Wrightington, Wigan and Leigh Teaching Hospitals
NHS Foundation Trust

How we use your Information

Version number: **11**
Last modified date: **12th November 2026**

How We Use Your Information

Patient Information

Information Governance

- Author ID: GEG
- Version: 11
- Leaflet ref: Corp 006
- Leaflet title: How we use your information
- Last review: May 2026
- Expiry date: May 2028

Introduction

Wrightington, Wigan and Leigh Teaching Hospitals NHS Foundation Trust is a major acute and community trust serving the people of Wigan and Leigh. To ensure that we can provide safe quality care to all patients, we need to collect certain information from you. This may be written down in paper records or stored electronically on a computer.

About this leaflet

This leaflet tells you how we collect, use and store the information we hold about you. We have written this leaflet to assure you that your information is safe and private (confidential).

What we record

Your doctor, nurse and the team of health and care professionals caring for you keep records about your treatment and care, both on paper and electronically.

This includes:

- Personal details such as name, address, date of birth, ethnicity and religion, NHS number and next of kin.
- Contact we have with you e.g. hospital admissions, outpatients/clinic appointments and home visits.
- Notes and reports by health and care professionals about your health, such as GP details.

- Details and records about your treatment and care.
- Results of x-rays and tests.
- Relevant information about people that care for you and know you well.
- Basic details about accompanying people, such as children, partners, carers, relatives.

How information is used

Your information is used to:

- Provide you with care and treatment, both now and in the future, ensuring that appropriate information is available to all those who treat you medically and care for you professionally.
- Ensure your care is safe and effective.
- Support you in managing your own care, and work with health and care professionals to ensure there is ‘No decision about you without you’.
- Investigate any complaints or legal claims.
- As part of proactive auditing to ensure that all access into medical records is for legitimate purposes.

And in an anonymous format is used to:

- Look after the health of the general public.
- Manage and plan the NHS; this may include audits by external companies.

- Help staff review the care they provide, such as clinical audit.

- Train and educate staff (you can choose whether or not to be involved personally).

- Carry out research approved by the local research and ethics committee. (If anything to do with the research would involve you personally, you will be contacted to see if you are willing to take part. You will not be identified in any published results without your agreement).

How we protect your information

Your personal information is protected by the Data Protection Act 2018 and the General Data Protection Regulation. The sensitivity of patient information is well understood within the NHS and all our staff are given training on how to keep your information safe. We keep paper and electronic records securely in line with current legislation in order to prevent unauthorised access.

Managing the data

When information is transferred from one computer system to another it sometimes needs to be extracted, processed and adapted during the transfer process. Random checks are performed by trained WWL staff to ensure that this is done correctly.

Sharing your information

We will only ever share your information if it is in the best interests for your care. We will not disclose any information that identifies you to anyone outside your direct care team[1] without your express permission, unless there are exceptional circumstances, such as when there is serious risk of harm to yourself, or others, or where required by law.

Who we may share your information with:

Direct care:

- Other Hospitals
- GPs
- Ambulance Service
- Social care

In most cases, you will be asked for your explicit consent for information to be shared with non-care organisations. This will be subject to strict agreement about how it will be used, for example:

- Housing departments
- Education services
- Voluntary services
- Sure Start teams
- The Police
- Government Departments

Where explicit consent cannot be gained, we may be able to rely on the “public interest justification”. This is where we believe that the reasons for disclosure are so important that they overrule the duty of confidentiality, for example to prevent someone from being seriously harmed. Disclosure may also be required by Court Order or under an Act of

Parliament, i.e. there is a statutory or other legal basis for the disclosure. The advice of specialist staff, for example Caldicott Guardians[2] are also sought prior to making disclosures.

Share to Care

Wigan Borough Integrated Care Partners has been developed to improve the quality and effectiveness of services to our local population of 320,000. To facilitate this, the members of the Wigan Borough Integrated Care Partners have identified the need to develop and implement a robust information sharing ethos that will ensure that we have the right information available to support the delivery of care and commissioning decisions.

If you would like more information about “Share to Care”, what is recorded, how the information is used, how your information is stored and how to access your information, please visit **www.wigansharetocare.nhs.uk**.

NHS Act 2006 - Section 251

Disclosure of information may be permitted under Section 251 of the NHS Act 2006. This allows the Secretary of State for Health to allow disclosure of information outside the common law duty of confidentiality in special circumstances. The reason for this is to improve patient care or if it is in the 'public interest', such as for important medical research.

