

# BCOM CLINIC PRIVACY NOTICE

## Scope

This document refers to personal data, which is defined as information concerning any living person (a natural person who hereafter will be called the Data Subject) that is not already in the public domain.

The General Data Protection Regulation (GDPR) which is EU wide and far more extensive than its predecessor the Data Protection Act, along with the Privacy and Electronic Communications Regulations (PECR), seek to protect and enhance the rights of EU data subjects. These rights cover the safeguarding of personal data, protection against the unlawful processing of personal data and the unrestricted movement of personal data within the EU and its storage within the EEA.

**1 –** The British College of Osteopathic Medicine (trading as 'BCNO Ltd'), registered at Frazer House, 6 Netherhall Gardens, London NW3 5RR, which hereafter for the purposes of this Privacy Notice will be referred to as 'BCOM' or 'the College', is pleased to provide the following information:

## **2 - Who we are**

BCOM is a higher education institution, which also provides outpatient osteopathic care and undertakes research.

## **3 - Personal Data**

For the purposes of providing treatment, BCOM Clinic may require detailed medical information. We will only collect what is relevant and necessary for your treatment. We will keep your non-medical details on our patient management database. When you visit our practice, we will make notes which may include details concerning your medication, treatment and other issues affecting your health. This data is always held securely, and is not shared in identifiable format with anyone not involved in your treatment, although for administrative purposes it may be handled by pre-vetted staff who have all signed a confidentiality agreement. To be able to process your personal data, we require your explicit consent to allow BCOM Clinic to document and process your personal medical data. Processing may include entering your details into a secure web-based exercise prescription programme (Rehab my Patient) in order to produce a personalised exercise programme for you. The exercise prescription programme provider is compliant with the GDPR legislation, which means they must store your data securely and cannot share it with anyone. Contact details provided by you such as telephone numbers, email addresses, postal addresses may be used to correspond with you regarding your appointments. If we provide reports or other information concerning your treatment to a third party, this will be with your explicit consent, other than when we have a legal obligation to do so. BCOM Clinic will only collect the information needed so that we can provide you with the services you require; we do not sell or broker your data.

## **4 - Legitimate interests pursued by BCOM Clinic**

BCOM may use data for clinical audit, research and teaching purposes, or to meet our contractual requirements for provision of osteopathy to NHS patients, or to respond to enquiries concerning the services.

## **5 - Legal basis for processing any personal data**

BCOM will process personal data for direct care purposes as outlined in section 3 (personal data) of this privacy notice using the basis of consent under Article 6.1 of the GDPR. BCOM will process personal data for other purposes, as outlined in section 4 (legitimate interests) of this private notice using the basis of legitimate interests under Article 6.1 of the GDPR.

## **6 – Consent**

Through agreeing to this privacy notice you are consenting to BCOM processing your personal data for the purposes outlined. You can withdraw consent at any time or object to processing by using the postal, email address or telephone number provided at the end of this Privacy Notice.

## **7 – Disclosure**

BCOM Clinic will keep your personal information safe and secure.

Only clinical teaching staff and student practitioners will have access to your patient records in identifiable format, although our Reception and administration staff may require access to your patient records in order to do their jobs. These members of staff are bound by the same rules of confidentiality as the clinical staff and students.

## BCOM CLINIC PRIVACY NOTICE

BCOM Clinic will not disclose your personal information unless compelled to, in order to meet legal obligations, regulations or valid governmental requests.

If you have been referred here by your NHS GP, we will write to your GP to tell them that you have attended a consultation and what our findings are. We will write to your GP when we discharge you. We may also contact your GP at other times in order to progress your treatment.

The practice may also enforce its Terms and Conditions, including investigating potential violations of its Terms and Conditions to detect, prevent or mitigate fraud or security or technical issues; or to protect against imminent harm to the rights, property or safety of its staff.

### **8 – Use of Anonymised and De-identified Data**

Anonymised data has had all identifiable information removed. De-identified data is where your identifying details (name and address) have been removed and you are only identifiable by a reference number. Anonymised and De-identified data may be used for clinical audit, research and teaching purposes.

