

# Doctaly Assist Privacy Notice – September 2020

## Doctaly Assist and your information

Doctaly Assist is intended for non-emergency issues only. If you have a medical Emergency please dial 999 for the appropriate level of care.

Doctaly Assist is the service name (and trading name) belonging to BDM Medical Ltd, which is based in the United Kingdom. We are registered with the Information Commissioner as a Data Controller and our registration number is ZA180429.

We worked hard to achieve compliance with the General Data Protection Regulations and the NHS Data Protection and Security Toolkit with respect to how we protect your information to deliver the Doctaly Assist platform.

If you have any questions or wish to make a request in relation to your information, please contact our Data Protection Officer, who can be contacted at: [dpo@doctaly.com](mailto:dpo@doctaly.com).

When you utilise the Doctaly Assist platform, we collect, use, store and share information about you, your health and the way that you have used our platform. We do not transfer information that directly identifies you outside of the UK or the European Union.

## How does Doctaly Assist collect your information?

Directly	We collect your personal information directly from you, once you register with our platform
Indirectly	When your usual GP links your personal information with Doctaly Assist
Automatically	When we collect technical information about your use of the platform

The information we collect will be stored electronically; this information includes Personal Data:

### Basic details about you:

+ Your name, gender, phone number, date of birth and NHS number

### as well as Special Category Data (information about your health):

+ Content of your Doctaly Assist questions (answered within our platform), outcomes and measurements collected from medical devices or that you may have entered

We are permitted to collect, store, use and share this information under contract and as per Data Protection Legislation because it is for Direct Care and in conjunction with your usual GP and NHS services (reference: GDPR Article 6 (1)(e) & Article 9 (2) (h) (see lawful basis).

## How does Doctaly Assist use my information?

- + To deliver NHS services from your usual GP Practice and other recognised NHS Partners such as Primary Care Networks and GP Federations.
- + To communicate with you about your use of Doctaly Assist, new features and respond to your enquiries
- + To request feedback or send surveys to find out if Doctaly Assist is working well for you and how you used it
- + To tailor the content and information that we send or display, and personalise help and instructions to improve your experience of Doctaly Assist

To undertake these activities, your information may be shared internally within our team. We will work to ensure that only the right people have your information and that they are only given the information they need.

## What are my information rights?

Data protection law provides you with a number of rights that Doctaly Assist is committed to supporting you with;

### Right to access

You have the right to obtain:

- + Confirmation that your information is being used, stored or shared by Doctaly Assist
- + A copy of information held about you. We will respond to your request within one month of receipt or we will tell you when it might take longer

We are required to validate your identity or the identity of someone making a request on your behalf.

### Right to object or withdrawn consent

- + We collect, use, store and share your information because you have consented for us to do so, but you have a right under common law to object to us doing this, and you may withdraw your consent at any time
- + When you make such a request, the data will be anonymised (anything that identifies you will be removed) to ensure it is no longer personal data
- + We will then only use the anonymised data for technical, quality and business purposes
- + Our Data Protection Officer will be happy to speak with you about any concerns you may have

### Right to Rectification

- + If information about you is incorrect, you are entitled to request that we consider and correct it (if applicable)
- + There may be occasions, where we are required by law to maintain the original information. Our Data Protection Officer will talk to you about this and you may request that the information is not used during this time.
- + We will respond to your request within one month of receipt or we will tell you when it might take longer

### Restriction

- + When you are making requests for correction or objecting to processing, you have a right to request that we do not further share the information whilst we process your request
- + We will let you know once we are no longer restricting the information

You also have the right to make complaints and request investigations into the way your information is used; either directly with the ICO and/or with our Data Protection Officer (**dpo@doctaly.com**)

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Telephone: 0303 123 1113

For more detailed information on your rights visit <https://ico.org.uk/for-the-public/>

To make a request for any of the above, please email our Data Protection Officer at **dpo@doctaly.com**

## Who is responsible for my data and why?

<b>Data Controller Direct care</b>	The Data Controller is your usual GP Practice.
<b>Data Processor</b>	The Data Processor is BDM Medical Ltd ( <b>Doctaly Assist</b> ).
<b>Lawful basis for processing</b>	<p>These purposes are supported under the following sections of the GDPR:</p> <p><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...’; and</i></p> <p><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></p> <p>Healthcare staff will also respect and comply with their obligations under the common law duty of confidence.</p>

## How long does Doctaly Assist store my information?

Doctaly Assist supports your usual GP in managing long-term conditions so we will retain/store your information until you withdraw consent or your GP determines that you no longer need to be monitored on the platform.

Doctaly Assist is a software platform that you may not use every day, we will not delete the data because you have not used it in a while. Please let us know if you no longer wish to use the platform.

When you withdraw consent, the data will be anonymised (anything that identifies you will be removed) to ensure we are not holding information about you that we no longer need. This information will be held for a maximum of 5 years.

## Surveys and feedback

Doctaly Assist may on occasion ask you to complete a survey or feedback. This is normally to gain valuable insight as to how appropriate you feel the questions within the service are and how well the tool is helping you and your GP manage your condition. Any such survey or feedback would be offered via the tool and you would have the option to “Opt in” or “Opt out” as these are not mandatory. If you were to “Opt in” you will be asked to consent to the use of your information for the purpose of the survey or feedback.