



# Channel Health Alliance

## Privacy Policy

Version	Approved Date	Approved By	Review Date	Changes
2.0	December 2025	Q&P Committee	December 2026	Reviewed in line with CHA Policies and by Legal Team

## Who we are and what we do

Channel Health Alliance (CHA) is a GP federation commissioned by the Kent & Medway ICB to provide urgent and primary care health services. We currently provide:

- Home visiting service
- Minor illness services as part of two Urgent Treatment Centres (**UTCs**) one in Deal and one in Folkestone
- Enhanced access services and employ staff on behalf of Primary Care Networks (**PCNs**) who provide services within care homes.

## GDPR and DPA 2018

Our legal bases for processing personal data under the General Data Protection Regulation (**GDPR**) and Data Protection Act 2018 (**DPA 2018**) are:

- GDPR article 6 (1) (a) – where the data subject has given consent to the processing of their personal data for one of more specific purposes.
- GDPR article 6 (1) (c) – processing is necessary to comply with legal obligation.
- GDPR article 6 (1) (d) – processing is necessary in order to protect the vital interests of the data subject or of another natural person.
- GDPR article 6 (1) (e) – processing is necessary for the performance of a task carried out in the public interest.
- GDPR article 9 (2) (g) – processing is necessary for the reasons of substantial public interest
- GDPR article 9 (2) (h) – processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of domestic law or pursuant to contract with a health professional. This is subject to the processing being by a professional who has a professional obligation of secrecy under domestic law or the rules of a national regulatory body.
- GDPR article 9 (2) (i) – processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of domestic law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy.
- GDPR article 9 (2) (j) – processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with relevant legislation and appropriate safeguards.
- DPA 2018 – schedule 1, part 1, (2) - processing is necessary for health or social care purposes including:
  - preventive or occupational medicine,
  - the assessment of the working capacity of an employee,
  - medical diagnosis,
  - the provision of health care or treatment,
  - the provision of social care, or

- the management of health care systems or services or social care systems or services.
- DPA 2018 – schedule 1, part 1, (3) – processing is necessary for public health care
- DPA 2018 – schedule 1, part 2, (6) (1) – statutory etc. and government purposes

This includes data from your GP's referral into one of CHA's services, any data provided during clinics, presentations or other contact with CHA's services, data previously provided to CHA, data retrieved from the NHS spine and Summary care record and in existing care records retained by the registered GP where access has been shared between the health organisations. This approach assists CHA in providing a fast effective integrated service with access to the complex health record of the patient.

CHA does not hold your full health and care (medical) records as the registered GP would, but CHA does hold the following:

- Your name, date of birth, address and contact details
- Your NHS number, which makes sure your records are linked to you and you alone
- Records of contact you've previously had with us
- Copies of any relevant or pertinent extracts from your care record, where access is available and appropriate for CHA's clinical team to access to manage your health care needs.

## **How and why we use your data**

Data protection law allows us to use your data for specific purposes where we have a legal basis to do so. We have set out the reasons and lawful basis below.

## **Providing healthcare in the public interest on behalf of the NHS**

As a healthcare provider we are performing a task carried out in the public interest on behalf of the NHS. We are subject to statutory duty to collect (process) and to share information about patients for their direct care.

As most of the information by its very nature of being health related is sensitive personal (special category) data we only use this for medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems.

This includes local administrative tasks which support this purpose such as:

- Performance against national targets
- Activity monitoring
- Local clinical monitoring
- Local clinical audit

It also covers instances where we participate in activities with a statutory basis such as responding to a public health emergency. For example, we encounter infectious diseases which may endanger the safety of others, such as meningitis or measles (but not HIV/AIDS).

We will always be open and honest where appropriate with patients and their carers from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.

We share data where it is necessary for CHA to comply with a legal obligation by assisting commissioners or other healthcare organisations with a legal right to see the data including but not limited to the registered GP, community services, and regulators.

All calls and the records created are maintained securely and will only be shared with others directly involved with your care. CHAs clinical quality team will access this information only in the event that you are unhappy with your experience, and they investigate a complaint on your behalf. You are able to request that your records are not accessed by this team, but this will restrict the scope of the investigation and will therefore affect the outcome.

After every consultation a copy of the completed consultation notes will be passed onto your registered GP to ensure continuity of care and ensure that there is a full record of your care held centrally.

