

*Does the Optometry Practice provide Privacy Information to patients and service users about the ways in which their information will, or may be used?*

# Transparency Checklist

## Requirement statement

**The Optometry Practice must provide Privacy Information to patients and service users about the ways in which their information is used.**

This document is in two parts:

1. [Briefing note](#) on the transparency requirements
2. [Transparency checklist](#) to review your privacy notice against
3. [An example of a privacy notice](#) for practices to enhance and adapt

## Briefing note

Transparency is a core element of data protection law and forms part of the first data protection principle. The General Data Protection Regulation (GDPR) sets out specific information that needs to be provided to individuals about the processing of their personal data. This is normally provided in the form of a Privacy Notice available both on an organisation's website and in hard copy.

This information must be provided free of charge and be:

- concise
- transparent
- intelligible
- easily accessible
- use clear and plain language.

Individuals must always be informed of how their personal data is used except in specific and limited circumstances (such as disclosure could prejudice the investigation of a crime).

# Transparency Checklist

The checklist below should be used by Optometry Practices to review their Privacy Notice to ensure it is compliant with the transparency requirements. If there are gaps, the Privacy Notice should be updated and replaced on the website and any hard copy notices. If there are significant changes, the Practice might choose to actively bring the changes to the attention of their customers.

*Does our Privacy Notice include the following?*

- The name and contact details of our organisation.
- The name and contact details of our representative (if applicable).
- The contact details of our data protection officer (if applicable).
- The purposes of the processing of personal data.
- The lawful basis for the processing of personal data.
- The legitimate interests for the processing (if applicable).
- The categories of personal data obtained (if the personal data is not obtained from the individual it relates to).
- The recipients or categories of recipients of the personal data.
- The details of transfers of the personal data to any third countries or international organisations (if applicable).
- The retention periods for the personal data.
- The rights available to individuals in respect of the processing of their personal data.
- The right to withdraw consent (if applicable).
- The right to lodge a complaint with a supervisory authority.
- The source of the personal data (if the personal data is not obtained from the individual it relates to).
- The details of whether individuals are under a statutory or contractual obligation to provide the personal data (if applicable, and if the personal data is collected from the individual it relates to).
- The details of the existence of automated decision-making, including profiling (if applicable).

# Privacy notice for Penarth Eye Centre

This privacy notice describes the processing activity undertaken by Penarth Eye Centre (“we”).

## Who we are

When you use our services or where you are employed or engaged by us, we are data controller for your personal data. This means that we are responsible for ensuring your personal data is processed in line with data protection law, including the UK General Data Protection Regulation and Data Protection Act 2018.

We are registered with the Information Commissioners Office. Our registration number is Z7394242

## What we do

As an optometry practice, if you visit us in order to use our services, we will use your personal data for the following purposes:

-To provide Optometry services to our patients.

The personal data of patients that we may collect and process includes:

Your name, contact details and personal identifiers ( such as date of birth, NHS number)

Your general and ocular health history, your medical and ocular history and any relevant symptoms you tell us about

Details of spectacles, contact lenses and medicines prescribed for you

Details of examinations and healthcare checks performed

Payment details for products and services provided for you

Information relevant to your continued care from other people who care for you, such as other health care professionals, practice staff and relatives.

-To provide information to you for marketing purposes so we can keep you up to date on new eye care services and products.

In order to use your personal data for these purposes, we must have a lawful basis in data protection law. Where that personal data concerns special characteristics including your health, sex or ethnicity we must also have an exemption to process.

For these purposes, we therefore rely on:

Article 6(1)(b) – processing is necessary for performance of a contract

Article 6(1)(e) – processing is necessary for a public task undertaken in the public interest (where you are an NHS patient)

Article 6(1)(f) – processing is in our legitimate interests\* (where you are a private patient)

\*our legitimate interests are providing you the healthcare service you have requested

Article 9(2)(h) – processing is necessary to provide health and care

If we are your employer, we will use your personal data for the following purposes:

- To keep staff records  
Information kept includes full name, address, contact details, date of birth, NI number, bank details.
- Information relating to the payment of wages including wages paid, hours worked, PAYE, NI and Pension payments.
- Staff health and wellbeing
- Staff recruitment and performance

For these purposes, we rely on the following lawful bases:

Article 6(1)(a) – processing is carried out under consent

Article 6(1)(b) – processing is carried out for contract purposes

Article 6(1)(f) – processing is necessary for our legitimate interests\*

\*our legitimate interests are managing your employment with us

Article 9(2)(a) – based on explicit consent

Article 9(2)(b) - processing is necessary for purposes in the field of employment

Article 9(2)(h) – processing is necessary to provide health and care

## Who we share data with

We will share your personal data with healthcare professionals working at this practice and those under their supervision.

NHS healthcare providers where necessary in order to support your care including your GP and ophthalmologists involved in your care.

Suppliers of optical appliances in connection with your ongoing treatment.

Software providers for our patient record and invoicing systems, so that we can keep patient records up to date.

Financial institutions to arrange payment for services provided for you.

Whether you are a private or NHS patient, we will not share your personal data with anyone outside the provision of your care, unless we have a legal obligation to do so.

Your personal data will not be transferred out of the UK.

Depending on the purpose of processing, we will keep your personal data for a defined period of time, after which it will be deleted. For the purposes described above, the following retention periods will apply:

Purpose	Retention
Recruitment	6 months after recruitment
DBS checks	6 months
Employment	Summary until up to retirement age
Performance	Summary up to retirement age
Salary payments, PAYE, NI, Pension payments	7 years
Payments for product and services	7 years
Delivery of service to patients	Forms part of the patient record
Patient records	10 years from last contact with you (period recommended as good practice by the College of Optometrists)
Staff health and well being	Summary in HR record for 7 years

## Your rights

Under data protection, you have a number of rights in relation to data protection. The application of these is dependent on the lawful basis being used. These include:

- Right to be informed
- Right of access
- Right to rectification
- Right to object
- Right to erasure

You may exercise these rights free of charge except in limited certain circumstances, however, you will always be informed if there is a cost associated. We will provide a response to your request within a month.

If you wish to exercise any of your rights, please contact us at the address below.

## Contact Us

We have appointed a Data Protection Officer who advises monitors our compliance against data protection law. You can contact the DPO, Elizabeth Phillips on 029 20712053 or [info@penartheyecentre.co.uk](mailto:info@penartheyecentre.co.uk)

To contact us, please email [info@penartheyecentre.co.uk](mailto:info@penartheyecentre.co.uk)

Our postal address is Penarth Eye Centre, 7 Windsor Rd, Penarth CF64 1JB.

## Complaints

If you have any complaints regarding our use of personal data, please contact us by one of the above means. In the event we cannot resolve your complaint, you have the right to complain the Information Commissioners Office, the UK data protection regulator.

They can be contacted at:

Information Commissioner's Office ([www.ico.org.uk](http://www.ico.org.uk))  
Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF  
Tel: 0303 123 1113

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