

## **Privacy Notice for: Physiotherapy Stroke Exercise Group Pilot**

### **Privacy Statement**

The General Data Protection Regulation (UK GDPR) and Data Protection Act 2018 (and, where applicable, EU GDPR) governs the way that organisations use personal data. Personal data is information relating to an identifiable living individual.

Transparency is a key element of GDPR, and this Privacy Notice is designed to inform you:

- how and why the University uses your personal data,
- what your rights are under GDPR, and
- how to contact us so that you can exercise those rights.

We keep our privacy policy under regular review. Any changes we make to our policy in the future will be posted on this page and, where appropriate, notified to you by email.

Please check back frequently to see any updates or changes to our privacy policy.

### **Data protection principles**

We will comply with data protection law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

### **This Privacy Notice relates to: Physiotherapy Stroke Exercise Group Pilot**

#### **Who are we**

The University of Suffolk is an institution dedicated to transformation – transforming individuals, our community, our region and beyond. Education, training and research are powerful tools to support transformation and change and to fulfil these obligations the University collects, stores, processes and shares personal data.

This privacy notice makes you aware of how and why your personal data will be used, as a participant of the physiotherapy stroke exercise group pilot at the University of Suffolk, and how long it will usually be retained for. The University of Suffolk is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you.

#### **Our Lawful basis for using the data is/are:**

School of Health, Sciences  
and Society

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- Necessary for the performance of a contract
- Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- The lawful basis we will be applying to process the information are:

**(a) Consent:** the individual has given clear consent for the University to process their personal data for a specific purpose.

- As we are providing a service in the form of an exercise class, and as it is a professional requirement to keep full, clear and accurate records for everyone we care for we will be seeking your consent to use your personal information/data in order to do this, as set out in this privacy notice.
- Consent to share your data will be sought within the referral process.

**(c) Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations).

- We may need to process your personal data to ensure our compliance with our legal and statutory obligations. For example, should we be required to submit information to the police or to a court, and in cases where the processing is necessary for compliance with other laws. In all cases the personal data shared will only be that which is necessary for the purposes and subject to the University having measures in place to ensure that the data is handled in line with data protection laws.

**(d) Vital interests:** the processing is necessary to protect someone's life.

- We may use your personal information in situations where we need to protect your vital interests (or someone else's interests). For example, the University would inform the emergency services of known medical conditions of a service user where they had lost consciousness.

**(e) Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

- The delivery of the stroke exercise group pilot is done on the basis of public task. This is because we will use your personal data so that we can meet our duties and responsibilities in order to deliver high quality care and meet the professional requirements of physiotherapists regarding our Health and Care Profession Council (HCPC) requirements. The HCPC states as physiotherapists we have a professional responsibility to keep full, clear and accurate records for everyone we care for, treat or provide services to. This is to ensure we meet both our legal and ethical obligations and requirements.
- We may also collect and retain data to support public health or safety, safeguarding or crime prevention measures, or the need to retain a basic record of students that have studied with us and their attainment for verification of award purposes. We may also be

required to share personal information with our external regulators, auditors, assessors, or professional bodies. In all cases the personal data shared will only be that which is necessary for the purposes and subject to the University having measures in place to ensure that the data is handled in line with data protection laws.

- The point at which we will collect your personal data directly will be upon receipt of an expression of interest to participate in the physiotherapy stroke exercise pilot following your completion of the referral form. Subsequent data held by us will be that which is required as part of the ongoing health records associated with attending the group exercise class.

### **Why are we processing your personal data**

It is necessary for the University to process your personal data in order to ensure that:

- Data is processed under the legal basis of Article 9 2(h) of the General Data Protection Regulation (UK GDPR) which covers health and social care and the Data Protection Act 2018 Sch 1, Pt 1, 2 Health or social care purposes.
- We meet the statutory requirements of the Health Care Professions Council:
  - Standards of conduct, performance & ethics (2024)
- Keep records of your work (10)
  - You must keep full, clear, and accurate records for everyone you care for, treat, or provide other services to (10.1)
  - You must complete all records promptly and as soon as possible after providing care, treatment or other services (10.2)
  - You must keep records secure by protecting them from loss, damage or inappropriate access (10.3)
- Standards of proficiency for physiotherapy (2023)
  - Maintain records appropriately (9)
  - Keep full, clear and accurate records in accordance with applicable legislation, protocols and guidelines (9.1)
  - Manage records and all other information in accordance with applicable legislation, protocols and guidelines (9.2)
  - Use digital record keeping tools, where required (9.3)

Under the General Data Protection Regulation (GDPR) our processing is necessary for the performance of the public task associated with providing a physiotherapy exercise class and will be collected according to health and social care purposes, and for the legitimate interests of the University.

