

ONELONDON eMental Health Act Programme - Privacy Notice

This privacy notice explains why health and care organisations share information about you, and how that information may be used, as part of the OneLondon eMental Health Act Programme.

You can find out more information about the OneLondon eMental Health Act Programme [here](#), information about the London Care Record [here](#), and organisations that are part of the London Care Record [here](#).

The OneLondon website address is: www.onelondon.online/

The health and care professionals who look after you keep records in different specialist systems that contain details of any treatment or care you have received or are receiving from them in each different organisation where you are receiving care. These records may be electronic, on paper or a mixture of both.

By law, everyone working in, or on behalf of health and social care organisations, must respect patient privacy and keep your information safe. The digital systems use a secure and encrypted system that meet NHS and social care security standards.

eMHA by Thalamos is a secure digital system that enables health and care professionals to record legal information in order to meet the requirements set out in the [Mental Health Act 1983](#).

This provides the people looking after you with important information about your assessment and treatment provided under the Mental Health Act 1983, so that they can make the best decision and plans about your care.

The information which health and care organisations can share about you under services, care and treatment under the Mental Health Act 1983 might include the following information:

- details about you, such as address, contact details and next of kin
- any contact the health or care provider has had with you
- notes/reports and assessments about your health and care including assessments and treatment to meet the requirements of the Mental Health Act
- details about your planned treatment and care

- relevant information from other health and care professionals, relatives or those who care for you
- care and support you may be receiving from Health and Social Care services including your GP.

1) Data controller contact details	<p>The links below will help you find the contact details of the organisation that holds information about you in eMHA by Thalamos</p> <p>East London NHS Foundation Trust Privacy and Your Data East London NHS Foundation Trust</p> <p>Guy's and St Thomas' NHS Foundation Trust Your privacy Guy's and St Thomas' NHS Foundation Trust</p> <p>North East London NHS Foundation Trust Privacy Information North London NHS Foundation Trust</p> <p>Oxleas NHS Foundation Trust Privacy policy Oxleas NHS Foundation Trust</p> <p>South London and Maudsley NHS Foundation Trust Privacy policy - South London and Maudsley</p> <p>South West London and St George's NHS Trust Privacy policy - Website</p>
2) Data processor contact details	<p>The name of the IT supplier that provides the digital / IT system that holds the Mental Health Act information about you is called Thalamos Ltd. They are called a data processor.</p> <p>More information about them can be found Homepage - Thalamos</p>
3) Data processor Data Protection Officer contact details	<p>The contact within Thalamos Ltd that deals with information and data can be contacted by emailing dpo@thalamos.co.uk</p>

<p>4) Purpose of the processing (sharing)</p>	<p>Information will be shared in order to support your “direct care”.</p> <p>“Direct patient care” is defined by Dame Caldicott [<i>To Share or Not To Share? Dame Fiona Caldicott, April 2013</i> https://www.gov.uk/government/publications/the-information-governance-review] as:</p> <p>“a clinical, social or public health activity concerned with the prevention, investigation and treatment of illness and the alleviation of suffering of individuals. It includes supporting individuals' ability to function and improve their participation in life and society. It includes the assurance of safe and high-quality care and treatment through local audit, the management of untoward or adverse incidents, person satisfaction including measurement of outcomes undertaken by one or more registered and regulated health or social care professionals and their team with whom the individual has a legitimate relationship for their care”.</p>
<p>5) Lawful basis for processing</p>	<p>The processing (sharing) of personal data in the delivery of direct care and for each care providers’ administrative purposes is supported under the following Article 6 and 9 conditions of the: Data Protection Act 2018/General Data Protection Regulation 2016:</p> <ul style="list-style-type: none"> • Article 6(1)(c) – necessary for the purposes of complying with the law • Article 6(1)(d) –necessary for the purpose of vital interest (necessary to protect someone’s life) • Article 6(1)(e) necessary for the performance of a task carried out in the public interest or in the exercise of official authority • Article 9(2)(h) - necessary for the purposes of preventative 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. <p>Health and social care services have a legal obligation to share information about you from their records if it is seen to be in your best interests for the purposes of your direct care.</p> <p>We also recognise your rights established under UK case law collectively known as the “Common Law Duty of Confidentiality”.</p> <p>“Common Law Duty of Confidentiality”</p> <p>Common law is not written out in one document like an Act of Parliament. It is a form of law based on previous court cases decided by judges; hence, it is also referred to as 'judge-made'</p>

