

Data Protection Privacy Notice

Smots™ at NHS Scotland Academy

About Smots™

NHS Scotland Academy (NHSSA), based at NHS Golden Jubilee, is a partnership between NHS Golden Jubilee and Public Services Delivery Scotland, previously NHS Education for Scotland. Together, these organisations are referred to in this document as 'The Boards'.

NHS Scotland Academy provides accelerated training for a wide range of health and social care roles and professions. Based in the Skills and Simulation Centre (SSC) at NHS Golden Jubilee, the NHS Scotland Academy works with NHS Boards, schools, colleges, universities and industry partners, to provide education and training that will address workforce needs across NHS Scotland.

The introduction of the SMOTs™ system in the SSC will support real-time recording and feedback. This will help learners build their skills and confidence.

Smots™ is a system of hardware and software that can easily and unobtrusively record video, audio and the vital signs readings of any medical procedure or simulation.

The main purpose of using these cameras is educational, they support learning and teaching activities. The system is designed so that both the participants in the simulated learning activity and learners not taking part in the scenario can be debriefed on successful actions and potential errors after each module is completed.

Fixed cameras have been installed in the Simulation Suite to record the training. The cameras are operated from a dedicated laptop in the adjoining Control Room. Learners, not participating in the training session, can watch the training in real time from the Academy Room using a second dedicated laptop.

Recording sessions allow NHSSA staff to reinforce training during the debrief sessions using a tag or bookmark. A tag can be added to a specific part of the scenario to create a reference point and support learning.,

The system can save recordings and download them as a resource for future training. Recordings are saved onto 2 SMOTs™ recorder units, which are kept in the SCC. They are not cloud based.

A standard operating procedure, policies and learner handbooks have been developed to explain how this process will be managed and to provide clear information for attendees

About NHS Golden Jubilee

NHS Golden Jubilee is a public organisation created in Scotland under the National Health Service (Scotland) Act 1978 (the 1978 Act). It is one of the organisations which form part of NHS Scotland (NHSS).

The NHS Golden Jubilee, which is the brand name for the National Waiting Times Centre Board, is a registered Data Controller on the Information Commissioner's Office (ICO) website.

The Data Controller registration number on the ICO website for NHS Golden Jubilee is **Z7996020**.

About Public Services Delivery Scotland

Public Services Delivery Scotland is a public organisation created in Scotland under the National Health Service (Scotland) Act 1978 (the 1978 Act). It is one of the organisations which form part of NHS Scotland (NHSS).

Public Services Delivery Scotland, previously NHS Education for Scotland, is a registered Data Controller on the Information Commissioner's Office (ICO) website.

The Data Controller registration number on the ICO website for is Z5801192.

About the personal information we use

The SMOTs™ recording device will record NHS and non-NHS staff, these will include faces, voices and may also record names discussed during recordings.

Participants will provide this information by taking part in the training or simulation. All participants will receive information and supporting documentation before attending the centre.

All recordings will remain on the device for 30 days before being automatically deleted, unless the Centre receives a request for a copy of any recording. These requests will be managed within the Centre. consent forms will be used to make sure all participants are well informed and aware of their rights.

Our purposes for using personal information

Under the National Health Service (Scotland) Act 1978, the Boards have a legal responsibility to provide or arrange the provision of a range of healthcare, health improvement and health protection services.

We are given these responsibilities to help improve the health and wellbeing of our patients and to support a comprehensive and integrated national health service in Scotland.

We use personal information to support healthcare services for patients, data matching under the national fraud initiative; research; supporting and managing our employees; maintaining our accounts and records and the use of CCTV systems for crime prevention.

Our legal basis for using personal information

The Boards, as data controllers, are required to have a legal basis when using personal information.

NHSSA and The Boards considers that carrying out our tasks and functions are in the public interest. This means our legal basis for using personal information is usually that its use is necessary for the performance of a task carried out in the public interest, or in the exercise of official authority vested in us.

In some situations, we may rely on a different legal basis. For example, if we are sharing the records for educational purposes we will rely on the consent of the participants.

If we use personal information to pay a supplier, our legal basis is that its use is necessary for the purposes of our legitimate interests as a buyer of goods and services.

We may also use personal information to comply with legal obligation. For example, under the Public Health etc. (Scotland) Act 2008, we are required to notify Health Protection Scotland when someone contracts a specific disease.

