

## Fair Processing Notice

The purpose of this notice is to inform you of the way in which we, Docobo Limited, use information (including personal data) about you. In this notice we will explain:

- Who we are and what we do;
- The types of information we hold about people;
- How we use this information and why we need to do this;
- Who we may share your information with;
- How you can object to the way we use information or complain about this;
- How you can access a copy of the information we hold about you;
- What other rights you may have in relation to this information;
- How we keep your information secure and confidential;
- Where to go if you require further information.

This guidance applies to all individuals whose information is used by Docobo, our staff, suppliers, and visitors to our offices.

This information is sometimes known as a 'Privacy Notice' or 'Fair Processing Notice' and it is a legal obligation under data protection legislation that we provide you with this.

We will review this information regularly and update it as required - so we would recommend that you check this webpage regularly to ensure that you remain informed about the way in which we use your information.

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## Who we are

This notice applies to Docobo Limited (Docobo) only.

Docobo is known for delivering innovation in health and care technology. The company was formed in 2001 to commercialise the products born from a successful EU funded research and development project. The company offers a range of robust products and solutions at the forefront of the evolving digital health market and provides innovative solutions to empower independence and support care in the community. Our technologies support a better quality of life, for the patient, carer and clinician.

Docobo has over 30 UK NHS telehealth clients, plus international deployments in Australia, Scandinavia, the Netherlands, Austria, Germany, Italy, Spain and Greece, Taiwan and China.

Docobo is usually the Data Processor and not the data controller for patient information. You can find out more about us and the work that we do from our [website](#).

## What we do

Our mission is to improve the quality of life of all we serve through the efficient implementation of digital health solutions. Supporting professional staff to deliver world-class care and enabling patients to be more aware of their condition and empowered to self manage themselves at home.

Docobo's technology enables clinicians and carers to improve patients' quality of life and reduce costs.

We provide medical-grade digital health solutions that fully support integrated care, business intelligence and remote home management of patients with long-term conditions. Our products support 1000's of patients, their carers and clinicians. We fully understand the regulatory and information governance environment and you can rest assured that we meet all standards and requirements to ensure patient safety and confidentiality.

## Whose information we hold

To allow us to undertake the activities above we will use information relating to the following types of people:

- people who use the services and solutions we provide.
- Patients of the services and solutions we provide.
- People who undertake work for us or have applied to do so.

## What types of information we use

To allow us to undertake the activities above we will use different types of information, this includes:

- Identifiable Personal Data – you can easily be identified from this information, which relates to you. We will only use this where there is no other viable alternative. Identifiable personal data includes:
  - Personal Data (for example your name, contact details, or date of birth)
  - Special Categories of Personal Data (which includes data relating to ethnicity, sexual orientation and data relating to physical or mental health)
- Non-Identifiable Personal Data – this includes 'Pseudonymised Personal Data' where personal data which could be used to identify you has been replaced with a pseudonym. It also includes personal data which is classed by the NHS as 'Anonymised in Context' as it includes a local identifier, such as your hospital number. This information could potentially be used to identify you, if it was processed outside of Docobo and/or added to other information, so we ensure that we have robust controls in place to manage how this is used;
- Anonymised Data – you cannot be identified from this, even if it is added to other information.

## How Docobo gets this information

We generally receive information about people in one of the following ways:

- The person it relates to (e.g. a member of staff) or their authorised representative provides it to us.
- We receive it from another health and social care organisation with which we work;
- It is provided to us via [NHS Digital](#) or directly by one of our [partners](#) if it is Non-Identifiable Personal Data that relates to CCG commissioned services.
- Via our doc@HOME remote monitoring service that is provided to patients via our (NHS) customers

## Why we use this information

We use different types of information for different purposes as detailed below:

- To provide patient population analysis and patient statistical analysis we will use Anonymised Data wherever appropriate or Non-Identifiable Personal Data where we require this to be able to undertake detailed work and to be able to link data together;
- To provide or support direct healthcare we will seek to use Non-Identifiable Personal Data wherever this is possible however we may need to use Personal Data and Special Categories of Personal Data, such as information relating to physical or mental health, to ensure that risks to patient safety are minimised;
- For regulatory and public health functions we will seek to use Non-Identifiable Personal Data wherever this is possible however we may need to use Personal Data and Special Categories of Personal Data, such as information relating to physical or mental health, to ensure that risks to public health are minimised;
- For safeguarding activity, we will use Personal Data and Special Categories of Personal Data, such as information relating to physical or mental health, to ensure that risks to individuals are minimised;
- To fulfil our statutory duties under various pieces of applicable legislation and to undertake employment related activities we need to process personal data and Special Categories of Personal Data; such as data relating to ethnicity, gender, and sexual orientation etc. This will also require that we process data relating to criminal convictions relating to individuals undertaking work for us;
- To be a well-managed organisation, and fulfil governance and administration responsibilities, we may need to process personal data and, occasionally, Special Categories of Personal Data.

