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### 2.7.4 Third Party Information

Information that identifies another person, for example a work colleague, is known as third party information. Release of this information could lead to the third party's rights under the DPA being infringed. In many cases, simply removing the third party name from the information before it is disclosed will resolve the problem. However, a requester may be able to work out the identity of the third party from the information itself. The Trust has to strike a balance between the right of the requester to access the information and the right of the third party to privacy. A clear and documented decision-making process is to be followed before releasing any such information.

### 2.7.5 Closed-Circuit Television (CCTV) Images

CCTV used on Trust premises is primarily for protection of patients, staff and visitors, preventing or detecting crime, and security purposes. The ICO guidance (Ref 12) confirms that most uses of CCTV by organisations or businesses will be covered by the DPA and therefore individuals whose images are recorded have a right to view the images of themselves and, subject to respecting the privacy of other data subjects in the images, to be provided with a copy of the images.

In terms of the data held on the CCTV system, the Trust is the data controller. Subject access requests for CCTV images at the Trust should be made through the Health Records team or the Patient Advice and Liaison Service (PALS).

Subject access requests for CCTV images at community sites should be made through Facilities Management.

For further information please refer to the CCTV Code of Practice (Ref. 12) published by the Information Commissioner's Office.

### 2.7.6 Charges for Subject Access Requests

In accordance with data protection legislation most requests for copies of records will not incur a charge. However, a reasonable fee can be charged for further copies of the same information or when a request is manifestly unfounded or excessive, particularly if it is repetitive. Any fee will be based on the administrative charge of providing the information. Further details of fees can be found in the Trust's

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- The name and address of the controller, but not details about individuals nominated as contact points for the ICO;
- The organisation's data protection registration number;
- The level of fee paid;
- The date the fee was paid and when it is due to expire;
- Any other trading names used;
- Contact details for the DPO, and the name of your DPO, if they consent to this being published.

## 2.9 Privacy Notice and Fair Processing

The UK General Data Protection Regulation (GDPR) requires that Data Controllers provide certain information to data subjects. The UK General Data Protection Regulation (GDPR) requires that Data Controllers provide certain information to data subjects.

### 3 Monitoring Compliance and Effectiveness of Implementation

The arrangements for monitoring compliance are outlined in the table below: -

| Measurable policy objectives   | Monitoring or audit method              | Monitoring responsibility (individual, group or committee) | Frequency of monitoring | Reporting arrangements (committee or group the monitoring results is presented to) | What action will be taken if gaps are identified                          |
|--|---|--|-------------------------|--|---|
| Assessment of Trust performance and evidence against Data Protection & Security Toolkit assertions | On-line assessment                      | IG Team  | Annually                | IGSG and ARAC  | Detailed action plan maintained by the IG Team for each year's assessment |
| Review of Subject Access Requests  | Summary report of statistics and trends | Health Records Manager                                     | Quarterly               |  |   |

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## Appendix A - STAGE 1: Initial Screening For Equality Impact Assessment