	<p>or 'case' law. The law is applied by reference to those previous cases, so common law is also said to be based on precedent.</p> <p>The general position is that if information is given in circumstances where it is expected that a duty of confidence applies, that information cannot normally be disclosed without the information provider's consent or, in the absence of consent, a legitimising purpose.</p>
<p>6) Recipient or categories of recipients of the shared data</p>	<p>Data sources</p> <p>Information recorded to meet our legal obligations under the Mental Health Act is shared between all the health and care organisations that are part of the OneLondon eMHA Programme within London, and to other GPs and hospitals on our boundaries from where you may be referred into London for certain services or who are caring for you.</p> <p>You can view the full list of organisations that are part of the OneLondon eMHA Programme here.</p> <p>In addition very limited information about the legal status of your care and dates where your treatment and care is provided under the Mental Health Act is shared with the London Care Record. This sharing is restricted to:</p> <ul style="list-style-type: none"> • the legal status of your treatment and care • dates of any detention / deprivation of liberty • name of the hospital or health provider providing care. <p>This is so that health and care professionals in London know if you need any extra care and treatment.</p> <p>As we add new hospitals and local authorities that provide social care to the eMHA by Thalamos system, the list of organisations will be regularly updated. If you think the information in this list is not up to date, or you have a question about a specific organisation sharing information please contact enquiries.onelondon@nhs.net.</p> <p>Categories / recipients</p> <p>Only health and care professionals in each of the defined organisations above who are providing you directly with care or services can see your information.</p>
<p>7) Rights to object</p>	<p>You have the right to object to some or all your information being processed (shared) under current data protection legislation (Article 21 the General Data Protection Regulations 2016, and the Data Protection Act 2018).</p> <p>You are advised that whilst under this legislation you have the right to raise an objection, this right is not absolute in relation to</p>

	<p>health and care data being shared for the purposes of direct care under the lawful bases for sharing as described in section 5 of this Privacy Notice. There are occasions where an objection may not be upheld - for example, if there is a safeguarding issue, or in the case of an individual who might be at risk from harming themselves or a member of the public, or in an emergency.</p> <p>All objections will be considered on an individual basis by the Data Controller. The Data Controller is the organisation that has your core information in its local record / IT system and who is providing you with your care. For services covered by the Mental Health Act this will be your hospital or health provider providing you with support for your mental health.</p> <p>If you wish to object to your information being shared you should contact the Data Protection Officer for the specific organisation (data controller) that holds the information you would like to withhold. The contact details for the Data Protection Officer for each health and care organisation can be found on their organisation website/within the individual organisation's specific Privacy Notice. There are some links in section 1 of this privacy notice that will help you do this if you are not sure who to contact.</p> <p>You should also be aware that if you choose to object, you are only objecting to <i>electronic sharing</i> of your information. Your information may still be shared via other means, such as by letter, email and telephone in order to provide you with direct care.</p> <p>Other information sharing projects such as the National Summary Care Record are operated and managed separately. Any objection or withdrawal of consent, such as the National Data Opt Out, does not apply to sharing information for direct care, and so does not apply to the eMHA Programme.</p>
<p>8) Right to access and correct</p>	<p>Access</p> <p>You have the right to see the data that is being shared about you. This is known as 'the right of subject access'. You can make a request for this information from an organisation that is providing you with care and holds information about you.</p> <p>If you make a subject access request the organisation will:</p> <ul style="list-style-type: none"> • give you a description of the information they have about you • tell you why it is being held • tell you who it could be shared with • let you have a copy of the information in an intelligible form, such as on paper, or via secure electronic transfer.

	<p>To make a Subject Access Request you will need to contact your health or care provider's Data Protection Officer (DPO) in writing. The contact details for the DPO for each organisation can be found on the organisation's website.</p> <p>Rectification</p> <p>You have the right to have inaccurate personal data rectified, and in some circumstances removed. Requests to amend or delete data should be made to the individual Data Controller via the DPO, as per the contact information provided in this paragraph above.</p> <p>Under current data protection legislation, all data controllers have a responsibility to ensure the information held about you is correct and up to date and must take all reasonable steps to correct or erase incorrect information as soon as possible.</p> <p>All requests to amend or remove information will be addressed on an individual basis by each Data Controller, however, it should be noted that, for example, information recorded by a health or care professional that is believed to be correct at the time of documentation, even when subsequently updated, is unlikely to be removed.</p> <p>There is no right to have accurate medical records deleted except when ordered by a Court of Law.</p>
<p>9) Retention period</p>	<p>The data held in eMHA by Thalamos is subject to the NHS Records Management code of practice, and all health and care organisation must adhere to the record keeping requirements defined here.</p> <p>https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016.</p> <p>Information made available from health and care organisations that is stored (as duplicated data) in the London Care Record will be held for the duration of the London Care Record contract or will be deleted when / the record is deleted in eMHA by Thalamos, whichever is the shorter period.</p>
<p>10) Right to Complain</p>	<p>You have the right to complain about the way in which your information is used or shared. Each health and care provider will have their own complaints process and you will need to contact them directly to register a complaint If you think the information has been shared inappropriately.</p> <p>Contact details and information about how to register a complaint will be available for all health and care providers on their individual websites.</p> <p>You also have the right to make a complaint direct to the Information Commissioner's Office about the way personal</p>

	information about you is processed by an organisation. You can contact them at this link: https://ico.org.uk/global/contact-us/ or by calling their helpline on 0303 123 1113 (local rate) or 01625 545 745 (national rate).
11) eMHA Programme Enquiries	<p>If you have any questions about the eMHA Programme that are not answered on our website (www.onelondon.online) you can email us at enquiries.onelondon@nhs.net</p> <p>However, if you have a question about the information that is held about you please follow the advice set out in this Privacy Notice.</p>

Last updated: 12/05/2026