



Berkshire Grove Hospital Patient Privacy Notice

This Privacy Notice explains how Berkshire Grove Hospital and the healthcare professionals who provide your care (including their medical secretaries) collect and handle your personal information. It also explains your rights in relation to your personal data.

The notice applies to anyone who receives healthcare services at Berkshire Grove Hospital, whether in person, by email, through our website, by phone or any other way.

About Us

In this Privacy Notice, "we," "us," "our," or "Berkshire Grove Hospital" refers to the hospital and the healthcare professionals who provide your care.

Your Personal Data and Healthcare Professionals

When you receive care at Berkshire Grove Hospital, you may be treated by a medical practitioner, such as a consultant, nurse, or other clinical support professional. We refer to all such individuals as "healthcare professionals." They decide what personal data they need to collect about you and may keep their own medical records about your care. They are responsible for your personal data that they hold within those records, and they must comply with data protection laws and guidance when handling your personal data.

Most healthcare professionals are expected to use personal data as set out in this Privacy Notice. However, in some circumstances, healthcare professionals may handle personal data differently from the hospital. In those cases, the healthcare professional is responsible for ensuring that their use of your personal data is lawful, informing you about how it will be used, and providing you with their own Privacy Notice.

Healthcare professionals who work with Berkshire Grove Hospital are supported by medical secretaries who use your personal data only as instructed by your healthcare professional. This may include preparing letters about your care or contacting you about appointments. In some cases, the medical secretary may be employed by the hospital, and they will handle your personal data in accordance with this Privacy Notice. In other cases, the secretary may be employed by the consultant, by other healthcare providers (private or NHS), or be self-employed. This means that third parties may handle your personal data at their own sites. Your healthcare professional will inform you if their medical secretary is employed by a third party and how they will use your personal data.

Healthcare professionals who work with Berkshire Grove Hospital (including their medical secretaries) may also handle your personal data at a non-hospital site, whether medical or non-medical.

If you have any concerns about the way your healthcare professional has handled your personal data or want to know more about how we handle your personal data, please contact our Data Protection Officer (DPO). You can find the DPO's contact details at the bottom of this page.

What personal data do we collect and use from patients at Berkshire Grove Hospital?

As a patient at Berkshire Grove Hospital, we will collect and use personal data about you, such as your name, address, and contact details, financial information (e.g. credit card details used for payment), occupation, emergency contact details (including next of kin), and background referral details. We may also collect images of you from the video security systems installed at our hospital.

We also collect more sensitive personal data (known as "special category data") about you, including information related to your physical and mental health. This data must be handled even more carefully than standard personal data. For example, we need to use personal data about your health to provide care. Your special category personal data will be managed in accordance with the law, this Privacy Notice, and applicable professional standards from the General Medical Council and British Medical Association.

The special category personal data we hold about you includes details of your current or former physical or mental health, any healthcare services you have received or need (from Berkshire Grove Hospital directly or other healthcare providers), care you have received from us (including images taken), your nationality, race, ethnicity, religion, genetic data, biometric data, and data concerning your sex life and/or sexual orientation.

We take the confidentiality of your medical information seriously and make every effort to prevent unauthorised access to and use of your personal data. We comply with UK data protection law, including the Data Protection Act 2018, and applicable medical confidentiality guidelines from professional bodies such as the General Medical Council and the Nursing and Midwifery Council.

If you provide us with personal data about another person, you must inform them about the contents of this Privacy Notice.

If you change personal data that we already hold about you, we will update our systems to reflect the changes, but our systems will also continue to hold the originally recorded personal data.

How does Berkshire Grove Hospital collect your personal data?