## The lawful basis for this activity

Data protection legislation requires that we explain the lawful basis for us processing personal data. Docobo has undertaken detailed reviews and has identified that the activity involving personal data we carry out will be lawful under data protection legislation because either:

it is necessary for performance of a task carried out in the public interests or in the exercise of official duties as data processors, authorised by CCGs. CCGs have a statutory duty or power to do this under the NHS Act 2006, Health & Social Care Act 2012 or another applicable piece of legislation;

it is necessary for the performance of a contract to which a person is party or in order to take steps at the request of a person prior to entering into a contract;

we, or the Data Controller, hold the documented, informed consent of the person to use their data in this way;

it is necessary for us to comply with a legal obligation that we are subject to;

where individuals undertaking work for Docobo are legitimately required to process Special Categories of Personal as part of their responsibilities this will also be lawful as this activity will be either:

undertaken under the basis of informed, documented consent

necessary for purposes of medical diagnosis, the provision of health and social care treatment, or the management of health and social care systems and services or necessary for reasons of public health in the case of service user health related data;

necessary for the purposes of employment or social security / protection activities;

necessary to safeguard and protect the vital interests of an individual.

In the case of disclosure of confidential personal data, we will also ensure that we meet the Common Law Duty of Confidentiality by ensuring that either:

We and/or the Data Controller, have consent from the person, whether explicit or implied (implied consent is where the person could reasonable expect their data to be used in this way and has not objected);

that this authorised by law or legal proceedings;

that there is an overriding substantial public interest (for example in case of infectious diseases where the public is at risk).

## Who we may share data with

We may be required to share your personal data with other organisations and these include:

- Organisation that we have asked to process this information on our behalf and which include:
- Providers of employment related services including our Payroll Provider, and our Occupational Health service provider;
- Our Auditors;
- Information, Communication Technology (ICT) system providers;
- Organisations that have a legal right to obtain this from us (such as the Police and certain Government Departments).

These organisations are Data Controllers or Data Processors of your information and Docobo ensures that they use it only as instructed and in accordance with this notice. They may transfer your data outside of the UK or Europe - where this is done we written agreement to do so and ensure that there is adequate protection in place.

## Your information related rights

Under data protection legislation everyone has rights regarding how their information can be used and Docobo is committed to ensuring that we and our authorised data processors meet these – please see below for further information:

Under data protection legislation you have the right to be informed, which will meet via this and related notices, and to opt-out of having your data used for specific purposes.

If you are a patient you can submit an opt-out to your GP Practice and this will mean that data relating to you will not be made available to Docobo for commissioning purposes:

- You can submit a '[Type 1 Opt Out](#)' which means that your data will not be shared outside your GP Practice for purposes beyond your direct care unless required by law;
- You can submit a '[Type 2 Opt Out](#)' which means that your data will not be shared outside of NHS Digital for purposes beyond your direct care unless required by law;
- You should also be aware of the [NHS National Data Opt-Out](#) programme that from 25 May 2018 will allow NHS service users to opt-out from having their data used in certain ways.

If you are a User of a Docobo service or solution you can opt-out by contacting us by [email](#), telephone, or post. We will explain what impact this may have on our ability to provide you with this service.

If you are receiving email communications from us (and we do not require that you receive these for contractual or legal reasons) you will be able to opt-out of receiving further emails by clicking on the unsubscribe link in the email when available, or by contacting us by [email](#), telephone, or post. We promptly remove your details from our mailing list and you will no longer receive these emails from us.

You can contact us by [email](#), telephone, or post if you wish to opt-out and we process your data for other purposes. We will confirm whether we are able to respect this right and provide an explanation if we are not able to do this.

You have the right to object about the way in which we use your information and to ask us to stop using it in this way. You can do this by [email](#), telephone, or post.

Service Users - If you no longer want us to use your information and we no longer require this to supply you with services or to meet our regulatory or legal duties, we will stop using your data.