Applications for approval to use Section 251 powers are considered by the Confidentiality Advisory Group (CAG), who will advise whether there is appropriate evidence to access the requested confidential patient information. Examples of this, used in the short-term until other measures can be put in place, are risk stratification[3] and invoice validation.

Child Protection – Information Sharing Project

The Child Protection - Information Sharing Project (CP-IS) will improve the way that health and social care services work together across England to protect vulnerable children.

It will allow healthcare staff to see if a child attending unscheduled care services e.g. accident and emergency or a walk-in centre, has a child protection plan or looked after child status.

What are the benefits of a national solution?

- Improved assessment of this group of potentially vulnerable children.
- Improved child protection decisions through access to better supporting information.
- Availability of child protection information for children from out of the area attending local health services.
- Improved, more focused communication between social care and health, when possible risks have been identified.
- Improved intervention to prevent the ongoing abuse or neglect of a child.
- Time saved by health and local authority teams no longer having to produce lists or enter information manually.

Further information is available at **https://digital.nhs.uk/services/child-protection-information-sharing-project**

What we record; Chaplaincy and Spiritual Care department

The Trust has a Chaplaincy and Spiritual Care Department which provides spiritual support to patients and their relatives. The members of the team are all Trust employees.

Although the team does not have direct access to any clinical information, some health information regarding your care may be shared with them if you have chosen to utilise their services. If you do not want this to happen, please ensure that you advise a doctor, nurse or a member of Trust staff.

Accessing your information

The Data Protection Act 2018 gives you a right to access the information we hold about you. If you would like to access this information:

- Your request must be in writing or by completing an application form and sending to the Access to Health Records department.
- There may be a charge to have a printed copy or to view the information.
- We are required to respond to you within one calendar month of the receipt of your request. If it is deemed to be complex, this can be extended by a further two months.
- You will need to provide adequate information (full name, address, date of birth, NHS number) so that your identity can be verified, and your records located.
- If you would like to see our Privacy Notices, please visit **wwl.nhs.uk/privacy**.

Further information can be obtained by contacting:

Access to Health Records Department

Wrightington, Wigan and Leigh NHS Foundation Trust

Royal Albert Edward Infirmary

Wigan Lane

Wigan
WN1 2NN

Telephone: 01942 822541

Keeping your information up to date

If you consider that any part of the information held in your record is incorrect, you can apply to have this corrected. If we agree that the information is wrong, we will correct it. If we are not satisfied that the information is incorrect, a note will be made of the information you consider is inaccurate. You will be given a copy of either the correction or the note.

Mobile phone numbers

We record mobile telephone numbers to enable us to contact you if an appointment has to be re-arranged. Some services also provide a text and voice reminder service so that you can be reminded of your appointment. If you prefer not to be contacted in this way, please tell so that your number can be removed from the system.

What else?

You have the right to request that your confidential information is not used beyond your own care and treatment. You have the right to have your objections considered, and where your wishes cannot be followed, to be told the reasons, including the legal basis [4].

If you agree to the sharing of your information, your relatives and friends will be kept up to date with the progress of your treatment.

If you do not wish personal data to be used or shared in the way that is described in this leaflet, please discuss the matter with the Information Governance Department.

You have the right to lodge a complaint with the Information Commissioners Office with respect to the management of your personal data. You can contact the ICO for further information on 0303 123 1113 or via email https://ico.org.uk/global/contact-us/email/ or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Further information

Information Governance Department

Wrightington, Wigan and Leigh Teaching Hospitals NHS Foundation Trust

Buckingham Row

Brick Kiln Lane

Wigan

WN1 1XX

Telephone: 01257 256335/ 488271

www.wwl.nhs.uk

Information Commissioner Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Telephone: 0303 123 1113

www.ico.org.uk

NHS Choices website

www.nhs.uk

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[1] The direct care team is made up of registered and regulated professionals with a duty of confidentiality and an obligation to use information both legally and effectively. They are answerable to regulatory bodies such as the

General Medical Council, Nursing and Midwifery Council and Health and Care Professions Council. Caldicott Review 2013 page 38.

Direct care is the term used to include clinical care, social care and public health activity relating to individuals. It also includes activity such as audit and management of untoward incidents where these are carried out by people who have a legitimate relationship for that person's care.

[2] A Caldicott Guardian is a senior person responsible for protecting the confidentiality of patient information and enabling appropriate information-sharing.

[3]Risk Stratification enables GPs, supported by Clinical Commissioning Groups (CCGs), to target specific patient groups and enable clinicians with the duty of care for the patient to offer appropriate interventions.

[4]NHS Constitution for England section 3a (26 March 2013)

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