

How we use the personal information of patients during the COVID-19 Coronavirus pandemic

v1.0, 9 April 2020

This notice describes how we may use your information to protect you and others during the COVID-19 outbreak. **It supplements our main Privacy Notice, entitled *Your Personal Information*, which can be found on the respective websites of Brighton & Sussex University Hospitals NHS Trust and Western Sussex Hospitals NHS Foundation Trust.**

The health and social care system is facing significant pressures due to the COVID-19 outbreak. Health and care information is essential to deliver care to individuals, to support health and social care services and to protect public health. Information will also be vital in researching, monitoring, tracking and managing the outbreak. During the pandemic it has become even more important to share health and care information across relevant organisations.

Existing law which allows confidential patient information to be used and shared appropriately and lawfully in a public health emergency is being used during this outbreak. Using this law the Secretary of State has required NHS Digital, NHS England and Improvement, Arms Length Bodies (such as Public Health England), Local Authorities, and health organisations, including GPs, to share confidential patient information to respond to the outbreak.

Any information used or shared during the COVID-19 outbreak will be limited to the period of the outbreak unless there is another legal basis to use the data. Further information is available on gov.uk [here](#) and Frequently Asked Questions on this law are available [here](#).

During the pandemic, opt-outs will not generally apply to the data used to support the COVID-19 outbreak, due to the overriding public interest in sharing information. This includes [National Data Opt-outs](#). However in relation to the Summary Care Record, existing choices will be respected. Where data is used and shared under these laws your right to have personal data erased will also not apply. It may also take us longer to respond to Subject Access Requests,

Freedom of Information requests and new opt-out requests whilst we focus our efforts on responding to the outbreak.

In order to look after your health and care needs we may share your confidential patient information including health and care records with clinical and non-clinical staff in other health and care providers, such as, but not limited to, neighbouring GP practices, hospitals and NHS 111. We may also use the details we have to share public health messages to you, either by post, phone, text or email.

During the pandemic we may offer you a consultation via telephone or video-conferencing. By accepting the invitation and entering the consultation you are deemed to be agreeing to this. Your personal / confidential patient information will be safeguarded in the same way it would with any other consultation.

We are also required to share personal / confidential patient information with health and care organisations and other bodies engaged in disease surveillance for the purposes of:

- Protecting public health, providing healthcare services to the public and monitoring, and
- Managing the outbreak. Further information about how health and care data is being used and shared by other NHS and social care organisations in a variety of ways to support the COVID-19 response is [here](#).

NHS England and Improvement and NHSx have developed a single, secure store to gather data from across the health and care system to inform the COVID-19 response. This includes data already collected by NHS England, NHS Improvement, Public Health England and NHS Digital. New data will include 999 call data, data about hospital occupancy and A&E capacity data as well as [data provided by patients themselves](#). All the data held is subject to strict controls that meet the requirements of data protection legislation.

In such circumstances where you tell us you are experiencing COVID-19 symptoms we may need to collect specific health data about you. Where we need to do so, we will not collect more information than we require and we will ensure that any information collected is treated with the appropriate safeguards.

We may amend this privacy notice at any time so please review it frequently. The date at the top of this document will be amended each time this notice is updated.

Document ends.