If you have been referred by your NHS GP, we will send the Commissioning Body de-identified data for contractual purposes.

### **9 - Retention Policy**

BCOM Clinic will process personal data during the duration of any treatment and will continue to store only the personal data needed for a minimum of ten years after the last appointment you attend, to meet any legal obligations. After ten years all personal data will be deleted, unless basic information needs to be retained by us to meet our future obligations to you, such as erasure details. Records concerning minors who have received treatment will be retained until the child has reached the age of 28.

### **10 - Data storage**

All Data is held in the United Kingdom. BCOM Clinic does not store personal data outside the EEA.

### **11 - Your rights as a data subject**

At any point whilst BCOM Clinic is in possession of, or processing your personal data, all data subjects have the following rights:

- Right of access – you have the right to request a copy of the information that we hold about you.
- Right of rectification – you have a right to correct data that we hold about you that is inaccurate or incomplete.
- Right to be forgotten – in certain circumstances you can ask for the data we hold about you to be erased from our records.
- Right to restriction of processing – where certain conditions apply you have a right to restrict the processing.
- Right of portability – you have the right to have the data we hold about you transferred to another organisation.
- Right to object – you have the right to object to certain types of processing such as direct marketing and legitimate interests processing.
- Right to object to automated processing, including profiling – you also have the right not to be subject to the legal effects of automated processing or profiling.

In the event that BCOM Clinic refuses your request under rights of access, we will provide you with a reason as to why, which you have the right to legally challenge. At your request BCOM Clinic can confirm what information it holds about you and how it is processed.

### **12 - You can request the following information:**

- Identity and the contact details of the person or organisation (BCOM Clinic) that has determined how and why to process your data.
- Contact details of the Data Protection Officer, where applicable.
- The purpose of the processing as well as the legal basis for processing.
- If the processing is based on the legitimate interests of BCOM Clinic and information about these interests.
- The categories of personal data collected, stored and processed.

## BCOM CLINIC PRIVACY NOTICE

- Recipient(s) or categories of recipients that the data is/will be disclosed to.
- How long the data will be stored.
- Details of your rights to correct, erasure, restrict or object to such processing.
- Information about your right to withdraw consent at any time.
- How to lodge a complaint with the supervisory authority (ICO).
- Whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether you are obliged to provide the personal data and the possible consequences of failing to provide such data.
- The source of personal data if it wasn't collected directly from you.
- Any details and information of automated decision making, such as profiling, and any meaningful information about the logic involved, as well as the significance and expected consequences of such processing.

### **13 - To access what personal data is held, identification will be required**

BCOM will accept the following forms of identification (ID) when information on your personal data is requested: a copy of your driving licence, passport, birth certificate and a utility bill not older than three months. A minimum of one piece of photographic ID listed above and a supporting document is required. If BCOM Clinic is dissatisfied with the quality, further information may be sought before personal data can be released. We will need your written consent if you wish to nominate a representative to make a request on your behalf. We have provided a template on our website that you may wish to use to make a request for your records, but you are not obliged to use it. You may also request a copy of this template from Clinic Reception. All requests should be made to [appointments@bcom.ac.uk](mailto:appointments@bcom.ac.uk) or by phoning +44 (0) 2074357830 or writing to us at Clinic Reception, British College of Osteopathic Medicine, 6 Netherhall Gardens, London, NW3 5RR.

### **14 Complaints**

In the event that you wish to make a complaint about how your personal data is being processed by BCOM you have the right to complain to us. If you do not get a response within 30 days, you can complain to the ICO.

The details for each of these contacts are:

Data Protection Officer Telephone 0207 435 6464      or email: [dpo@bcom.ac.uk](mailto:dpo@bcom.ac.uk)

### **ICO**

Wycliffe House, Water Lane, Wilmslow, SK9 5AF Telephone +44 (0) 303 123 1113 or email:

<https://ico.org.uk/global/contact-us/email/>