

GDPR AND RIGHTS OF THE DATA SUBJECT

The General Data Protection Regulations will still be in force after Brexit, so that means it is integral to the new Data Protection Act 2018 and to UK businesses. The new regulations highlight the rights of individuals to ensure they are in control of their own data. Set out below is a chart of the rights of the data subjects and how we ensure we preserve their rights.

GDPR REQUIREMENT	HOW DO WE COMPLY
'The right to be informed' of what information we hold and how we process it	We have a privacy notice within the clinic which outlines what information we hold and how we process it. Staff members are made aware of what information we hold when provided with our IG Crib sheets
'the right of access' to request copies of their patient/personnel file and be informed of who has had access to it	We have a subject access request policy and form that patients and staff complete when a request for information arises. E-clinic keeps a log of profile views for all staff on individual patients
'the right to rectification' to request any errors in information found by patients or personnel are rectified	If a Data subject requests a rectification to their personal details, such as new address or if they notice an error on their images regarding any of their demographics, they can request it verbally and we are duty bound to change it then and there. If the Error cannot be fixed then we need to complete a data error incident form, scan it and upload it to their profile then pass it to the Data protection officer.
'the right to erasure' to request information held about themselves is deleted	If a Data Subject Requests the deletion of their patient profile, then we must do everything reasonably practicable to comply with that request. A risk assessment is carried out to assess the impact of deletion. The results are communicated to the data subject and the outcome is either deletion of the profile or deactivation. Deletion of care records is difficult due to the fluid and sometimes letigious nature of healthcare, and legitimate reasons for retention. We can however deactivate their profile. Which ensures it cannot be viewed by anyone other than the authorised manager.
'the right to restrict processing' to restrict overall data processing to certain aspects	Data Subjects have the right to request restriction of processing and they can request this at any time. For us processing may be – sending the report onward for auditing or sending it to their GP. As in the right to erasure a risk assessment should be carried out. The results communicated and the restriction upheld and noted on their patient profile. Patients need to request the restriction in writing so this can be evidenced on their profile.
'the right to data portability' to ensure information is available across organisations at the individuals request	Information relating to a data subject should follow the patient on their healthcare journey. We ensure our ALL our reports state clearly how referrers and their colleagues may request data from us such as images and previous reports.
'the right to object' to object to processing of personal data for marketing or research purposes	Data Subjects have the right to object to processing of their data for Marketing or research purposes. We do not currently processes any data for this purpose. However we state on our privacy notice – should this ever be considered we would contact patients and ask for consent to do so.
'the right not to be subject to automated decision-making including profiling' not automatically passed for profiling or automatic decision making.	Data Subjects have the right to object to processing of their data by automated means. We do not currently processes any data in this way. However we state on our privacy notice – should this ever be considered we would contact patients and ask for consent to do so.