You can object to this sharing of data as we have an obligation to consider the common law duty of confidentiality. However, if we feel that not sharing the data would cause you or others serious harm, we will consider your vital interests. This will be explained to you at the end of each period of care and further information is available upon request.

For more information on complaints please contact us on 01304 809750 or by emailing [cha.quality@nhs.net](mailto:cha.quality@nhs.net)

## **NHS 111**

If you use 111 online service, they will pass your answers and personal details to us as the healthcare service you have selected if you (or the person you are contacting them about) chose to be referred.

## **Patient Experience**

We are continuously striving to improve our services, and your feedback is paramount to this in line with guidance from the Information Commissioner's office Channel Health Alliance will use your implied consent to contact you regarding your experience of using our service unless you inform us otherwise.

## **Commissioners**

Clinically led statutory NHS bodies responsible for the planning and commissioning of health care services for their local area use this data to assess local needs, decide priorities and strategies and then possible to offer a choice over this sharing of data under the common law duty of confidentiality, we will make this clear.

## **Duty of Confidentiality**

Everyone working for the NHS is subject to the common law duty of confidentiality. Information provided in confidence will only be used for the purposes described below, unless there are other circumstances covered by the law.

Under the NHS confidentiality code of conduct, all our staff are also required to protect your information, inform you of how your information will be used, and allow you to decide if and how your information can be shared.

We are one of the partner organisations to the Kent and Medway care record (KMCR). The KMCR is an electronic care record which links your health and social care information held in different provider systems, to one platform. This allows health and social care professionals who have signed up to the KMCR to access the most up to date information to ensure you receive the best possible care and support by those supporting you.

You have the right to be informed about the collection and use of your data. The notice is one of the ways that we are informing you but if at any time you wish to have further details on the categories of data we're processing or the purposes for a specific instance then you have a right to ask for this.

## **The Right of Access**

You have the right to obtain confirmation that we are processing your personal data and copy of that data. This includes the right to ask for supplementary information about the third parties it is shared with, the parties we have collected it from, if any and how long it is stored for.

We will provide you with the information within one month of your request.

You should be aware that in certain circumstances your right to see some details in your health records may be limited in your own interest or where it adversely affects the rights and freedoms of other (e.g. another person's confidentiality). We will, however, tell you if we can't meet your request for that reason.

We also may not have the right to access the information requested and this will require a multi-party request if the records are held by several different parts of the NHS.

## **The Right to Rectification**

You have the right to have inaccurate personal data rectified or completed if it is incomplete. You can make a request verbally or in writing and we will respond to you within a month.

- The right to erasure  
This is the right to have personal data erased; however, where we are processing data for public health purposes in the public interest this right does not apply. You can make a request and we will advise accordingly.
- The right to restrict processing
- You have the right to request the restriction or suppression of your personal data
- The right to data portability

It is important to understand that this has various limitations. The most important of these is that this does not mean there is a right to change a professional opinion and it is limited to factual issues. Any concerns related to this can be discussed with the clinical quality team in the first instance.

## **You have the right to lodge a complaint regarding our use of your data**

Please tell us first, so we have a chance to address your concerns.

If we fail in this, you can address any complaint to the UK information commissioner's office, either by calling their helpline 03031231113 or directed on their website at [www.ico.org.uk](http://www.ico.org.uk) or via post:

**Information commissioner's office**  
**Wycliffe house**  
**Wilmslow**  
**Cheshire**  
**SK95AF**

## **How secure is the data we collect?**

We have physical, electronic, and Information Governance procedures in place to safeguard and secure the information we collect.

We take responsibility and are accountable for ensuring that the data we collect and use is done so in a lawful and ethical manner. They ensure that all of the relevant and most up to date security measures are taken to protect the data and question each secondary use regularly.

This includes ensuring that we comply with the Data Security and Protection Toolkit on an annual basis.

The senior manager team, including the Caldicott Guardian and a Senior Information Risk Officer. (SIRO)

With all of the above in place we hope to reduce the possibility of any breaches of data however if you believe your privacy has been breached, please contact us immediately [CHA.quality@nhs.net](mailto:CHA.quality@nhs.net)

For further information see our security policy.

## **Retention**

CHA does not hold any of your confidential clinical records in the long term as they are sent back by your surgery following your consultation with CHA services.

***Updated November 2025***