



SHOULDER & ELBOW LONDON LTD. PRIVACY NOTICE

BACKGROUND:

Shoulder & Elbow London Ltd. understands that your privacy is important to you and that you care about how your personal data is used. We respect and value the privacy of all of our patients and will only collect and use personal data in ways that are described here, and in a way that is consistent with obligations and your rights under the law.

1. Information About Us

Shoulder & Elbow London Ltd.

Limited Company registered in England under company number 10252796.

Registered address: Flat C, 78 Loveridge Road, London, NW6 2DT

Data Protection Officer: Nicholas Ferran.

Email address: nick@shoulderandelbowlondon.com .

Telephone number: 02071646312.

2. What Does This Notice Cover?

This Privacy Information explains how we use your personal data: how it is collected, how it is held, and how it is processed. It also explains your rights under the law relating to your personal data.

3. What is Personal Data?

Personal data is defined by the General Data Protection Regulation (EU Regulation 2016/679) (the "GDPR") as 'any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier'.

Personal data is, in simpler terms, any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online identifiers.

The personal data that we use is set out in Part 5, below.

4. What Are My Rights?

Under the GDPR, you have the following rights, which we will always work to uphold:

- a) The right to be informed about our collection and use of your personal data. This Privacy Notice should tell you everything you need to know, but you can always contact us to find out more or to ask any questions using the details in Part 11.
- b) The right to access the personal data we hold about you. Part 10 will tell you how to do this.
- c) The right to have your personal data rectified if any of your personal data held

by us is inaccurate or incomplete. Please contact us using the details in Part 11 to find out more.

- d) The right to be forgotten, i.e. the right to ask us to delete or otherwise dispose of any of your personal data that we have. Please contact us using the details in Part 11 to find out more. While data subjects have the right to request erasure, as a medical professional we are legally bound to maintain medical records in line with professional best practice. We will maintain medical records in line with the Records Management Code of Practice for Health & Social Care 2016 as this is the gold standard. For more information please visit: (<https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-practice-for-handling-information-in-health-and-care/records-management-code-of-practice-for-health-and-social-care-2016>)
- e) The right to restrict (i.e. prevent) the processing of your personal data. The right to object to us using your personal data for a particular purpose or purposes. If the data subject objects to our processing of medical records, we will comply with this but will continue to store the medical records as in 4 d) above. If the Company is requested to cease processing medical records, we will no longer be able to provide medical treatment.
- f) The right to data portability. This means that, if you have provided personal data to us directly, we are using it with your consent or for the performance of a contract, and that data is processed using automated means, you can ask us for a copy of that personal data to re-use with another service or business in many cases.
- g) Rights relating to automated decision-making and profiling. We do not use your personal data in this way.

For more information about our use of your personal data or exercising your rights as outlined above, please see our website for details or contact us using the details provided in Part 11.

Further information about your rights can also be obtained from the Information Commissioner's Office or your local Citizens Advice Bureau.

If you have any cause for complaint about our use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office.

5. **What Personal Data Do You Collect?**

We may collect some or all of the following personal data (this may vary according to your relationship with us):

- Name;
- Date of birth;
- Gender;
- Address;
- Email address;
- Telephone number;
- Business name;
- Job title;

- Profession;
- Payment information;
- Insurance details
- GP details
- NHS Number
- Relevant hospital numbers
- Medical History
- Blood, imaging and other diagnostic results
- Operation notes
- Details of clinic attendances and hospital admissions
- Clinical outcomes

Your personal data is obtained from the following third parties] :

- Hospitals or clinics where you book an appointment (your contact details are provided to us in order to book you into clinics);
- Hospitals or clinics where you have diagnostics we have requested (your diagnostic/test reports are sent to us)
- Doctify or other online booking/enquiry websites may provide us with your contact details in order to book you into clinics)
- Insurance companies may share your information with us to arrange appointments or billing
- General Practitioners, specialists, or other therapists may refer you to us for treatment and will provide us with your details.

6. **How Do You Use My Personal Data?**

Under the GDPR, we must always have a lawful basis for using personal data. This may be because the data is necessary for our performance of a contract with you, because you have consented to our use of your personal data, or because it is in our] legitimate business interests to use it. Your personal data may be used for one of the following purposes:

- Providing and managing your medical care and account.
- Supplying our services to you. Your personal details are required in order for us to enter into a contract with you.
- Personalising and tailoring our services for you.
- Communicating with you. This may include responding to emails or calls from you.
- Supplying you with information by email or post that you have opted-in to (you may unsubscribe or opt-out at any time by contacting us my email.