Individuals undertaking work for Docobo - If we hold your data for employment, governance or administration related purposes, and we no longer require this to meet our contractual, regulatory or legal duties, we will stop using your data if you want us to do this unless we can demonstrate that need to continue process this to meet our legitimate interests.

You have the right to erasure and to request that we delete your information and we will do this if we no longer require it for the purpose it was provided or to meet a contractual, regulatory or legal duty. Please note that this right does not apply to health data. Please contact us by [email](#), telephone, or post if you want us to delete your data.

You have the right to access a copy of the information we hold about you by requesting this in writing and we will provide you with a copy of this free or charge and within one calendar month of your valid request – please contact us by [email](#), telephone, or post.

You have the right to have your information corrected if it is not accurate. Please let us know if you think the information we hold about you is not correct by contacting us by [email](#), telephone, or post and we will update this;

If consent is the legal basis for us to process your information you have the right to withdraw consent at any time by contacting us by [email](#), telephone, or post.

If you are receiving marketing related email communications from us you will be able to withdraw your consent to receiving the emails by clicking on the unsubscribe link in the email or by contacting us by email, telephone, or post. We immediately remove your details from our mailing list and you will no longer receive these emails from us.

If consent is the legal basis for us to process your information and this is held in an electronic format you may also have the right to portability and to request that this data be quickly and securely transferred to another similar computer system. Please contact contacting us by contacting us by [email](#), telephone, or post if you wish to discuss this right.

## What happens if you change your mind

You can change your mind about the following at any time and as many times as you like:

- Whether you give your consent for us to process your information;
- Whether you would like to submit an objection or opt-out;
- To withdraw your consent for your information to be used.

If you wish to change your mind please contact us by [email](#), telephone, or post. If this will have an impact on the services we can provide or your care, we will explain this to you before asking you to make your decision.

## Docobo's Data Protection Officer (DPO) and related responsibilities

Under data protection legislation Docobo is required to have a Data Protection Officer (DPO) and it is their role to:

- Inform and advise the organisation and its employees about their obligations to comply with applicable data protection legislation;
- Support and monitor compliance with applicable data protection legislation;
- Be the first point of contact for individuals whose data is being processed.

Docobo's Data Protection Office is Richard Plumbridge and you can contact him by:

- By [Email](#)
- Telephone on +44 (0)1372 459 866
- By post: Docobo Limited, 21a High Street, Bookham, Surrey. KT22 4AA

Other people with related responsibilities

The Managing Director of Docobo is Adrian Flowerday. The Managing Director ensures that everyone is aware of their personal responsibility to exercise good judgement, and to safeguard and share information appropriately.

## How we keep information secure

Docobo ensures that we keep your information (including personal data) secure and handles this in accordance with the [10 Data Security Standards](#) arising from the National Data Guardian's review; which are based around the following areas:

- People - ensure individuals undertaking work for the organisation are equipped to handle information respectfully and safely;
- Processes - ensure the organisation proactively prevents data security breaches and responds appropriately to any incidents or near misses;
- Technology - ensure technology used is secure and kept up-to-date.

We will demonstrate our compliance with the Data Security Standards via our 2018/19 [NHS Data Security and Protection Toolkit](#) submission.

Where our processing of personal data may potentially have significant negative impact on people we follow a privacy by design and default approach and will undertake a detailed Data Protection Impact Assessment to ensure that data protection and confidentiality related risks are identified and suitably mitigated.

## How long we keep information for

Docobo holds records containing identifiable personal data for a limited amount of time and then securely destroys these when they are no longer required. Docobo will ensure that records are held in accordance with the guidance and retention schedules included within the [2016 Records Management Code of Practice](#) for Health and Social Care.

## How to complain

If you wish to complain about the way we use your information we would ask that you initially raise this to us – please contact us by [email](#), telephone, or post for further information on how to do this.

However, you are entitled to also contact the Information Commissioner's Office (ICO) if you have concerns about the way your information has been used and you can find their contact them by:

- Visiting their website: [www.ico.org.uk](http://www.ico.org.uk)
- Telephoning them on 0303 123 1113

## Links to associated guidance

For further associated guidance please see:

- The Information Commissioner's (ICO) Office [website](#) which provides independent advice about data protection, privacy and data sharing
- The Information Governance Alliance [website](#) which provides guidance for health and social care organisations
- The [NHS Constitution](#) which includes pledges regarding how information will be used
- The [NHS Care Record Guarantee for England](#) sets out the rules that govern how patient information is used in the NHS and what controls patients can have over this