

**Information Governance – Record of Processing Activities  
(GDPR Article 30, DPA 2019 Schedule 1, Part 4)  
2021**

Each controller and, where applicable, the controller's representative, shall maintain a record of processing activities under its responsibility. That record shall contain all of the following information:

(a) the name and contact details of the controller and, where applicable, the joint controller, the controller's representative and the data protection officer;

**Data Controller Details:**

**NHS Western Isles**  
**37 South Beach**  
**Stornoway**  
**Isle of Lewis**  
**HS1 2BB**  
**Tel: 01851 703997**  
**ICO registration Number: Z7320675**

**Data Protection Officer – Carol Macdonald**

<b>Joint Data Controller Details:</b>	<b>ICO Registration</b>	<b>Contact Details</b>
Langabhat Medical Practice	Z7130629	Langabhat Medical Practice GLEANN MOR LOCHS ISLE OF LEWIS HS2 9JP
South Harris Medical Practice	Z4802371	The Surgery Leverburgh Isle of Harris HS5 3UA
North Harris Medical Practice	Z4807425	North Harris Medical Practice Tarbert Isle of Harris HS3 3BG
South Uist Medical	ZA541265	Health Centre Daliburgh Isle Of South Uist HS8 5SS 01878700302

Broadbay Medical Practice	Z5678187	Broadbay Medical Practice Francis Street Site 16 Francis Street Stornoway HS1 2XB
North Uist Medical Practice	Z2958866	NORTH UIST MEDICAL PRACTICE LOCHMADDY ISLE OF NORTH UIST HS6 5AE
The Group Practice	Z688929X	Ms Jennifer Hepburn The Group Practice Springfield Road Stornoway Isle Of Lewis HS1 2PS DPO - jennifer.hepburn2@nhs.net 01851 703145
Benbecula Medical Practice	Z6040479	Benbecula Medical Practice Griminish Benbecula Western Isles HS7 5QA
Barra Medical Practice	Z4795438	Isle of Barra Medical Practice Clach Mhile Surgery Castlebay Isle of Barra HS9 5XD

(b) the purposes of the processing;

**Data processing relates to the sharing of patient and service user information and the exchange of information constituted by the National Health Service (Scotland) Act 1978 section 2.**

**For the purposes of the processing in the scope of this Accord, data processing is typically undertaken under GDPR Article 6(1)(e) legal bases and the corresponding Article 9(2)(h) for health data as special category, however other legal bases may be available depending on the situation.**

- **GDPR Article 6(1)(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official functions and section 8 of the Data Protection Act 2018. It should be noted that this is the basis for the majority of information sharing**
- **GDPR Article 9(2)(h) processing is necessary for the purposes of preventive 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 and section 10(1)(c) and Schedule 1 Part 1 of the Data Protection Act 2018**
- **GDPR Article 9(2)(j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on domestic law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the**

**fundamental rights and the interests of the data subject and section 10(1)(e) and Schedule 1 Part 1 of the Data Protection Act 2018**

(c) a description of the categories of data subjects and of the categories of personal data;

**We process special category data about our patients and service users which is necessary to fulfil our legal obligations as an NHS Board. This includes sensitive medical information about their health and wellbeing, diagnosis, medications, images and medical history. Further information about this processing can be found in our patient privacy notice - [Patient Privacy Notice - NHS Western Isles | Serving the Outer Hebrides of Scotland](#).**

**We process the special category data about our employees that is necessary to fulfil our obligations as an employer. This includes information about their health and wellbeing, ethnicity, occupational health information, photographs and their membership of any trade union. Further information about this processing can be found in our staff privacy notice - [Staff-Privacy-Notice-2020.pdf \(scot.nhs.uk\)](#)**

**Categories of subjects include patients, service users, volunteers, staff, partner organisations/contractors.**

(d) the categories of recipients to whom the personal data have been or will be disclosed including recipients in third countries or international organisations;

**Personal Data recipients include patients, guardians, other Health Boards, Special Boards, GP Practices, Local Authorities and partner agencies, regulatory bodies such as Audit Scotland, Scottish Government, and National Services Scotland.**

(e) where applicable, transfers of personal data to a third country or an international organisation, including the identification of that third country or international organisation and, in the case of transfers referred to in the second subparagraph of Article 49(1), the documentation of suitable safeguards;

**Where personal data is transferred or received from out with the EEA, standard contractual clauses will exist in contracts and data processing agreements, as required. Consideration will be given to the regulatory bodies of each country outside the UK.**

(f) where possible, the envisaged time limits for erasure of the different categories of data;

**NHS Western Isles applies to its records the retention and destruction schedules contained in Scottish Government Records Management: NHS Code of Practice (Scotland) Version 2.1 January 2012 or subsequent guidance issued. The table below lists a subset of the retention periods defined by Scottish Government, and adhered to by NHS Western Isles.**

<b>Record Type</b>	<b>Record Retention Period</b>
Adult Health Record	6 years after date of last entry or 3 years after death, if earlier
Children and Young Peoples Records	Retain until the patient's 25th birthday or 26th if young person was 17 at conclusion of treatment, or 3 years after death
A&E Registers (in paper format)	8 years after the year to which they relate
Birth Registers	2 years
Health Visitor Records	10 years
Maternity Records	25 years after the birth of the last child
Cancer Records	30 years
Mental Health Records	Records should be kept for 20 years after the date of last contact between patient/client/service user and any healthcare professional or 3 years after the patient's death, if sooner
Psychology Records	30 years
Legal Claims	Adults - 7 years, Children - until child is 18 or 7 years after case settled or dropped, whichever is later. Litigation dossiers - complaints including accident reports - 10 years.
Staff Files	6 years after data of termination

**The full Scottish Government retention schedule for all types of information held (Board, Administrative, Financial, Medical, etc.) can be found here:**

<http://www.gov.scot/Publications/2012/01/10143104/7>

(g) where possible, a general description of the technical and organisational security measures referred to in Article 32(1).

#### **Accountability principle**

**We have put in place appropriate technical and organisational measures to meet the requirements of accountability. These include:**

- **The appointment of a data protection officer who reports directly to our highest management level.**
- **Taking a 'data protection by design and default' approach to our activities.**
- **Maintaining documentation of our processing activities.**
- **Adopting and implementing data protection policies and ensuring we have written contracts in place with our data processors.**
- **Implementing appropriate security measures in relation to the personal data we process.**
- **Carrying out data protection impact assessments for our high risk processing.**

**We regularly review our accountability measures and update or amend them when required.**