

Further Definitions and Terms used in Privacy Notice: GDPR/Data Protection Act 2018 (DPA)

The Act of Parliament which regulates the processing of information relating to living individuals, including the collecting, holding, use, and sharing (disclosure) of such information. Herts Valleys CCG as a Data Controller is required to ensure the principles of GDPR/DPA 2018 are adhered to, ensuring we are legally compliant in the way we collect and use your information.

Data Controller

A person (individual or organisation) who determines the purposes for which and the manner in which your identifiable information will be collected and used. Data Controllers must ensure that any collection and use of identifiable information complies with the principles of the GDPR/Data Protection Act 2018. For health and social care organisations the Data Controller will be the organisation holding your information. Providing a complete, factually correct and easy-to-read Privacy Notice is just one of the requirements of a Data Controller. Herts Valleys CCG is the Data Controller unless otherwise stated in this Privacy Notice.

Data Processor

Any person (other than an employee of the Data Controller) who processes data on behalf of the Data Controller. The Information Commissioner, who is statutorily responsible for ensuring organisations comply with the Act, recommends that organisations should choose data processors carefully and have in place effective means of monitoring, reviewing and auditing their processing with a written contract in place. There is further information detailing the use of data processors in the section informing you of the details of information collected and used for specific purposes

Consent

Consent describes the informed agreement for something to happen after consideration by you. For consent to be legally valid, you must be informed, must have the capacity to make the decision in question and must give consent voluntarily. In the context of consent to share information, this means you should know and understand how your information is to be used and shared (there should be 'no surprises') and you should understand the implications of your decision.,

Explicit Consent

Explicit consent is unmistakable. It must be given in writing or verbally, or conveyed through another form of communication such as signing. You may have the capacity to give consent even though you may not be able to write or speak.. It may also be required for a use other than for which the information was originally collected, or when sharing is not related to your direct health and social care.

Personal Data

Means any information relating to an identified or identifiable natural person (data subject), an identifiable natural person is one who can be identified, directly or indirectly in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, generic, mental, economic, cultural or social identity of that natural person

Special Categories of Personal Data

Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural persons sex life or sexual orientation shall be prohibited.

Confidentiality

Within the NHS and in social care organisations the term Personal Confidential Data is used to describe identifiable information which you have provided in confidence, for example, in discussion with your GP or hospital specialist. This information should be kept private or secure. For the purposes of this Privacy Notice 'identifiable information' includes the GDPR/Data Protection Act 2018 definition of personal data, but it is adapted to include dead as well as living people and 'confidential' includes both information 'given in confidence' and 'that which is owed a duty of confidence' and is adapted to include 'special category data' as defined in the GPRP/Data Protection Act 2018

Caldicott Guardian

A senior person responsible for protecting the confidentiality of patient and service-user information and enabling appropriate information sharing. Each NHS organisation is required to have a Caldicott Guardian. This became an NHS requirement in 1999.

Data Security and Protection Toolkit

An online system which allows NHS and social care organisations to assess themselves or be assessed against Information Governance policies and standards. It also allows members of the public to view participating organisations' IG Toolkit assessments [here](#)

Information Governance

The set of multi-disciplinary structures, policies, procedures, processes and controls implemented to manage information at a senior level, supporting an organisation's immediate and future regulatory, legal, risk, environmental and operational requirements.