

Your Data Rights

Right to Access

You have the right to access your health records under the Data Protection Act 2018 and the UK General Data Protection Regulations. This is referred to as a Subject Access Request and the request can be made verbally or in writing and the Trust has one month to respond. This is provided free of charge. There are also circumstances where someone may request data on behalf of another person such as a child or someone who has lost mental capacity to act themselves.

For more information on how to exercise this right please click [here](#).

Your right to rectification

All individuals have the right to have inaccurate personal data rectified, or completed if it is deemed to be incomplete. This request can be made verbally or in writing and the Trust has one calendar month to respond to the request.

The Trust can refuse to comply with your request if it is manifestly unfounded or excessive, taking into account whether the request is repetitive in nature.

Your right to erasure

If you are concerned that information we are holding about you is incorrect, then you have the right to request that this information be changed or erased. This would apply to personal details, like a change of address or name.

However the absolute right to erasure does not apply to medical record information as it falls under 'special category data'. The decision whether to change or erase information in the medical records is reviewed by a clinician or doctor and a decision made with regard to whether changes or erasures can be made. Your written objection to any information that is not removed can be filed in your record as an addendum.

Your right to restrict processing

You have the right to request the restriction or suppression of your personal data. This means that you can limit the way the Trust uses your data. This request can be made verbally or in writing and the Trust has one calendar month to respond to the request. The Trust can refuse to comply with your request if it is manifestly unfounded or excessive, taking into account whether the request is repetitive in nature.

Your right to object to the processing of your personal data

You have the right to object to the processing of your personal data in certain circumstances, for example to stop your data being used for marketing purposes. This request can be made verbally or in writing and the Trust has one calendar month to respond to the request. The Trust can refuse to comply with your request if it is manifestly unfounded or excessive, taking into account whether the request is repetitive in nature.

You also have the right to opt out of your information being used for anything other than direct care purpose. More information on this can be found [here](#).

Your right to data portability

All individuals have the right to data portability. This means individuals can obtain and reuse their personal data for their own purposes across different services. It allows individuals to

move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without affecting its usability. This request can be made verbally or in writing and the Trust has one calendar month to respond to the request. The Trust can refuse to comply with your request if it is manifestly unfounded or excessive, taking into account whether the request is repetitive in nature.

For more information on how to exercise your rights please contact our Data Protection Officer at dqft.dpo@nhs.net.