

# Rescon Ltd

## User Rights Policy

### Revision History

Version	Revision Date	Summary of Changes	Author
1.0	15/08/2018	Document creation	Tom Dawson

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### 1. Introduction

Rescon is committed to providing high standards of information governance, and ensuring appropriate policies, procedures and structures provide a robust framework for information collection, management and processing. Rescon comply with the General Data Protection Regulation (GDPR) and closely follow the latest Information Commissioners Office (ICO) guidance. Users must be informed of their rights including how to exercise them.

### 2. Scope

This policy outlines user rights and how to exercise them. This policy applies to information collected, managed and processed where personal data is collected directly and indirectly including Rescon’s health and care management platform Lincus.

### 3. Information Governance Statement

In accordance with the GDPR information provided:

- Will be protected by national and international laws



- Will be used for the best interests of data subjects
- May be shared with health and social care systems and services
- May be used for service improvement and research in the public interest
- Will be provided to the data subject on request
- Will never be shared with or sold to third parties for direct commercial gain
- Is controlled and/or processed by Rescon Ltd, a UK company registered with the Information Commissioner's Office ([www.ico.org.uk](http://www.ico.org.uk)) depending on the service has been commissioned with the relationship outlined in a Service Level Agreement if commissioned by an organisation

In accordance with the GDPR data is processed by Rescon Ltd on the following lawful bases:

#### Primary

- Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract (Article 6 - 1b)

#### Secondary

- Processing is necessary for compliance with a legal obligation to which the controller is subject (Article 6 – 1c)
- Processing is necessary in order to protect the vital interests of the data subject or of another natural person (Article 6 – 1d)
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (Article 6 – 1e)

In accordance with the GDPR special category data is processed by Rescon Ltd on the following lawful bases:

#### Primary - Active

- 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 on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3 (Article 9 – 2h)

#### Secondary

- Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity (Article 9 – 2f)
- Processing is necessary for reasons of substantial public interest, on the basis of Union or Member State 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 (Article 9 – 2g)

- Processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy (Article 9 – 2i)
- 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 Union or Member State 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 (Article 9 – 2j)

#### 4. User Rights

In accordance with the General Data Protection Regulation (GDPR) users have the following rights:

##### Right to be informed

Users have the right to be informed about the collection and use of their personal data. This is outlined in the Terms & Conditions, and Data Collection, Management and Processing Policy. All information must be concise, transparent, intelligible, accessible and use clear and plain language. Terms & Conditions including privacy information are regularly updated.

##### Right of access

Users have the right to access their personal data. Data subjects can have a copy of the data held about them by contacting Lincus administrator ([info@lincus.eu](mailto:info@lincus.eu)) or Data Protection Officer ([dpo@lincus.eu](mailto:dpo@lincus.eu)), through the feedback button or contact form on our website. Data is sent as an encrypted CSV file to the users verified email address. Rescon will respond to requests within one month.

There are no fees to data subjects for the right of access service.

An hourly fee is charged to customer organisations based on time to complete who require transfer of data.

##### Right to rectification

Users have the right to have inaccurate personal data rectified, or completed if it is incomplete. Data subjects have edit rights on the platform, with personal data archived in accordance with GDPR. Our platform is fully audited so all deletions and changes are logged

in keeping with GDPR requirements for protecting best vital interests and keeping records for legal defensibility. Users can also contact the Data Protection Officer to request data rectification which will be responded to within one calendar month.

#### Right to erasure

Data subjects do not have full rights to complete data erasure based on the primary reason that processing is necessary for the purposes of medical diagnosis or the provision of health or social care treatment (Article 17 – 3c) and secondary reasons of retention for: compliance with legal obligation (Article 17 – 3b); archiving purposes in the public interest, scientific or historical research purposes or statistical purposes (Article 17 – 3d); the establishment, exercise or defence of legal claims (Article 17 – 3e).

#### Right to restrict processing

Users have the right to request the restriction or suppression of their personal data in certain circumstances outlined in the GDPR. When processing is restricted, Rescon will archive the data but not use it. Users can contact the Data Protection Officer to request restriction which will be responded to within one calendar month.

#### Right to data portability

Users have the right to obtain and reuse their personal data so it can be moved from one environment to another in a safe and secure way without affecting its usability. Data subjects can have a copy of the data held about them by contacting Lincus administrator ([info@lincus.eu](mailto:info@lincus.eu)) or Data Protection Officer ([dpo@lincus.eu](mailto:dpo@lincus.eu)), through the feedback button or contact form on our website. Data is sent as an encrypted CSV file to the users verified email address.

#### Right to object

Users have the right to object to the processing of their personal data if it is for direct marketing purposes. Rescon do not share or sell data for direct commercial gain. Users can contact the Data Protection Officer with questions relating to this right.

#### Rights related to automated decision making including profiling

Profiling is necessary for the delivery of the Lincus platform service and is not used for decision making that will impact the individual.

## 4. Exercising Rights



To raise any questions regarding information governance and user rights or to make a request please contact Rescon's Data Protection Officer: [dpo@lincus.eu](mailto:dpo@lincus.eu)

Users have a right to complain to the Information Commissioners Office (ICO) if they are concerned with the way data is handled: [www.ico.org.uk](http://www.ico.org.uk) (0303 123 1113).

## 5. Review & Monitoring

This policy must be reviewed and approved at least annually. Compliance with the User Rights Policy will be monitored with at least annual audits and ongoing monitoring by the Information Governance Committee.

## 6. Policy Approval

This policy has been reviewed and approved by the Information Governance Lead.

Name: Tom Dawson

Position: Managing Director and IG Lead

Date: 11/03/2019

Signature:

