

# RadcliffesLeBrasseur



**Healthcare Briefing**

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## **Compliance with the Data Protection Act 1998 for doctors who treat patients privately**

The Information Commissioner's Office ('ICO') has recently launched an initiative to remind doctors who treat patients privately that they must comply with the Data Protection Act.

The Data Protection Act requires organisations which process personal information to comply with a number of principles regarding privacy and disclosure. It also allows people to find out what personal information is held about them by making a subject access request. The Data Protection Act requires every organisation that processes personal information to notify the ICO, unless they are exempt. Notification involves the data controller informing the ICO of certain details about their processing of personal information. The Information Commissioner then uses these details to make an entry describing this processing in the register of public controllers that is available for public inspection.

Doctors who treat NHS patients should be covered by the registration of either the hospital they practice from or a local NHS Trust. However, the processing of personal data relating to any private treatment must be covered by a separate registration.

The cost of notification with the ICO is £35 per year. Notification can be made by visiting the ICO website at [www.ico.gov.uk](http://www.ico.gov.uk) or by contacting the Notification Helpline on **01625 545740**.

It is a criminal offence to process personal data without having notified the ICO. It is therefore essential that doctors who treat patients privately notify the ICO and are aware of their obligations in relation to the Data Protection Act.

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