Directly from you

Berkshire Grove Hospital may collect personal data directly from you when you:

- enter into a contract with the hospital for your care
- use the care provided by the hospital
- have remote consultations with a healthcare professional, including virtual or by telephone
- complete enquiry forms on the hospital's website
- send a question through the hospital's website, by email, or by social media
- correspond with the hospital by letter, email, telephone (all incoming and outgoing calls from/to patients are recorded), or social media, including where you mention Berkshire Grove Hospital in a public social media post
- attend the hospital and are recorded on the CCTV systems installed
- participate in marketing activities
- use our GP service

From other healthcare providers

To provide you with the best care possible, Berkshire Grove Hospital may collect personal data about you from other organisations. This may include medical records from:

- your GP
- your healthcare professional (including their medical secretaries)
- your dentist
- the NHS or any private healthcare organization
- mental health providers

Medical records include personal data about your tests and diagnosis, clinic and hospital visits, and medicines administered.

NHS Summary Care Record (SCR)

For NHS Patients: before your appointment with Berkshire Grove Hospital, your NHS Summary Care Record will be available to view by the hospital staff involved in your care, unless you have previously opted-out of having an SCR. Your NHS Summary Care Record is an electronic record of

important patient information created from your GP medical record, including medication, allergies, bad reactions to medicines, and, where available, past and present medical information. It can be seen and used by authorised staff in other areas of the health and care system involved in a patient's direct care. Access to your SCR optimises patient safety and allows the hospital to make the most clinically informed decisions. If you do not want the hospital staff to access your SCR, or you have any queries, please contact the hospital where you will be receiving your treatment. You can find more information about your SCR at <https://digital.nhs.uk/services/summary-care-records-scr>

From other third parties

Berkshire Grove Hospital may also collect personal data about you from other third parties, including:

- solicitors or other third parties acting on your behalf in connection with medico-legal proceedings
- your current or former employer, healthcare professional, or other healthcare services or benefit provider
- your family
- your insurance policy provider
- experts (including medical experts) and other service providers about your care
- NHS health service bodies about your care
- credit reference agencies
- debt collection agencies
- government agencies, including the Ministry of Defence, the Home Office, and HMRC
- commissioners of healthcare services

If you (or the relevant other healthcare providers and other third parties outlined above) do not provide Berkshire Grove Hospital with the personal data that is requested, the hospital may be unable to provide your care.

How will Berkshire Grove Hospital communicate with you?

We will likely communicate with you by phone, SMS, email, and/or post. If we call the phone number(s) you provided and the call goes to voicemail or an answering service, we may leave a voice message.

Here are the specifics:

- We may send you SMS messages and/or emails to provide timely updates and reminders about your care.
- For medical information (like test results) and invoicing info, we may communicate with you by encrypted email.
- If we have your mobile number or email, we may use them to ask you to complete patient surveys, which are not marketing and are for the purpose of improving our service or monitoring outcomes.

Patient Surveys, Audits, and Initiatives

We may ask you to participate in patient surveys regarding your care. We will send these surveys to you by email or SMS. The purpose of these surveys is to get your feedback on your experience and to improve the quality and safety of healthcare services for future patients. You may opt out of receiving further survey requests, and you can also opt-in for a call back to discuss your responses.

We may also invite you to participate in online surveys regarding the clinical outcomes of your care called Patient Reported Outcome Measures (PROMs). These are not marketing and are solely for evaluating the benefit you gained from treatment. If you're a private patient, your PROMs results will be shared with PHIN, and if you're an NHS patient, your PROMs results will be shared with NHS England. You may receive an initial invitation to participate by post, SMS, email, or in-person at the hospital. If you choose to complete a PROMs survey, you may receive subsequent surveys after your care.

How does Berkshire Grove Hospital use your personal data?

We use your personal data for different reasons, but we always need a legal basis to do so. If we are using "special category of personal data" like health-related data, we need an additional legal basis to do that.

We usually rely on the following legal bases:

- **Contract:** We use your personal data to take steps to enter into a contract with you or a healthcare professional to provide your care. We also use your personal data to provide your care in line with the contract between you and Berkshire Grove Hospital and/or healthcare professional. We may also use your personal data to help investigate potential medical negligence against another healthcare provider by registering you on our systems. The assessment may be done by one of our healthcare professionals or may be a diagnostic test done by us.

