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PRIVACY NOTICE 4.1 (TIER 4)

1. Scope

All data subjects whose personal data is collected, in line with the requirements of the GDPR. This includes staff, contractors and consultants.

2. Responsibilities

- 2.1 The DPO/GDPR Owner/Operations Manager is responsible for ensuring that this notice is made available to data subjects prior to TBC Healthcare collecting/processing their personal data.
- 2.2 All employees and staff of TBC Healthcare who interact with data subjects are responsible for ensuring that this notice is drawn to the data subject's attention and their consent to the processing of their data is secured.

3. Privacy notice

3.1 Who are we?

The focus of the service is the treatment of severe and complex morbid obesity. The service was launched in 2007 by the two founding Directors Janet Biglari and Sevim Mustafa, both Psychotherapists with over 20 years' experience working with eating disorders and adult mental health.

Realising the complex psychological issues facing bariatric surgery patients and the need for rigorous preparation for surgical intervention, the Directors designed the first





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Tier 3 multi-disciplinary service model in 2008. This was subsequently commissioned by NHS Eastern Coastal Kent as a one-year pilot in 2009. Since 2009, the service has developed and delivered large scale Tier 3 services; Why Weight for Coastal West Sussex and 4healthy weight funded as a Kent wide service by Kent County Council. Tier 2 and Tier 3 services are currently provided in Hertfordshire. To date, over 8,000 patients have accessed Tier 3 treatment and the number of patients going onto access surgical services at Tier 4 has seen a significant reduction. TBC Healthcare also works with a number of Tier 4 Surgical providers offering pre-surgical screening of bariatric surgery candidates and post-surgery support. TBC Healthcare has a wealth of knowledge and experience in the field of obesity and offer a comprehensive training programme to other healthcare professionals. In 2017 the service was the recipient of the prestigious ASOS (Association for the Study of Obesity) Best Practice Award.

Our DPO/IG Officer/Operations Manager and data protection representatives can be contacted directly here:

- John Davison DPO advisor
- john.davison@bls-ltd.co.uk
- Danielle Shiell Operations Manager
- Danielle.shiell@tbchealthcare.co.uk
- 01322 220294 - 01322 220299
- Catherine Konzon (IG Officer/DPO/GDPR owner)
- catherine.konzon@tbchealthcare.co.uk
- 01322 220294 - 01322 220299

The **personal** data we would like to collect and process from you is:

Personal data type:	Source (where TBC Healthcare obtained the personal data from if it has not been collected directly from you, the data subject. Note if the
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	personal data has been accessed from publicly accessible sources):
Name, address, telephone number(s), date of birth, health information(diagnosis/medication), weight/height/bmi, gender, nhs number, GP details, risk information, details of substance use and some background family details and history.	From Referrer Health records Mental Health records/teams
<p>We may collect and process the following data about you:</p> <ul style="list-style-type: none"> • Information that you provide by filling in forms on our site TBC Website Home (tbchealthcare.co.uk) (our site). This includes information provided at the time of registering to use our site, subscribing to our service, posting material or requesting further services. We may also ask you for information when you report a problem with our site. 	
<ul style="list-style-type: none"> • If you contact us, we may keep a record of that correspondence 	
<ul style="list-style-type: none"> • TBC Healthcare Ltd may also ask you to complete surveys that we use for research purposes, although you do not have to respond to them. 	
<ul style="list-style-type: none"> • Details of your visits to our site including, but not limited to, traffic data, 	





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location data, weblogs and other communication data, whether this is required for our own billing purposes or otherwise and the resources that you access.	
<p>IP ADDRESSES</p> <p>We may collect information about your computer, including where available your IP address, operating system and browser type, for system administration and to report aggregate information to our advertisers. This is statistical data about our users' browsing actions and patterns, and does not identify any individual.</p>	
<p>COOKIES</p> <p>Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site. For detailed information on the cookies we use and the purposes for which we use them see our Cookie policy</p>	

The personal data we collect will be used  for the following purposes:

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- To inform treatment and weight loss programme
- To maintain accurate healthcare records
- To ensure safe and appropriate health support and information
- To contribute to the Community Services Data Set which is a NHS mandatory reporting framework. [Supporting Information: Community Services Data Set Overview](#). An explanation of CSDS is included at the end of this document.

Our legal basis for processing for the personal data:

- Direct care
- Consent
- Contractual necessity
- Vital Interests (health)

Any legitimate interests pursued by us, or third parties we use, are as follows:

- Medical purposes
- Equal opportunities
- Employment law.

The special categories of personal data concerned are:

- Racial
- Ethnic origin
- Religion
- Health data
- Sexual orientation

3.2 **Consent**

By consenting to this privacy notice you are giving us permission to process your personal data specifically for the purposes identified.





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Consent is required for TBC Healthcare to process both types of personal data, but it must be explicitly given. Where we are asking you for sensitive personal data we will always tell you why and how the information will be used.

You may withdraw consent at any time by completing and submitting to the Operations Manager [GDPR REC 4.6A](#) – Data Subject Consent Withdrawal form.

3.3 Disclosure

TBC Healthcare will not pass on your personal data to third parties without first obtaining your consent unless there is an identified risk or harm to you or any other person in accordance with our Duty of Care.

We do not share information outside of the UK.

We may disclose your personal information to any member of our group, which means our subsidiaries, our ultimate holding company and its subsidiaries, as defined in section 1159 of the UK Companies Act 2006.

We may disclose your personal information to third parties:

- In the event that we sell or buy any business or assets, in which case we may disclose your personal data to the prospective seller or buyer of such business or assets.
- If TBC Healthcare Ltd or substantially all of its assets are acquired by a third party, in which case personal data held by it about its customers will be one of the transferred assets.
- If we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply our [terms of use](#) and other agreements; or to protect the rights, property, or safety of TBC Healthcare Ltd, our customers, or others. This may include exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.





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3.4 Retention period

TBC Healthcare will process personal data for as long as you are in treatment with the service and will store the personal data for 8 years after treatment in accordance with the requirements of the British Medical Association. Refer to GDPR DOC 2.3 Retention Period Procedure].

3.5 Your rights as a data subject

At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights:

- Right of access – you have the right to request a copy of the information that we hold about you.
- Right of rectification – you have a right to correct data that we hold about you that is inaccurate or incomplete.
- Right to be forgotten – in certain circumstances you can ask for the data we hold about you to be erased from our records.
- Right to restriction of processing – where certain conditions apply to have a right to restrict the processing.
- Right of portability – you have the right to have the data we hold about you transferred to another organisation.
- Right to object – you have the right to object to certain types of processing such as direct marketing.
- Right to object to automated processing, including profiling – you also have the right to be subject to the legal effects of automated processing or profiling.
- Right to judicial review: in the event that TBC Healthcare refuses your request under rights of access, we will provide you with a reason as to why. You have the right to complain as outlined in clause 3.6 below.

All of the above requests will be forwarded on should there be a third party involved (as stated in 3.4 above) in the processing of your personal data.





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3.6 Complaints

In the event that you wish to make a complaint about how your personal data is being processed by TBC Healthcare (or third parties as described in 3.4 above), or how your complaint has been handled, you have the right to lodge a complaint directly with the supervisory authority and TBC Healthcare's data protection representatives Data Protection Officer/GDPR Owner/Operations Manager.

The details for each of these contacts are:

Operations Manager: Danielle.sheill@tbchealthcare.co.uk

- DPO: john.davison@bls-ltd.co.uk

	Supervisory authority contact details	DPO/GDPR Owner contact details
Contact Name:	Information Commissioner's Office	Catherine Konzon
Address line 1:	8 Lincoln's Inn Fields,	Suite 1,
Address line 2:	London	Hawley Manor
Address line 3:	WC2A 3BP	Hawley Road
Address line 4:		Dartford
Address line 5:		Kent DA1 1PX
Email:		bariatricconsultancy@nhs.net or Catherine.konzon@tbchealthcare.co.uk
Telephone:	01625 545700	01322 220294





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3.7 Privacy statement

Read more about how and why we use your data here

[TBC Website | Cookie Policy \(tbchealthcare.co.uk\)](https://www.tbchealthcare.co.uk)

4. Online privacy statement

Personal data

Under the EU's General Data Protection Regulation (GDPR) personal data is defined as:

"any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person".