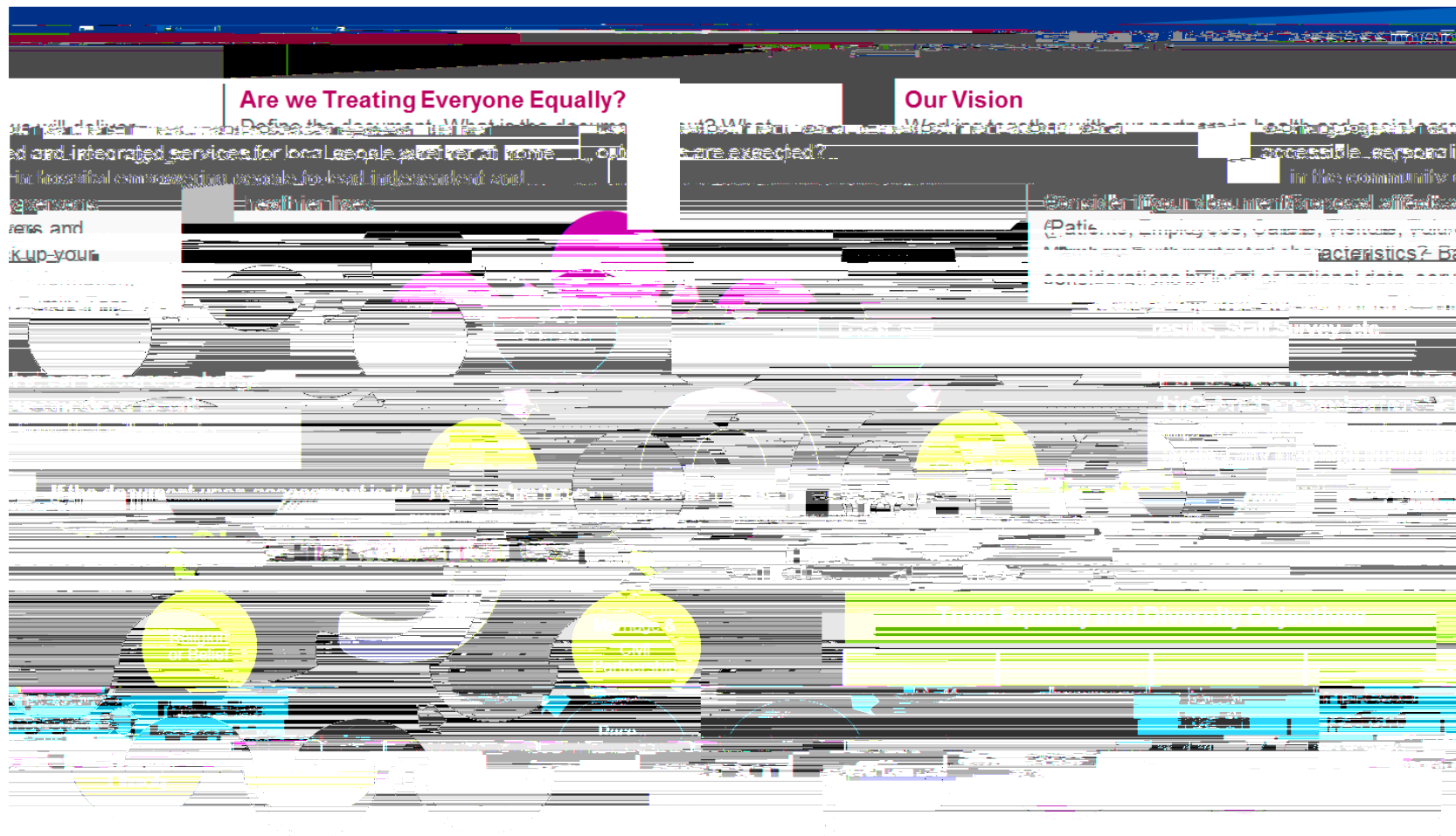
|   |   |  |           |
|---|---|--|-----------|
| At this stage, the following questions need to be considered: |   |  |           |
| 1   | What is the name of the policy, strategy or project?<br>Data Protection Policy  |  |           |
| 2.  | Briefly describe the aim of the policy, strategy, and project. What needs or duty is it designed to meet?<br>This document provides clear guidance concerning data protection within the Trust, and describes the legal obligations and responsibilities for the Trust as a whole, and for individual employees. It also describes the process necessary to renew the Trust's Data Protection registration, identifies responsible persons, and describes the Trust's purposes for processing personal information. |  |           |
| 3.  | Is there any evidence or reason to believe that the policy, strategy or project could have an adverse or negative impact on any of the nine protected characteristics (as per Appendix A)?  |  | <b>No</b> |
| 4.  | Is there evidence or other reason to believe that anyone with one or more of the nine protected characteristics have different needs and experiences that this policy is likely to assist i.e. there might be a <i>relative</i> adverse effect on other groups?   |  | <b>No</b> |
| 5.  | Has prior consultation taken place with organisations or groups of persons with one or more of the nine protected characteristics of which has indicated a pre-existing problem which this policy, strategy, service redesign or project is likely to address?  |  | <b>No</b> |

|  |  |
|--|--|
| Signed by the manager undertaking the assessment | M Arnold                               |
| Date completed                                   | 24 July 24                             |
| Job Title  | Head of Information Governance and DPO |

On completion of Stage 1 required if you have answered YES to one or more of questions 3, 4 and 5 above you need to complete a [STAGE 2 - Full Equality Impact Assessment](#)

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