**Individual Rights under Data Protection Legislation.**

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| **Purpose** | Under Data Protection Legislation individuals have several [rights](https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/individual-rights/individual-rights/), including the right to be informed, right to rectification, right to erasure , right to restrict processing, right to data portability, right to object , rights related to automated decision making including profiling and a right of access (commonly referred to as a data subject access request or DSAR).  We process your information in order to fulfil a request you made to us. You can find further information on how to submit a request on our ‘[Right of Access & Other Individual Rights](https://notts.icb.nhs.uk/contact-us/subject-access-request/)’ web page. |
| **Type of Information** | Identifiable - Personal (name, date of birth, email address, postal address). Information requested by us as proof of identity to ensure you are legally entitled to make the request.  Special Category - this will be dependent on the services accessed and the information requested, it could include health data |
| **How we will collect and use the Information** | We will collect personal information such as name and contact details provided by individuals making requests under data protection legislation. We use this information to register and process the request.  When a DSAR is received, we will conduct reasonable searches across the organisation to identify and retrieve the requested personal information. We will use details such as your name, date of birth and address to perform these searches and to ensure that the information pertains to the correct individual.  We will also collect and use personal information when individuals exercise other rights under data protection legislation, such as the right to rectification, erasure, restriction, objection, and data portability. This information helps us process and respond to your request appropriately, ensuring that any changes or actions requested are applied to the correct personal data in line with your rights. |
| **Who we will share the information with.** | Your information will be shared internally only with the appropriate staff where it is necessary for the performance of their roles in processing your request. We may also contact other organisations processing data on our behalf under contract, as they may hold information relevant to your request.  Data may be shared with a third party acting on your behalf such as a legal representative appointed by you. |
| **Legal Basis for Processing Personal Data** | 6(1)(c) processing is necessary for compliance with a legal obligation to which the controller is subject;  **Processing of Special Categories of Data**  9(2)(g) processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;  Schedule 1, part (2) 6 ‘Statutory and government purposes’ |
| **Common Law Duty of Confidentiality** | When you submit a request to us, we will rely on implied consent to process your information.  If a request involves information related to third parties, we will rely on ‘legal requirement’ to process that data. |
| **Data Processors** | None |
| **Your Rights** | * To be informed about the processing of your information (this notice) * Of access to information held about you * Have the information corrected in the event that it is inaccurate. * To restrict or stop processing * Not to be subject automated decision-making or profiling. |
| **How long we will keep the information** | Your personal data will be retained on our systems and files in line with the Records Management Code of Practice 2021.  [Records Management Code of Practice - NHS Transformation Directorate (nhsx.nhs.uk)](https://www.nhsx.nhs.uk/information-governance/guidance/records-management-code/)  Subject access and individual rights requests, including any associated correspondence – 3 years from the date of closure of the request. Where there has been an appeal - 6 years from the date of closure of the appeal. |