

## Patient privacy notice - Hospital Episodes Statistics (HES) and Civil Registration (Deaths) - Secondary Care Cut (CRD) data (direct supply from NHS England)

Telstra Health UK processes patient data to help healthcare organisations achieve sustainable improvements in their performance. This notice explains more about how we use your personal information as a data controller. Specifically it describes what we do with pseudonymised Hospital Episodes Statistics (HES) and Civil Registration (Deaths) - Secondary Care Cut data (CRD) supplied under licence and disseminated directly to us by [NHS England](#). Our [privacy page](#) provides links to additional privacy notices.

We cannot identify you in the HES and CRD data that we hold but it is produced by NHS England using data about NHS patients.

### What information we hold about you

Our tools and services use HES and CRD to help healthcare customers improve their services. NHS England describe HES as 'a database containing details of all admissions, A and E attendances and outpatient appointments at NHS hospitals in England.' A detailed explanation of HES can be found [here](#). You can manage your NHS personal data choices [here](#).

We hold a pseudonymised version of HES data. It does not include your NHS number. We cannot identify individual patients from the pseudonymised HES data that we hold.

The CRD data is a record of deaths, including date, place and cause of death. It is linked to the HES data that we receive and provides NHS users of our service with a range of useful metrics to help them improve care.

### How we use your information

We present informatics, insights and analysis to healthcare customers using our tools and services. These are described on our [website](#). Customers use our services for a number of purposes including to:

- Assess and manage clinical quality and patient safety within NHS Organisations
- Identify pathways where there is potential for improvement
- Identify areas of best practice either within the Provider Trust or local/national health economies
- Better understand how they compare to other Provider Trusts with similar case mixes
- Identify improvements in operational efficiency
- Understand patient outcomes
- Identify and understand market activity
- Monitor the impact of implemented changes
- Identify variations in outcomes

We also use the data to publish articles and infographics to broaden public understanding.

We link HES and CRD data with the Emergency Care Data Set (ECDS) that we receive under the same agreement with NHS England. This provides NHS customers with a more complete view of care to identify areas for improvement.

HES and CRD data are provided to us by NHS England under licence and under sections 261(1) and 261(2)(b)ii) of the Health and Social Care Act 2012.

Under the UK General Data Protection Regulation (UK GDPR) we must identify specific legal bases for collecting and using your data.

We process HES data under the following legal bases:

- It is necessary for the purpose of our legitimate interests and those of our NHS customers. Our legitimate interest is in being able to provide tools and services that will benefit healthcare organisations. We have a legitimate interest in being able to offer a commercial service that is

based on a trusted dataset. It is also in the interests of the NHS, patients and the public as a whole, because it brings benefits and improvements to health and social care. Without the processing of this data we would not be able to deliver these benefits. This would be to the detriment of healthcare professionals and patients.

- It is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes. It is proportionate to the aim pursued, respects the essence of the right to data protection and provides for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

We only process these datasets under the terms of our data sharing agreement with NHS England. The processing is subject to additional safeguards, in particular the technical and organisational measures that fall under the scope of our independently and externally audited information security management system.

### Information we share with other organisations

Our NHS customers can access a secure portal to see HES and CRD data relating to their service. This is at record level, but is not used for the re-identification of patients. It does not include identifiers such as NHS number. NHS customers can also see aggregated data relating to other organisations (their peers).

Our NHS customers can also use our bespoke services to receive reports, analysis and visualisations. We also use the data to publish reports and articles that aim to increase the public understanding of health and social care. We may also work with private companies to provide them with reports and analysis. Any information shared in this way will be at a high level so that individuals cannot be identified.

Microsoft Ltd and Amazon Web Services (AWS) supply Cloud Services for Telstra Health UK and are therefore listed as data processors. They supply support to the system, but do not access data. Therefore, any access to the data held under this agreement would be considered a breach of the agreement.

### Information only processed in the UK

The patient data we receive from NHS England is processed in the UK. It is processed at Telstra Health UK premises, colocations and at Microsoft data centres within the UK.

### How long we keep your information

Our licence with NHS England provides us with data covering the last 11 years. We keep the data only for as long as permitted by our agreement with NHS England.

### Your rights

<b>Informed</b>	✓	This notice and the <a href="#">one published by NHS England</a> are to inform you about how we use your data when processing HES.
<b>Access</b>	✓	We cannot identify you from the HES data we hold. Please contact <a href="#">NHS England</a> for more information on how you can access data relating to you.
<b>Objection</b>	✗	Not applicable
<b>Portability</b>	✗	Not applicable
<b>Correction or change</b>	✓	If any of the information we hold about you is incorrect or incomplete then this should be corrected through your healthcare provider or via <a href="#">NHS England</a> .
<b>Erasure</b>	✗	Not applicable
<b>Restriction</b>	✓	You can request that the use of your personal information is limited to storage only. We cannot identify you from the HES data we hold.

Please contact [NHS England](#) for more information on how to restrict your data.

---

<b>Informed of automated decision making</b>	×	We do not use the data to produce decisions made solely by computers rather than people.
--	---	--

---

<b>Withdraw consent</b>	×	The data is not processed on the basis of consent
-------------------------	---	---

Find out more about your personal data rights at the [Information Commissioner's Office \(ICO\) website](#).

### **Data Protection Officer**

Our Data Protection Officer can be contacted by email on [DrFoster-InfoGovInbox@health.telstra.com](mailto:DrFoster-InfoGovInbox@health.telstra.com).

### **How to complain**

If you feel that we have let you down in relation to your information rights then please contact our Data Protection Officer using the details above.

You can also make complaints directly to the Information Commissioner's Office (ICO). The ICO is the independent authority upholding information rights for the UK. Their website is [ico.org.uk](http://ico.org.uk) and their telephone helpline number is 0303 123 1113.