

## Privacy Notice – Oxehealth Digital Care Assistant

The Kent and Medway NHS and Social Care Partnership Trust collects data about you relating to who you are, where you live, what you do, your family, possibly your friends, your employers, your habits, your problems and diagnoses, the reasons you seek help, your appointments, where you are seen and when you are seen, who by, referrals to and from specialists and other healthcare providers, tests carried out both here and in other places, investigations and scans, treatments and outcomes of treatments, your treatment history, the observations and opinions of other healthcare workers, within and without the NHS as well as comments and aide memoires reasonably made by healthcare professionals in this organisation who are appropriately involved in your health care.

The Trust places the health, safety, security and welfare of its inpatient and outpatient service users, staff and visitors high amongst its priorities and will ensure it maintains safe and secure conditions throughout the organisation. The Trust is using the Oxehealth Digital Care Assistant known as Oxevision in two of the Trusts seclusion rooms.

### What is Oxevision?

Oxevision is a fixed installation software platform, using a non intrusive optical sensor (camera and infrared illumination) which is installed in a secure housing unit in each seclusion room. The system aims to improve service user privacy and independence by reducing the need for staff to disturb patients when carrying out observations, particularly when they may be sleeping.

The Oxevision system enables staff to take contact free vital sign spot checks without entering the room. It also provides staff with real time alerts, warnings and reports, via a central display screen in the nurse's station to alert staff if there is an incident.

Oxevision is not CCTV, and the optical sensor cannot be used as CCTV as it does not record a constant stream video of the rooms it is installed within, staff cannot use this system to watch you. Clinicians can only gain access to a video image that could identify a patient when taking a spot checks pulse rate and breathing rate observation. This clear un-pixelated video is only available for up to 15 seconds, which is long enough for staff to complete a short safety check. All other recordings are anonymous including movement activity, vital signs measurements and video data used for performance monitoring.

Any images held are only retained for 24hrs and then automatically overwritten.

KMPT have installed Oxevision to:

- Facilitate improved care for patients within seclusion.
- Enhance service user safety by early detection of physical health deterioration.
- Reducing falls, safeguarding and self harm incidents.
- Reduce intrusiveness of night time observations.

### What data does Oxehealth Collect?

The Oxehealth system uses an optical sensor which is made up of a camera plus infrared illumination in a secure housing on the wall. This is not CCTV and staff cannot use the system to watch you – the

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optical sensor provides staff with information without having to show a constant image feed. The Oxehealth system has been designed with service user privacy in mind.

The Oxehealth System allows ward staff to take Vital signs – your breathing and pulse rate only. This must be done manually by a member of staff and can only be done as a spot check and will only be taken when required, in line with your care plan.

Any images are only held for 24 hours before being overwritten.

All other recordings are anonymous, including:

- Movement activity (e.g. service user leaving the room);
- Vital signs measurements (breathing and pulse rate);
- Anonymised video data (blurred images of the room used for performance monitoring).

There are three instances in which staff will be able to use the optical sensor to see into a room:

- To review an alert (by viewing a pixelated image);
- To take vital signs (to confirm the correct patient is present and suitable for observation by viewing a clear image which times out after 10 seconds);
- As part of level 1 and 2 observations to check patient is not in distress.

You have the right to object to our sharing your data in these circumstances but we have an overriding responsibility to do what is in your best interests. Please see below.

We are required by Articles in the General Data Protection Regulations to provide you with the information in the following 9 subsections.

## Privacy Notice – Oxehealth Digital Care Assistant

1. <b>Data Controller</b> contact details	Kent and Medway NHS and Social Care Partnership Trust Head Office, Farm Villa, Hermitage Lane, Maidstone, Kent, ME16 9PH
2. <b>Data Protection Officer</b> contact details	Leanne McDougall Head of Information Governance, St Michaels House, St Michaels Road, Sittingbourne, Kent, ME10 3DW
3. <b>Purpose</b> of Processing	We need to collect and record information about you in order to provide the right kind of services to meet your needs. Appropriate collection and sharing of information is an essential part of the provision of your safe and effective care. You could be put at risk if we do not have access to relevant, accurate and up to date information about you.
4. <b>Lawful basis</b> for processing	<p>The processing of personal data in the delivery of direct care and for providers' administrative purposes in this organisation and in support of direct care elsewhere is supported under the following Article 6 and 9 conditions of the GDPR:</p> <ul style="list-style-type: none"> <li>• <i>Article 6(1)(e) '...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...'</i>.</li> <li>• <i>Article 9(2)(h) 'necessary for the purposes of preventative 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...'</i></li> </ul> <p>We will also recognise your rights established under UK case law collectively known as the "Common Law Duty of Confidentiality"*</p>
5. <b>Recipient or categories of recipients</b> of the processed data	The data will be shared with Health and Social Care professionals and support staff in this organisation, your GP practice and at hospitals, diagnostic and treatment centres who contribute to your personal care. This will include social care staff working within local authorities. We will also share information with other mental health care providers where you move to a new area, or transition between care groups, such as from child services to adult services.
6. Rights to <b>object</b>	You have the right to object to some or all the information being processed under GDPR Article 21. Please contact the Data Controller or Data Protection Officer. You should be aware that this is a right to raise an objection, that is not the same as having an absolute right to have your wishes granted in every circumstance, and the organisation will need to consider what is in the best interests of your care and treatment.
7. Right to <b>access and correction</b>	You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law.
8. <b>Retention</b> Period	The data will be retained in line with the law and national guidance.

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	<p><a href="https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016">https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</a></p>
9. Right to <b>Complain</b>	<p>You have the right to complain to the Information Commissioner’s Office, you can use this link</p> <p><a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a></p> <p>or call their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>