How we use your information

This privacy notice tells you how we, TBC Healthcare, will collect and use your personal data for the purpose of providing the service.

Why does TBC Healthcare need to collect and store personal data?

In order for us to provide you with a service we need to collect personal data for correspondence purposes and/or detailed service provision. In any event, we are committed to ensuring that the information we collect and use is appropriate for this purpose and does not constitute an invasion of your privacy.

In terms of being contacted for marketing purposes TBC Healthcare would contact you for additional consent.

Will TBC Healthcare share my personal data with anyone else?





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We may pass your personal data on to third-party service providers contracted to TBC Healthcare in the course of dealing with you. Any third parties that we may share your data with are obliged to keep your details securely, and to use them only to fulfil the service they provide you on our behalf. When they no longer need your data to fulfil this service, they will dispose of the details in line with TBC Healthcare's procedures. If we wish to pass your sensitive personal data onto a third party we will only do so once we have obtained your consent unless we are legally required to do otherwise

How will TBC Healthcare use the personal data it collects about me?

TBC Healthcare will process (collect, store and use) the information you provide in a manner compatible with the EU's General Data Protection Regulation (GDPR). We will endeavor to keep your information accurate and up to date, and not keep it for longer than is necessary. TBC Healthcare is required to retain information in accordance with the law, such as information needed for income tax and audit purposes. How long certain kinds of personal data should be kept may also be governed by specific business-sector requirements and agreed practices. Personal data may be held in addition to these periods depending on individual business needs.

Under what circumstances will TBC Healthcare contact me?

Our aim is not to be intrusive, and we undertake not to ask irrelevant or unnecessary questions. Moreover, the information you provide will be subject to rigorous measures and procedures to minimize the risk of unauthorized access or disclosure.

Can I find out the personal data that the organisation holds about me?

TBC Healthcare at your request, can confirm what information we hold about you and how it is processed. If TBC Healthcare does hold personal data about you, you can request the following information:

- Identity and the contact details of the person or organisation that has determined how and why to process your data.





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- Contact details of the data protection officer, where applicable.
- The purpose of the processing as well as the legal basis for processing.
- If the processing is based on the legitimate interests of TBC Healthcare or a third party, information about those interests.
- The categories of personal data collected, stored and processed.
- Recipient(s) or categories of recipients that the data is/will be disclosed to.
- If we intend to transfer the personal data to a third country or international organisation, information about how we ensure this is done securely. The EU has approved sending personal data to some countries because they meet a minimum standard of data protection. In other cases, we will ensure there are specific measures in place to secure your information.
- How long the data will be stored.
- Details of your rights to correct, erase, restrict or object to such processing.
- Information about your right to withdraw consent at any time.
- How to lodge a complaint with the supervisory authority.
- Whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether you are obliged to provide the personal data and the possible consequences of failing to provide such data.
- The source of personal data if it wasn't collected directly from you.
- Any details and information of automated decision making, such as profiling, and any meaningful information about the logic involved, as well as the significance and expected consequences of such processing.

What forms of ID will I need to provide in order to access this?

TBC Healthcare accepts the following forms of ID when information on your personal data is requested:

Passport, driving licence, birth certificate, utility bill (from last 3 months), etc.





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Contact details of the Data Protection Officer / GDPR Owner:

	IG Officer/DPO/GDPR Owner contact details
Contact Name:	Catherine Konzon
Address line 1:	Suite 1
Address line 2:	Hawley Manor
Address line 3:	Hawley Road
Address line 4:	Dartford
Address line 5:	Kent DA1 1PX
Email:	Catherine.konzon@tbchealthcare.co.uk
Telephone:	01322220294
	<u>Data Protection Officer Advisor</u>
	John Davison
	john.davison@bls-ltd.co.uk

CHANGES TO OUR PRIVACY POLICY

Any changes we may make to our privacy policy in the future will be posted on this page and, where appropriate, notified to you by e-mail.





