

Privacy Notice for Ophthalmic Contractors and Individual Ophthalmic Practitioners

Protecting and using your information: Information for applicants to the Northern Ireland Ophthalmic List and Individual Practitioner enrolment list.

Introduction

The Health and Social Care Board (HSCB) is a statutory organisation. We commission health and social care services for the population of Northern Ireland. We are accountable to the Department of Health. Our focus is developing a range of ophthalmic services that deliver high quality and safe outcomes for patient and service users, are good value for the taxpayer, and comply with statutory duties, which include the maintenance of a list of Ophthalmic Contractors in Northern Ireland. To fulfil our responsibilities there will be occasions when we need to process personal information. Personal information that we process about you is governed by the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR)

The Business Services Organisation (BSO) has been established to provide a broad range of regional businesses support functions and specialist professional services to the health and social care sector in Northern Ireland. One of these functions is to maintain the Northern Ireland Ophthalmic List and Individual practitioner enrolment list on behalf of the HSCB.

Why are you processing my personal information?

Your personal information is required so that your application to the Ophthalmic List can be approved, as required by the current legislation, The Health and Personal Social Services General Ophthalmic Services Regulations (Northern Ireland). It is also required so that your application for individual practitioner enrolment, maintained for BSO and HSCB business purposes, may be approved to enable you to provide GOS and enhanced ophthalmic services as an individual practitioner.

What Information is collected and what is the legal basis for this?

The legislation governing the Ophthalmic List in Northern Ireland specifies the information required when a practitioner applies for inclusion as a contractor in the Ophthalmic List and this is reflected in the application form that you are required to complete. This information includes details such as your full name; private address; telephone number; ophthalmic qualifications including the institution which awarded them; declarations of any list from which you have ever been disqualified, conditionally disqualified, removed or suspended or to which admission was refused; details of any investigations into professional misconduct by any licensing, regulatory or other body, any investigation or proceedings by another Board or equivalent body which might result in you being removed or suspended from a list. Similar

information is required when a practitioner applies to be enrolled on the Individual Practitioner list in Northern Ireland, which is a business requirement of BSO and HSCB. The relevant section of UK GDPR where lawful basis is detailed for such purposes is in Article 6 Sections 6(1)(c), relevant to HSCB, Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations) and 6 (1)(e), relevant to BSO, Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

We may need to collect information about you from other people; for example other Health and Social Care (HSC) organisations; other statutory bodies; employers and former employers. In the application form you will be asked if you consent to a request being made by the Board, if required, to any employer or former employer, licensing, regulatory or other body in the United Kingdom or elsewhere, for information relating to a current investigation, or an investigation where the outcome was adverse.

What special categories of personal information are you processing?

You will be asked if you have or have had certain health concerns that would impact on your delivery of GOS. This information processing is permitted by GDPR as it is necessary for the purposes of occupational medicine and assessment of your working capacity. Article 9 of UK GDPR details in Paragraph 2 Section (h) this aspect of lawful basis whereby 'processing is necessary for the purposes of preventive 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'.

We will also process your information relating to any criminal offences. The basis for this processing is outlined in the Data Protection Act 2018 in Section 10 paragraphs 1 and 2 where the information is necessary for health and social care purposes, in particular relating to your working capacity.

What do we do with your information?

Your information will be used to assess your suitability to be added to the Ophthalmic List or individual practitioner list in Northern Ireland. Your contact details will be held at BSO and used only to communicate with you with regard to matters related to the Ophthalmic List or individual enrolment list for example checking annual registration information.

Sharing Personal Information

HSCB may on occasion be obliged to provide personal information it holds to another statutory organisation (such as a Police Force, Health Regulator or Investigatory Body both nationally and internationally) or via a Court Order.

The HSCB will only share personal identifiable information where there is a relevant lawful basis to do so. When required this may involve transferring personal identifiable information outside of the UK. Any transfers will be in full compliance with all aspects of the GDPR and the Data Protection Act 2018.

Where we require your consent to share your personal information we will contact you to seek that consent and, where relevant, you have a right to withdraw your consent at any time.

Information may also be shared in a way that does not identify individuals for example, for non-direct care purposes such as service improvement, for research or to help identify trends.

Security of your information

At the BSO/HSCB we take your privacy seriously. Staff will only access your information on a strict 'need to know' basis. All staff have a legal duty to keep your information safe and confidential, as does anyone who receives information about you from the HSCB. In line with legislation the HSCB has a range of measures and strict standards to protect paper and electronically held information.

How long will we keep your personal data?

We will retain personal information in line with specific guidance issued by the Department of Health in Northern Ireland. The length of time we keep your information for will depend on the types of records created. If you want to find out more about how long your records are retained, you can ask staff or view the "Good Management, Good Records" section under "Disposal Schedule" on Department of Health's website at this link - [GMGR](#)

Your Rights

The Data Protection Act 2018 and UK GDPR provide individuals with a number of rights relating to their personal data:

- The right to obtain confirmation that their personal information is being processed and access to personal information;
- The right to have personal information rectified if it is inaccurate or incomplete;
- The right to have personal information erased and to prevent processing, in specific circumstances;
- The right to 'block' or suppress processing of personal information, in specific circumstances;
- The right to portability, in specific circumstances;
- The right to object to the processing, in specific circumstances;
- Rights in relation to automated decision making and profiling;

Further information on your rights can be found on the Information Commissioners website.

Access to Information

UK GDPR gives individuals the right to access information that HSCB holds about them by submitting a Subject Access Request (SAR). SARs should where possible be made in writing either in hard copy or electronically. You will need to provide:

- adequate information (for example full name, address, date of birth) so that identity can be verified and information located
- an indication of what information is being requested, to enable HSCB to locate this in an efficient manner

HSCB/BSO will comply with requests for access to personal information as quickly as possible, and within a calendar month of receipt unless there is a reason for delay that is justifiable under the Data Protection Act 2018 or the UK GDPR. If an extension is required, HSCB/BSO will advise the data subject within the calendar month, accompanied with any reason(s) for delay. We want to make sure that personal information is accurate and up to date. If you think any information is inaccurate or incorrect then please let us know.

How can I find out more information or who can I complain to?

If you want to know more about how we use your information or if you are unhappy with any aspect about how we use your information or comply with your request you can contact:

Ophthalmic Services

Directorate of Integrated Care
Health & Social Care Board
12-22 Linenhall Street
Belfast

BT2 8BS Tel: 028 9536 3283 Email: ophthalmicservices@hscni.net

Should you wish to make a complaint you can contact the Data Protection Officer or alternatively you may wish to contact the Information Commissioner. Contact details are as below:

Data Protection Officer

Health and Social Care Board
Towerhill
Armagh
BT61 9DR

Telephone: 028 9536 2912 Email: DPO.HSCB@hscni.net

The Information Commissioner's Office

3rd Floor 14 Cromac Place,
Belfast BT7 2JB

Telephone: 028 9027 8757

Changes to this Privacy Notice We will keep this Privacy Notice under regular review and will make it available on the BSO website. Reviewed January 2021