- **Legitimate interests:** We use your personal data for our legitimate business interests that do not harm you. This includes activities like quality assurance, maintaining business records, developing and improving products and services, and helping with medical research.
- **Legal obligation:** We use your personal data to comply with legal or regulatory obligations.
- **Legal claims:** We use your special category personal data to establish, exercise or defend our legal claims.
- **Consent:** If there is no other legal basis to use your personal data, we may ask for your consent. We will explain why we need your consent and what we are asking for. If you give us your consent, you can withdraw it at any time by contacting our Data Protection Officer.

You can find details of the legal bases for each purpose below.

Purpose 1: To set you up as a patient at Berkshire Grove Hospital

Before you become a patient at Berkshire Grove Hospital, we need to perform several checks to ensure that we comply with regulations. These checks may include fraud, credit, anti-money laundering, and other regulatory checks. We require your personal data to perform these checks.

Legal bases for using your personal data:

- **Contract:** to enable you to enter into a contract with us for the delivery of your care. This also includes contracts for healthcare professionals to carry out medico-legal assessments or for Berkshire Grove Hospital to perform diagnostic tests.
- **Substantial public interest:** for reasons of substantial public interest; and
- **Legal claims:** to establish, exercise, or defend our legal claims.

Purpose 2: To provide your care and related services

Our main goal is to provide you with the care and services you need. We will use your personal data to achieve this goal.

Legal bases for using your personal data:

- Contract: to provide you with your care and related services, and to fulfill our contract with you for the delivery of your care.
- Health or social care: to provide you with your care.
- Vital interests: to protect your vital interests if you are physically or legally incapable of giving consent, for example, in an emergency if you are incapacitated.

Purpose 3: To settle your account

We will use your personal data to ensure that your account and billing are accurate and up-to-date.

Legal bases for using your personal data:

- Contract: to provide you with your care and other related services and to fulfill our contract with you for the delivery of your care.
- Legitimate interests: for our legitimate business interest to ensure that we are paid for providing your care, which does not overly prejudice you.
- Health or social care: to provide you with your care.
- Legal claims: to establish, exercise, or defend our legal claims.

Purpose 4: For internal clinical audit, National Clinical Audit, medical research purposes, and product testing and improvement

We may use your personal data for several reasons such as internal clinical audit, National Clinical Audit, medical research purposes, and product testing and improvement.

Internal clinical audit:

We may conduct a clinical audit of health records, including medical information, to assess care standards and identify areas for improvement or as required by law.

Legal bases for using your personal data:

- Legal obligation: to comply with our legal or regulatory obligations.
- Legitimate interests: for our legitimate business interest in making improvements. We have taken steps to safeguard your privacy so that this use does not overly prejudice you.



- Substantial public interest: for reasons of public interest for statistical and scientific research purposes.
- Health or social care: for the management of health or social care systems and services.

National Clinical Audit

Berkshire Grove Hospital may share your personal data with National Clinical Audits, Clinical Outcome Review Programs, and other national quality improvement projects. They may also share your personal data with other audit programs established by professional associations that they consider participating in.

Legal bases for using your personal data:

- Legal obligation and legitimate interest: Berkshire Grove Hospital must comply with legal or regulatory obligations
- Legitimate interests: Aiding medical research and making improvements. Appropriate safeguards are in place to protect your privacy so that the use of your data does not overly prejudice you.
- Substantial public interest: for statistical and scientific research purposes.

Participation in Medical Research

Berkshire Grove Hospital participates in medical research and may share your personal data with ethically approved research projects. Any published data from these programs will be in an anonymized, statistical format.

Legal bases for using your personal data:

- Substantial public interest: for statistical and scientific research purposes.
- Legitimate interests: aiding medical research and making improvements. Appropriate safeguards are in place to protect your privacy so that the use of your data does not overly prejudice you.
- Consent

Product Testing and Improvement

Berkshire Grove Hospital may need to use your medical records to test the quality and effectiveness of new systems that they implement to improve the care and treatment they provide or assist in the management of their clinical services.

