Lothian are bound by the same high standards of confidentiality. Your information will not be available to, or shared with NHS staff or students who are not looking after you directly and do not need to know it. This

is known as the 'need to know' principle, which forms part of all healthcare professionals' code of confidentiality.

In order to meet our responsibilities to protect, support and care for patients it may be necessary to share information between a range of agencies and local authority departments, including adult and children's health and social care services. Consent will be required to share information but there are also exceptional circumstances where information must be shared without consent, such as for Child Protection and the protection of Vulnerable Adults.

If information is disclosed without consent, then full details will be recorded about the information disclosed.

If you agree, your relatives, friends and carers can also be kept up to date with the progress of your treatment.

If you do not wish any specific health professional, NHS organisation or employee to have access to your health records, you must inform us in writing. Forms for this are available from the health records department (see Contact details).

## **Information for clinical audit**

NHS Lothian may record some of your personal health information for clinical audit. This is one way in which we maintain high-quality care. We will check a group of cases similar to your own

against agreed standards, to identify where improvements can be made.

Some of these audits are done over groups of hospitals within the NHS Lothian area, throughout Scotland or even covering all of the UK. When the information is being processed outwith the NHS Lothian area, we make every effort to use anonymous information. If you do not want your information to be used for this purpose, please let us know and we will respect your wishes.

## **Information for research**

We may use some of your personal health information in research. This is when healthcare staff use information to help them find the causes of disease, the effects of treatment and for planning new treatments. If the research involves you personally you will be asked for your consent.

## **Legal and national requirements**

Sometimes we are required by law to pass on information, for example to notify a birth or to report certain infectious diseases for public health reasons.

The Scottish Government Health Department also requires information from us to help monitor health services and plan for the future. We send basic personal details of all the patients we care for, along with information about their hospital or clinic attendance, to the NHS Scotland Information and Statistics Division.