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Document Owner and Approval

The Data Protection Officer / GDPR Owner is the owner of this document and is responsible for ensuring that this record is reviewed in line with the review requirements of the GDPR.

A current version of this document is available to all members of staff.

A handwritten signature in black ink, appearing to read "Paul Bigg".

Signature:

Date: 16/10/24

Change History Record

Issue	Description of Change	Approval	Date of Issue
1	Initial issue	<Manager>	
2	Branding/DPO update	CKonzon	October 2024

Community Service Data Set Overview

Introduction

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The [Community Services Data Set \(CSDS\)](#) is a patient level, output based, secondary uses data set which delivers robust, comprehensive, nationally consistent and comparable person-centred information for people who are in contact with publicly-funded [Community Health Services](#). As a secondary uses data set it aims to re-use clinical and operational data for purposes other than direct patient care. It defines the data items, definitions and associated value sets to be extracted or derived from local systems.

The data collected in the [Community Services Data Set](#) covers all publicly-funded [Community Health Services](#) provided by [Health Care Providers](#) in England. This includes all services listed in the service or team type referred to for community care within the [Community Services Data Set](#). This includes acute and [Independent Sector Healthcare Providers](#) that provide publicly-funded [Community Health Services](#).

The [Community Services Data Set](#) is used by the [Department of Health and Social Care](#), commissioners and [Health Care Providers](#) of [Community Health Services](#) and patients, as the data set provides:

- National, comparable, standardised data about [Community Health Services](#) that are being delivered, which will support intelligent commissioning decisions and service provision
- Information on the use of resources to improve the operational management of services
- Information on outcomes, to help to address health inequalities
- Support for current national outcome indicators for [Community Health Services](#)
- Traceability and visibility of [Community Health Service](#) expenditure, allowing the implementation of new payment approaches for [Community Health Services](#) through the development of defined currencies which are underpinned by consistent data
- Information to improve reference costs for [Community Health Services](#), to ensure that these are reported consistently
- Support for a nationally consistent clinical record for all patients across England, which can be used to support national research projects

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- Information for the future development of [Community Health Services](#).

Data Collection

The [Community Services Data Set](#) provides the definitions for data to provide timely, pseudonymised patient -based data and information for purposes other than direct clinical care, e.g. planning, commissioning, public health, clinical audit, performance improvement, research, clinical governance.

Data is expected to be collected from various clinical systems, collated and assembled. This standard is intended to facilitate electronic data recording and reporting but it is not intended to create clinical records for [Community Health Services](#) or to enable systems used by [Community Health Services](#) to interoperate with other clinical systems.

Submission Information

The [Community Services Data Set](#) is submitted via the [Strategic Data Collection Service in the Cloud \(SDCS Cloud\)](#) maintained by [NHS England](#) using the [Community Services Data Set \(CSDS\)](#) XML Schema.

Format Information

Data for submission is formatted into an XML file as per the [Technology Reference Update Distribution \(TRUD\)](#) page at: [NHS Data Model and Dictionary XML Schemas](#).

For enquiries regarding the XML Schema, please contact [NHS England](#) at enquiries@nhsdigital.nhs.uk.





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[Community Services Data Set \(CSDS\)](#) submissions are made using the latest MS Access [Community Services Data Set](#) Intermediate Database (IDB) which is available for download from the [Technology Reference Update Distribution \(TRUD\)](#) page at: [Community Services Data Set Intermediate Database](#).

For enquiries regarding technical support for the Intermediate Database (IDB) files, please contact the National Service Desk at: ssd.nationalservicedesk@nhs.net

Further Guidance

Further information and implementation guidance has been produced by [NHS England](#) and is available at:

- [Community Services Data Set](#)
- [Community Services Data Set \(CSDS\) guidance](#).