Legal bases for using your personal data:

- Legitimate interests: Berkshire Grove Hospital has a legitimate business interest in making improvements in their systems and services, which have been appropriately assessed, and where safeguards are in place to protect your privacy so that this use does not prejudice your privacy rights.

Purpose 5: Disclosing Information to Private Health Care Information Network (PHIN)

Under the Competition and Markets Authority Private Healthcare Market Investigation Order 2014, Berkshire Grove Hospital may be required to provide PHIN with personal data related to your care, including your NHS Number and postcode, the nature of your procedure, the length of your stay in hospital, whether there were any complications, your recovery and improvement post-treatment, and any feedback you gave them as part of the PROMS survey. PHIN will monitor outcomes of patients who receive private healthcare services as part of a UK-wide program to improve the public's access to information on the quality and outcome of private healthcare.

Legal bases for using your personal data:

- Legitimate interests and Legal obligation: Berkshire Grove Hospital must comply with their legal or regulatory obligations and has a legitimate business interest in ensuring that the quality and outcomes of patients' private healthcare are monitored.
- Where this does not overly prejudice you, the additional legal bases for using your special category personal data are substantial public interest and health or social care.

Purpose 6: Contacting You and Resolving Queries or Complaints

From time to time, patients may raise queries, or even complaints, with Berkshire Grove Hospital, and they take those communications very seriously. They will need to use your personal data to resolve such matters fully and properly.

Legal bases for using your personal data:

- Contract: Berkshire Grove Hospital must provide your care and other related services under contract.

- Legitimate interests. We have a legitimate business interest in ensuring that patients' queries and complaints are answered.
- Health or social care: to provide you with your care.
- Legal claims: to establish, exercise, or defend our legal claims.

Purpose 7: Liaising with other healthcare professionals about your care and updating others (such as your emergency contact)

At Berkshire Grove Hospital, we may need to share your personal data with the individuals you have asked us to update about your care. Additionally, other healthcare professionals or organisations may need to know about your care to provide you with safe and effective healthcare services. Therefore, we may need to share your personal data with them. Details of these professionals or organisations are outlined in the Third Parties section below.

Legal bases for using your personal data:

- Contract: to provide your care and related services
- Legitimate interests: to ensure that other healthcare professionals routinely involved in your healthcare services have a full picture of these services.
- Health or social care: to provide your care
- Substantial public interest: for reasons of substantial public interest
- Legal claims: to establish, exercise or defend our legal claims.

Purpose 8: Investigating and responding to concerns, complaints or claims, complying with our legal or regulatory obligations and defending or exercising our legal rights

Berkshire Grove Hospital is subject to various legal and regulatory responsibilities, and we may be required by law or regulators to provide personal data. In the context of concerns over a healthcare professional's performance or clinical competence, we may need to consider and/or discuss your care with appropriate third parties.

In the event that we and our healthcare professionals are subject to legal actions or complaints, we need to access your personal data to fully investigate and respond to those actions.

Legal bases for using your personal data:

- Legal obligation: to comply with our legal or regulatory obligations

- Legitimate interests: to ensure that you and others receive safe care and treatment
- Health or social care: for others to provide informed healthcare services to you
- Health or social care: to provide your care or treatment or the management of health or social care systems
- Legal claims: to establish, exercise or defend our legal claims.

Purpose 9: Improving quality, training, and security, and conducting pre- and post-treatment surveys at Berkshire Grove Hospital

We are committed to delivering quality healthcare services and always strive to learn from our patients' experiences to improve patient safety and quality. To achieve this, we may use your personal data to identify areas for improvement, such as by reviewing recorded phone calls or conducting surveys to hear your thoughts on the Berkshire Grove Hospital experience.

Legal bases for using your personal data:

Legitimate interests: We use your personal data to improve our quality, training, and security, which is in our legitimate business interest and does not harm you.

Health or social care: We use your personal data to manage the healthcare services we provide, including surveys (which are not a form of marketing) to identify and make necessary improvements.

Purpose 10: Managing the business operations of Berkshire Grove Hospital

We may retain your patient records, review CCTV images, maintain accounting records, analyze financial results, conduct internal audits, and seek professional advice for tax, financial, legal, or public relations purposes. We do not need to use your special categories of personal data for this.

Legal bases for using your personal data:

Legal obligation: We use your personal data to comply with our legal and regulatory obligations.

Legitimate interests: We use your personal data for our legitimate business interest in managing our business operations, which does not harm you.

Purpose 11: Marketing services offered by Berkshire Grove Hospital and selected third-party partners

We may send you marketing information about products or services that may interest you if you have given us your consent to do so. We may also provide your personal data to market research agencies to collect feedback that we will use to improve our products and services. You can unsubscribe from marketing emails by clicking the "unsubscribe" link or contacting our DPO to update your contact preferences.

Legal bases for using your personal data:

Legitimate interests: We use your personal data for our legitimate business interest in marketing our services to our existing patients to increase sales, which does not harm you.

Consent: We use your personal data for marketing purposes only if you have given us your consent to do so.

If we use your personal data for legitimate interests, you have the right to object, and we may have to stop using your data for that purpose. Please contact our DPO if you would like to object.

Who will have access to your personal information at Berkshire Grove Hospital?

Within Berkshire Grove Hospital, we will share your personal information internally to coordinate your healthcare. We may also share your personal information with the following third parties:

- Healthcare professionals involved in your care, including doctors, nurses, and carers
- Support staff involved in your care, such as medical secretaries, receptionists, and porters
- Anyone you ask us to communicate with, such as your next of kin or carer
- NHS organisations, such as NHS Resolution, NHS England, and the Department of Health
- Other private sector healthcare providers
- Your GP, dentist, or healthcare professional and their medical secretaries
- Third parties who help administer your care or may be responsible for paying for it, such as insurance companies
- Third parties acting on your behalf in legal proceedings, including potential medico-legal claims
- Private Healthcare Information Network (PHIN)
- National and other professional research/audit programmes and registries

- Government bodies, such as the Ministry of Defence, the Home Office, and HMRC
- Regulators, such as the Care Quality Commission, Health Inspectorate Wales, and Healthcare Improvement Scotland
- Police and other third parties for the prevention or detection of crime
- Insurers
- Debt collection agencies
- Credit referencing agencies
- Third-party service providers, such as IT suppliers, actuaries, auditors, lawyers, marketing agencies, document management providers, and tax advisers
- Selected third parties in connection with the sale, transfer, or disposal of our business. If you are a patient of a business that has been taken over by us, we will receive your personal information as part of the sale process. You will be informed of this before the transfer of data.

If we share your personal data, we will ensure that appropriate protection is in place to protect it in line with data protection laws. We are committed to looking after your personal data and have implemented appropriate physical, technical, and organisational security measures to protect against accidental loss and unauthorised access, use, alteration, or disclosure. We comply with UK data protection law, including the Data Protection Act 2018 and the EU General Data Protection Regulation, as well as all applicable medical confidentiality guidelines issued by professional bodies such as the General Medical Council and the Nursing and Midwifery Council. We also limit access to your personal data to those who have a business need to know and they are subject to a duty of confidentiality.

Automated Decision Making at Berkshire Grove Hospital

At Berkshire Grove Hospital, we do not rely on computers to make decisions about your care or any other important processes that could have legal or significant effects. We believe in the importance of human input and oversight in making such decisions.

However, we may use automated profiling of your personal data to evaluate certain things about you, such as your preferences, interests, and location. This is to provide you with more tailored marketing and may include targeted ads on social media platforms like Facebook, Twitter, Instagram, and LinkedIn. Rest assured that we take great care in safeguarding your personal data

and ensure that any information we share with third-party marketing agencies is anonymous, so you cannot be identified.

If you are not comfortable with automated profiling, you have the right to object or challenge the outcome. Our Data Protection Officer (DPO) can assist you with this.

