

What is the legal basis that we use to process your information?

We are required to tell you the legal basis that is used for the various ways we process and use your data. The following table sets the main ways your personal data may be used and the corresponding legal basis and category of data. Each purpose is covered in more detail within this notice to explain what these mean in more practical terms.

Purpose of using personal data	Legal basis of processing	Special category of data
Provision of direct care and related administrative purposes e.g., e-referrals to hospitals or other care providers	GDPR Article 6(1)(e) – the performance of a task carried out in the public interest	GDPR Article 9(2)(h) – medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems.
For commissioning and healthcare planning purposes e.g., collection of mental health data set via NHS Digital or local	GDPR Article 6(1)(c) – compliance with a legal obligation	GDPR Article 9(2)(h) – medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems. Special category 9(2)(i) – public interest in the area of public health
For planning and running the NHS (other mandatory flow) e.g., CQC powers to require information and records	GDPR Article 6(1)(c) – compliance with a legal obligation (the GP practice) Regulation 6(1)(e) – the performance of a task carried out in the public interest (CQC)	GDPR Article 9(2)(h) – medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems. Special category 9(2)(i) – public interest in the area of public health
For planning & running the NHS – national clinical audits	GDPR Article 6(1)(e) – the performance of a task carried out in the public interest	GDPR Article 9(2)(h) – medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems. Special category 9(2)(i) – public interest in the area of public health
For research	GDPR Article 6(1)(f) – legitimate interests...except where such interests are overridden by the interest or fundamental rights and freedoms of the data subject. GDPR Article 6(1)(e) – the performance of a task carried out in the public interest GDPR Article 6(1)(a) – explicit consent	GDPR Article 9(2)(j) – scientific or historical research purposes or statistical purposes
For safeguarding or other legal duties	GDPR Article 6(1)(e) – the performance of a task carried out in the public interest Regulation 6(1)(c) – compliance with a legal obligation	GDPR Article 9(2)(b) – purposes of carrying out the obligations of ..social protection law.
When you request us to share your information e.g., subject access requests	GDPR Article 6(1)(a) – explicit consent	GDPR Article 9(1)(a) – explicit consent