### **How your data is collected**

- As a potential/actual participant or the physiotherapy stroke exercise group pilot we will be collecting data from you or through referrals made with your prior agreement. The data

collected will be that which is necessary in order to provide high quality care from a physiotherapy perspective:

- We collect your personal data directly from you, by email or telephone through a self-referral or a referral made on your behalf by another professional with your informed consent.
- We will collect personal information from you directly when you receive in-person services via the stroke exercise group.
- We will also collect emergency contact/next of kin details – this data will be collected from the referral form from the participant utilising our services
- Data will be collected via an electronic referral form, and via ongoing healthcare notes associated with the physiotherapy exercise class. The data will be collected and processed by HCPC registered Physiotherapists through the Physiotherapy Lecturing team, and by student physiotherapists directly involved in provision of this pilot/service.

### **The data we hold about you and how it is used**

As part of providing this service, the stroke exercise group pilot, we will process the following information for the visitors/users of this service:

- Your name
- Date of birth
- Your gender
- Contact details – address, telephone number and email
- Emergency contact details/next of kin – in case of emergency

Special category data is considered more sensitive than other personal data. We will also process some Special Category data, where you chose to provide it:

- Information about your health – including:
  - Medical conditions & any surgeries
  - Current medication including and medication induced side effects
  - Previous history regarding rehabilitation/physiotherapy
  - A letter from your GP/a registered health professional stating you are medically fit to participate in a supervised exercise class.
  - Health data regarding your participation in the physiotherapy stroke exercise class, including assessment and ongoing treatment monitoring as part of our professional standards regarding clinical records.

**Your data will, or may, be shared with the following chooseints or categories of recipient:**

Your data will be stored on internal, password protected University systems with access restricted to those who need it in order to carry out their roles. This includes but is not limited to those working directly on the physiotherapy stroke exercise group pilot. Oversight for the secure storage of this data will be the responsibility of the HCPC registered Physiotherapy Lecturing staff overseeing the pilot. University of Suffolk physiotherapists participating in the stroke exercise group pilot will have access to the personal data in the referrals and ongoing clinical records based upon the session as per HCPC standards and additional professional regulations.

In line with Universities UK guidance, information relating to the outcome of a complaint and associated actions may be shared with another party to the complaint. The extent of this sharing will be decided upon a case-by-case basis, and where any information is shared with reference to an appropriate and agreed lawful basis.

We need to disclose personal and special category 'sensitive' personal data to some external bodies as part of our statutory functions as required by law. These organisations are Data Controllers for your data, except where explicitly stated otherwise. Under these conditions, your data may be provided to organisations including but not limited to:

- To support public health or safety, safeguarding or crime prevention measures
- In the case of emergency - Your personal data may be processed by the University of Suffolk and transferred to the emergency services where this is required to protect your vital interests or those of another person.

### **How your data is stored internally**

Whilst the stroke exercise group is not an NHS service, we will be aligning our approach to data storage with NHS England (2023) Records Management Code of Practice.

Your data will be stored digitally on a University of Suffolk password protected Microsoft Teams area. This area will be strictly managed, and access to the clinical records & referral associated with this pilot will be stored in a private access-controlled Microsoft Teams channel. Emails received as part of the referral process/additional communication regarding facilitation of this group will be stored in an individual participant file along with their clinical records. Access will be granted for only those with a legitimate need to access for the purpose of maintenance of clinical notes and to ensure provision of high-quality care.

### **How long is the data kept for?**

In accordance with NHS England (2023) Records Management Code of Practice this data will be stored and retained in accordance with the category of adult health record for a minimum period of 8 years from the point the record ceases to be operational, which is usually at the point of discharge from care. If the record comes back into use during its retention period then the

retention period will reset and begin again at the end of the second period of use (as in keeping with section five of the Code).

### **Data Subject Rights including withdrawing consent**

One of the aims of the General Data Protection Regulation (GDPR) is to empower individuals and give them control over their personal data.

The GDPR gives you the following rights:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling

All personal data will be processed in accordance with the Data Protection Act 2018 and General Data Protection Regulation. If you have any queries or concerns about the use of your personal data regarding your graduation ceremony including withdrawing your consent, please contact the University Data Governance Team: [datagovernance@uos.ac.uk](mailto:datagovernance@uos.ac.uk)