How long do we keep your personal data?

We only hold your personal data for as long as necessary to fulfil the purposes set out in our Privacy Notice and to comply with legal and regulatory obligations. At Berkshire Grove Hospital, we generally keep personal data related to your care for 30 years after you finish treatment. However, if your healthcare professional employs a different retention policy, they will inform you.

If you have any questions about how long we keep your personal data, please contact our DPO.

International data transfers of your personal data

We may use or hold personal data that we collect about you in countries outside of the UK/EEA. When we transfer your personal data outside of the UK/EEA, we take steps to ensure it is protected.

We only transfer your personal data outside of the UK/EEA for relevant and necessary purposes, as set out in our Privacy Notice. For example, we may transfer your personal data to the United States for medical devices, bespoke prostheses, or genomic testing.

If you have any questions about how we safeguard your personal data when transferring it outside of the UK/EEA, please contact our DPO.

Healthcare professionals or their medical secretaries may use IT services that rely on servers outside of the UK/EEA. If these services are used, your personal data may be transferred outside of the UK/EEA. It is the healthcare professional's responsibility to ensure your personal data is transferred lawfully and securely. This is not a matter for Berkshire Grove Hospital.

Your rights

At Berkshire Grove Hospital, you have certain rights regarding your personal data that we hold. These include the right to know what personal data we have about you and how we use it. We will use and hold your personal data according to our obligations and your rights. If you want to exercise these rights, you can contact our DPO, whose contact details can be found at the bottom of this page. We usually won't charge you for exercising your rights.

However, please note that these rights do not always apply in all cases, and we will inform you of how we can fulfil your request. If we cannot meet your request, we will explain why. If you make a large number of requests or your request is unreasonable, we may not have to respond or may charge you for responding.

You have the right to access your personal data, including a copy of it and details of how we use it. We will provide it to you in writing unless you request otherwise. However, we may not be able to fully comply with your request if it involves another person's personal data and it would be unfair to that person to provide it to you.

You also have the right to rectify inaccurate personal data about you or have it removed. However, there are exceptions to the right to erasure, such as when we need to keep it for tasks that are in the public interest or for legal claims.

You can ask us to restrict our use of your personal data, but we do not have to comply with all requests, especially if we need to use it for tasks that are in the public interest or for legal claims. You can also ask us to transfer your personal data to you or to someone else in a format that can be read by computer.

If you do not want to receive marketing messages from us, you can ask us to stop sending them to you, and we must comply with your request.

You also have the right not to be subject to automatic decisions made by computer that significantly affect you. If you have been subject to such a decision and do not agree with the outcome, you can challenge it by contacting our DPO.

You have the right to withdraw your consent to our use of your personal data and object to us using it in a particular way, such as sharing it with third parties. However, there may be exceptions to this right, such as when it is necessary to defend a legal claim or for the purposes of your ongoing healthcare services.

If you are unhappy with the way we have dealt with a request from you to exercise any of these rights or if you think we have not complied with our legal obligations, you can complain to the Information Commissioner's Office (ICO). More information can be found on the ICO website. Making a complaint will not affect any other legal rights or remedies that you have.

External Websites

Berkshire Grove Hospital may provide links to other websites on our website. Please note that these websites have their own privacy policies and we are not responsible for them. Before providing any personal data to these websites, please check their policies and notices.



Our Data Protection Officer and How to Contact Us

We have a Data Protection Officer (DPO) at Berkshire Grove Hospital who is responsible for ensuring that we comply with data protection laws. If you have any questions about our Privacy Notice or want to exercise your rights, please contact our DPO using one of the following methods:

- Email: info@berkshiregrovehospital.co.uk
- Post: Data Protection Officer, Berkshire Grove Hospital, Grove House, Waltham Rd, White Waltham, Maidenhead SL6 3TN

Updates to This Privacy Notice

We may update this Privacy Notice occasionally to make sure it's up-to-date and accurate. You can find more information about our cookie policy on our website. This Privacy Notice was last updated on April 11, 2023.