



Sexual Assault Self-Referral Service

Data Protection Notice

1. About the Sexual Assault Self-Referral Service

The NHS Scotland Sexual Assault Self-Referral Service is provided by NHS 24 on behalf of the 14 territorial Health Boards and as such the following is a broad description of what we may do with your personal data, further information can be found on our website at www.NHS24.scot or you can ask our staff who can arrange for information to be sent to you.

2. How we use your data

This notice applies to callers age 16 or over who self-refer for a forensic medical examination following a rape or sexual assault.

If you're a child (under 16) the helpline responder will make a decision about your immediate safety. They will then take your details and pass them to a health care professional who will call you back and explain more about who else will need to be involved for your care and protection.

The Sexual Assault Self-Referral Service is not a counselling service or support line. The person you speak to will not ask about the details of what happened to you and are unable to pass you through to anyone else on the call.

The NHS Scotland Sexual Assault Self-Referral Service acts as a processor for each of the 14 territorial Health Boards in Scotland. This means that we collect information from you on behalf of the Health Boards. You will be asked which Health Board you want to be seen by, allowing you to choose the one that is most convenient to you.

To arrange your appointment, the NHS Scotland Sexual Assault Self-Referral Service will pass your details to the National Sexual Assault and Rape Centre Hub which is provided by Ayrshire and Arran Health Board, who will ensure you receive a phone call from a health professional within your preferred Health Board.

You will then be contacted by a Health Care Professional with details of your appointment date and time.

3. What types of personal information do we process?

The NHS Scotland Sexual Assault Self-Referral Service will collect the information we need to refer you to the National Sexual Assault and Rape Centre Hub. This information will include your name, address, telephone number and date of the rape or sexual assault. If you tell us that you need immediate medical attention, we will collect information about your health to help you get this treatment.

4. Our purposes for processing your personal information

We will process your personal information for the following purposes:

- To provide an onward referral for a forensic medical examination
- To support your health and wellbeing and identify your healthcare needs

5. Our legal basis for processing your personal data

The NHS Scotland Sexual Assault Self-Referral Service processes your personal data as a processor on behalf of the Health Board that you attend for an appointment.

Occasionally, it may not be appropriate for a referral to be made to the Sexual Assault and Rape Centre National Hub. For example, this may apply if you require immediate medical attention or are in imminent danger. If this is the case, then NHS 24 will arrange for the appropriate care for you. This means that we will be supporting your health and wellbeing and identify any healthcare needs you have. That will make NHS 24 the data controller for the information you provide using the following legal bases:

- Personal Information: Article 6 (UK GDPR) 1(e) - processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- Special Category Information: Article 9 (UK GDPR) 2(h) - processing is necessary for the purposes of medical diagnosis and the provision of health or social care.

6. Who provides the personal information?

Personal information will be provided directly by you when you contact the NHS Scotland Sexual Assault Self-Referral Service.

7. Sharing of Personal Information

We will only share your information where there is a clear legal basis to do so:

- We will share limited anonymous information with Public Health Scotland for the purpose of reporting on the operation of the Forensic Medical Service;
- We may share information with relevant services/agencies as part of onward health related referrals;
- Information provided by you will only be shared with Police Scotland if you decide to report the incident to Police Scotland, or if you are:
 - under 16 years of age;
 - aged 17 or 18 years old and under the care of social work;
 - thought to be in imminent danger.

We may also share information when there is a perceived threat to life to someone other than yourself.

8. Retaining personal information

The NHS Scotland Sexual Assault Self-Referral Service will retain personal information collected for a period of 26 months.

The only time, your data will be kept for longer is if you require urgent care or are in imminent danger when you call, and in these circumstances, NHS 24 will retain your information in line with the Scottish Government Records Management Health and Social Care Code of Practice (Scotland) 2020.

9. Data Protection Rights

The Health Board which you attend for your appointment is the controller of your personal data and you can contact them to exercise your data protection rights. You also have rights in relation to the information which the NHS Scotland Sexual Assault Self-Referral Service hold about you and you can contact NHS 24 to exercise these rights.

Under the Data Protection legislation you have certain rights:

- **The right to be informed:** we explain how and why we use your personal information;
- **The right of access:** you have the right to access your personal information;
- **The right to rectification:** if the personal information we hold about you is inaccurate or incomplete, you have the right to have this corrected;
- **The right to restrict processing:** you have the right to request that further processing of your personal information is restricted;
- **The right to erasure:** you have the right to request that your personal information is erased.

Some rights are not absolute and only apply in certain circumstances. For more information on your information rights please see www.ico.org.uk. If you would like to exercise your rights, you can do this either by using the appropriate pages and forms on our web site at www.nhs24.scot by contacting our Information Governance team via email at DP@nhs24.scot.nhs.uk or by post to:

Information Governance
NHS 24
Caledonia House
Cardonald Park
Glasgow
G51 4EB

Once we have details of your request and you have provided us with enough information for us to confirm your identity and locate your personal information, we will respond to your request as soon as we can and no later than within one month. However, if your request for access to information is complex, we may take longer, by up to two months, to respond. If this is the case, we will tell you and explain the reason for the delay.

10. Our Data Protection Officer

NHS 24 employ a Data Protection Officer to check that we handle personal information in a way that meets data protection law. If you are unhappy with the way in which we use your personal information please tell our Data Protection Officer using the following contact details:

Data Protection Officer
NHS 24
Caledonia House
Cardonald Park
Glasgow
G51 4EB
Or by Email at: DP@nhs24.scot.nhs.uk

You also have the right to complain about how we use your personal information to the Information Commissioner's Office (ICO). Details about this are on their website at www.ico.gov.uk