

## **TELEPHONE CALLS WITH PATIENTS IN THE STATE HOSPITAL**

If you are a carer, friend or family member of a patient currently within the State Hospital the information below will explain on how we use personal data collected in relation to speaking to your friend or family member on the telephone whilst he is resident in the State Hospital.

### **Your personal information**

We're always careful to protect your data, and we believe you have every right to know how, and why, we need it. We want to ensure you're always clear on how data is being used. This is in line with data protection legislation.

### **What we collect**

We collect personal information that you provide us with. This normally includes, name, address, telephone number, date of birth and your relationship with the patient. It is also possible that when you are speaking on the telephone to your friend or family member the calls could be recorded or listened to. This is not done as a matter of routine and you will be informed if it is the case in your situation.

### **Why we need it**

We need your personal data in order to ensure we maintain the safety of the Hospital, the patients who live here, the staff members and the general public and to help detect or prevent fraud or other crimes. We will not collect any personal data from you we do not need.

### **What we do with it**

All the personal data we process is processed by our staff in the State Hospital. Data is held securely on an NHS server. In relation to telephone calls we will share the details provided to us by your friend or family member with the Social Work Department based at the State Hospital. The Social Worker allocated to your friend or relative will contact you to confirm the details provided and to ensure you are willing to accept calls from this individual.

When your friend or family member transfers from the State Hospital, we will provide your contact details to the receiving organisation (Hospital, prison, etc.) so that, where appropriate, similar arrangements can be put in place without undue delay.

If information came to light that suggested there was any criminal activity or issues relating to child protection, in which case we are legally required to pass this information to the relevant authorities.

We have a Data Protection regime in place to oversee the effective and secure processing of your personal data.

## How long we keep it

We will keep your contact details whilst your friend or family member is resident at the State Hospital. Any recordings of telephone calls we make will be held for a maximum of 14 days unless there is reasonable and justifiable cause to extend this time.

## What is our legal basis

We process your personal information because it is necessary for the performance of a task carried out in the public interest [UK GDPR Article 6(1)(e) & Article 9(2)(h)].

We have the right under section 284 of the Mental Health (Use of Telephones) (Scotland) Regulations 2005 to restrict, prohibit or intercept telephone calls with patients in our care. This includes listening to, recording and otherwise monitoring; interrupting, cutting short, diverting or preventing communication from occurring. This must be justifiable and proportionate.

## What are your rights

You have the right to know we hold your information and to request a copy of the information that we hold. We want to make sure that your personal information is accurate and up to date. At any point you can request to see this information and have it corrected or deleted (in certain circumstances). We will do this within 30 days. You have the right to restrict or stop us from processing your personal data. You also have the right to raise a complaint about how we have handled your personal data if you believe we have not handled something correctly. Please see the section below on raising a complaint for more information. You have the right to refuse to be monitored in the ways described however this may mean we would have to prohibit the telephone calls from taking place.

## Changes to our Privacy Policy

We keep our privacy policy under regular review. This privacy notice was last reviewed in November 2023.

## How to contact us

Please contact us if you have any questions about our privacy notice or information we hold about you. Our Data Protection Officer is:

The Information Governance and Data Security Officer

Email: [TSH.DataProtection@nhs.scot](mailto:TSH.DataProtection@nhs.scot)

Telephone: 01555 840293

Address: State Hospital, Carstairs, Lanark, ML11 8RP,

## Submitting a complaint

If you wish to raise a complaint on how we have handled your personal data, you can contact our Data Protection Officer who will investigate the matter. If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law you can also complain to the Information Commissioner's Office (ICO) on 0303 123 1113 or

<https://ico.org.uk/global/contact-us/>.