7. **How Long Will You Keep My Personal Data?**

We will not keep your personal data for any longer than is necessary in light of the reason(s) for which it was first collected. Your personal data will therefore be kept for

the following periods (or, where there is no fixed period, the following factors will be used to determine how long it is kept):

- 10 years after final clinical treatment

8. How and Where Do You Store or Transfer My Personal Data?

We will only store or transfer your personal data within the European Economic Area (the “EEA”). The EEA consists of all EU member states, plus Norway, Iceland, and Liechtenstein. This means that your personal data will be fully protected under the GDPR or to equivalent standards by law.

The security of your personal data is essential to us, and to protect your data, we take a number of important measures, including the following:

- All devices used for managing personal data are encrypted and password/finger print protected.
- All e-mails are sent on Microsoft Exchange Servers which are encrypted with data centres in the UK.
- All e-mails containing personal information should be encrypted with Egress Switch where possible
- We operate a paper-lite system where possible to minimise printed personal data storage.

9. Do You Share My Personal Data?

We may share your personal data with other companies for the purpose of delivering your care, monitoring your progress, and billing and accounting purposes.

We contract with the following third parties to supply services to you on our behalf. These may include payment processing, delivery, and marketing. In some cases, those third parties may require access to some or all of your personal data that we hold.

Third Party	Country	Data	Purpose
London Medical Management	UK	All data	Practice management, typing, organising care, medical billing
WeType UK	UK	All health data	Clinic letter typing
Romford & Co Chartered Accountants	UK	Accounting data and demographics (no health data)	Accounting
Clanwilliam Health Ltd. (DGL Practice Manager)	UK	All data	Practice management storage software. Access to data for technical support only
Amplitude Clinical Outcomes	UK	All health data	Collection and recording of clinical outcome data

HCA Hospitals & Clinics	UK	Demographic and health data	Clinic bookings or in hospital admissions
BMI Healthcare Hospitals & Clinics	UK	Demographic and health data	Clinic bookings or in hospital admissions
Trust Plus Northwick Park	UK	Demographic and health data	Clinic bookings or in hospital admissions
Harley Street Medical Centre (UME Group)	UK	Demographic and health data	Clinic bookings
Your General Practitioner	UK	Demographic and health data	To monitor your health progress
Other Medical or Healthcare specialists	UK	Demographic and health data	To make referrals or update about your health progress
Your insurance company	UK/International	Demographic and health data	For medical billing
National Joint Registry	UK	Demographic, health and joint replacement data	Required professionally to provide data on all joint replacements.
J2 eFax	Ireland	Clinical letters	Secure excrypted e-faxing of letters to GP's or clinics
Zoom.US	USA	Email address and video consultation	For video consultations

If any of your personal data is required by a third party, as described above, we will take steps to ensure that your personal data is handled safely, securely, and in accordance with your rights, our obligations, and the third party's obligations under the law, as described above in Part 8.

If any personal data is transferred outside of the EEA, we will take suitable steps in order to ensure that your personal data is treated just as safely and securely as it would be within the UK and under the GDPR, as explained above in Part 8.

In some limited circumstances, we may be legally required to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

Details of Zoom.UK GDPR compliance can be found at:
<https://support.zoom.us/hc/en-us/articles/360000126326-Official-Statement-EU-GDPR-Compliance>

10. How Can I Access My Personal Data?

If you want to know what personal data we have about you, you can ask us for details of that personal data and for a copy of it (where any such personal data is held). This is known as a "subject access request".

All subject access requests should be made in writing and sent to the email or postal addresses shown in Part 11. To make this as easy as possible for you, a Subject Access Request Form is available for you to use. You do not have to use this form, but it is the easiest way to tell us everything we need to know to respond to your request as quickly as possible.

There is not normally any charge for a subject access request. If your request is 'manifestly unfounded or excessive' (for example, if you make repetitive requests) a fee may be charged to cover our administrative costs in responding.

We will respond to your subject access request within one month of receiving it. Normally, we aim to provide a complete response, including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of three months from the date we receive your request. You will be kept fully informed of our progress.

11. **How Do I Contact You?**

To contact us about anything to do with your personal data and data protection, including to make a subject access request, please use the following details:

Email address: nick@shoulderandelbowlondon.com

Telephone number: 02071646312.

Postal Address: Flat C, 78 Loveridge Road, London, NW6 2DT.

12. **Changes to this Privacy Notice**

We may change this Privacy Notice from time to time. This may be necessary, for example, if the law changes, or if we change our business in a way that affects personal data protection.

Any changes will be made available on our website and by e-mail.

I hereby give my consent to Shoulder & Elbow London Ltd. To access, store, and share my personal data in accordance with the rules and regulations set out in GDPR for the purposes as set out in this Privacy Notice.