When we are using more sensitive types of personal information, including health information, our legal basis is usually that the use is necessary:

- for the provision of health or social care or treatment or the management of health or social care systems and services; or
- for reasons of public interest in the area of public health; or
- for reasons of substantial public interest for aims that are proportionate and respect people's rights, for example research; or
- in order to protect the vital interests of an individual; or
- for the establishment, exercise or defence of legal claims or in the case of a court order

On rare occasions, we may rely on your explicit consent as our legal basis for using your personal information. When we do this, we will explain what it means, and the rights that are available, to you.

Who provides the personal information?

NHSSA will already receive personal information about participants who have agreed to attend the SSC.

The personal information recorded on the platform is limited to only what is necessary for the purpose of the service we are providing.

Sharing personal information with others

NHSSA staff will have access to the data processed on the recording device for the purpose of continual management of the SSC. This access to this data will be through their unique login details.

Staff will not routinely share this information however will be responsible for providing recordings when they receive an official request from training facilitators and/or participants.

Guidance documentation has been developed to support the staff within the SSC to manage these requests in a consistent and lawful way.

Transferring personal information abroad

Personal data of patients will not be transferred outside of the United Kingdom.

Retention periods of the information we hold

Recordings will be held securely (electronically) on the SMOTs™ platform for 30 days. After this, recordings will be overwritten with new simulation recordings.

If staff within the SSC receive a formal request for access to a specific recording, the requested recording will be downloaded and placed in a secured, private OneDrive location. This process is designed to maintain the confidentiality and security of the recording while it is under review.

If the request meets the requirements to allow disclosure, the staff will follow the Standard Operating Procedure to provide the recording to the appropriate people with the appropriate conditions for use in place

How we protect personal information

We take care to make sure your personal information is only accessible to authorised people. Our staff have a legal and contractual duty to keep personal health information secure, and confidential.

The following security measures are in place to protect personal information:

- All staff undertake mandatory training in Data Protection and IT Security
- Compliance with Scottish Government Public Sector Cyber Resilience Framework
- Organisational policy and procedures on the safe handling of personal information
- Access controls and audits of electronic systems

Your rights

This section contains a description of your data protection rights within NHSSA and The Boards.

The right to be informed

The Boards must explain how we use your personal information. We use several ways to communicate how personal information is used, including:

- This Data Protection Notice
- Our main Data Protection Notices ([Privacy | NHS Scotland Academy](#))
- Information leaflets
- Discussions with staff within the Skills and Simulation Centre

The right of access

You have the right to access any data we may hold about you.

Any request relating to right of access for information within the SMOTs™ platform and NHSSA will be managed by NHS Golden Jubilee following the standard processes already in place for right of access requests.

The first point of contact for this is ig@gjnh.scot.nhs.uk

The right to rectification

If you identify an error in the information we hold about you, you have the right to request rectification. Any information that NHS Golden Jubilee hold that you require rectified can be done by requesting via ig@gjnh.scot.nhs.uk

The right to object

Participants will be informed in advance of their visit to the Skills and Simulation Centre that there is continual recording of Centre activity. Since the Skills and Simulation Centre cameras record continuously, we cannot stop filming during visits. If someone objects to their recording being shared, we will obtain their identifiable details to remove or securely store their footage away from routine access.

Right to restrict processing (where applicable)

Requests to restrict the right to processing will be managed under the current NHS Golden Jubilee processes and will be assessed if such a request is made.

Right to data portability (where applicable)

Information can be supplied in digital format.

Right to erasure (where applicable)

Requests for erasure will be managed under the current NHS Golden Jubilee processes and will be assessed if such a request is made.

Rights in relation to automated decision-making and profiling (where applicable)

This does not apply in these circumstances, as there will be no automated decision making or profiling involved in the data processing.

The right to complain.

The Boards employ Data Protection Officers (DPO) 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 Officers using the contact details below.

NHS Golden Jubilee

Mrs Sharon Stott
Head of Digital Governance/DPO
eHealth Department
Golden Jubilee National Hospital
Agamemnon Street
Clydebank, G81 4DY

Tel: 0141 951 5765

Email: Sharon.stott@gjnh.scot.nhs.uk

Public Services Delivery Scotland (previously NHS NES)

Data Protection Officer
Gyle Square
1 South Gyle Crescent
Edinburgh
EH12 9EB

Tel: 0131 656 3200

Email: nes.informationassurance@nhs.scot

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.org.uk.