

National Digital Health Mission Model Data Privacy Notice

[Model Privacy Notice under Clause 10 of the National Digital Health Mission Health Data Management Policy]

This privacy notice is intended to provide you (“**data principal**”) with the necessary information by way of notice about the processing of personal or sensitive personal data under the National Digital Health Mission (“**NDHM**”). NDHM understands and respects your privacy and it is committed to protect it. Any collection of personal or sensitive personal data under the NDHM may be done only with the consent of the data principal.

This notice outlines how [*Insert name of the data fiduciary*] (“**data fiduciary**”) collects, processes and uses personal data of individuals in compliance with the NDHM Health Data Management Policy and the provisions of applicable laws.

By giving consent for processing of data, you agree to the practices stated in this notice. Further detail about how we process personal data may be found in our Privacy Policy, available at [*Insert link to privacy policy*], and in our privacy by design policy, available at [*Insert link to privacy by design policy*].

Information Collection

- A. The following categories of data may be collected by the data fiduciary:
[*Insert a list of the **nature** and **categories** of personal data being collected by the data fiduciary, specifying clearly each category of personal data being collected and identifying its nature (whether personal or sensitive personal data)*]
- B. The personal data mentioned above in (A) may be collected using the following methods or mechanisms:
- (i) [*Specify the **methods** and **mechanisms** through which any personal data is collected by the data fiduciary, clearly and concisely explaining the process for the collection of personal data*]
 - (ii) Personal data may be collected by the data fiduciary in the following instances, where the data principal:
 - 1. Provides the data fiduciary with personal data such as name, date of birth, Health ID number, email id, phone number
 - 2. Completes an online suggestions, complaints or grievance redressal form, available at [*Insert link to suggestions/complaint/grievance redressal forms*]
 - 3. Uses online services under the NDHM such as health services, or other electronic services under the NDHM.
 - 4. The data fiduciary may request access or permission to the data principal’s location while the data principal is using services under the NDHM, to provide certain location-based services.
 - 5. The data fiduciary may request access or permission to certain features from the mobile device of the data principal, including the mobile device's Bluetooth, microphone, camera, phone number, and other features. If the data principal wishes to change the access or permissions, they may do so in the device's settings.

- (iii) The data fiduciary may request to send the data principal push notifications regarding their account or certain features of the websites/applications. If the data principal wishes to opt-out from receiving these types of communications, they may turn them off in their device's settings.
- (iv) Additionally, some personal data may be collected automatically while surfing the website or using smartphone applications of the data fiduciary, such as:
 1. The IP address the data principal is using to access the website
 2. Geographical Location
 3. Mobile device information (such as your mobile device ID, model), operating system, and version information
- (v) [Insert *name of data fiduciary*] website has links to third party websites. [Insert *name of data fiduciary*] has no control over other websites and thus the NDHM-Health Data Management Policy does not apply to them. Users are encouraged to read third party privacy policies prior to providing any personal information to third party websites.

Information Usage

C. The personal data of the data principal may be processed for the following purposes:

- (i) [Specify the **purposes** for which personal or sensitive personal data may be processed, based on the list of purposes specified by the NDHM as per Clause 9.3 of the NDHM-Health Data Management Policy. Clearly indicate the purposes for which data may be processed against the categories of data outlined above in (A)]
- (ii) Additionally, the personal data of the data fiduciary may be processed for the following purposes:
 1. To keep a record of registered users
 2. To allow the data fiduciary to customize services based on users' preferences
 3. To collect internal statistics that help the data fiduciary serve the users better
 4. To contact users in order to provide NDHM news or information regarding upcoming events

D. The personal data of the data principal may be shared with the following individuals or entities:

- (i) Any individual or entity under the NDHM with whom the data principal consents to sharing such data in accordance with the NDHM Health Data Management Policy.
- (ii) [Specify the *identity and contact details of any other data fiduciary or data processor with whom the data fiduciary may share the personal data of the data principal in accordance with the NDHM-Health Data Management Policy. Clearly indicate the categories of data identified above in (A) that may be shared with any individual or entity*]
- (iii) Users' information is never shared with any third parties unless it is required by applicable law. The data fiduciary has implemented appropriate controls to protect and safeguard the privacy of user's personal information shared or collected by it. Where appropriate, encryption methods are used to protect data, which is deemed sensitive, or any other data that should remain secure to meet Central, State government or NDHM's obligations under applicable law.

Rights of the Data Principal

E. The data principal has the right to withdraw their consent. Any consent granted can be withdrawn as per the following procedure:

[Specify clearly and concisely the **procedure for the withdrawal of consent** for processing of personal data by the data principal]

- F. The personal data of the data principal shall not be retained if it is no longer necessary for the purpose for which it was processed. Any personal data shall be **retained for a period of time determined strictly in accordance with the criteria for such retention** as set out in the guidelines relating to data retention and archival, as may be notified from time to time, and applicable law.
- G. The data principal has the rights provided to them under Clause 14 of the NDHM-Health Data Management Policy, in addition to any rights under applicable law. These rights include:
- (i) The right to confirmation and access
 - (ii) The right to correction and erasure
 - (iii) The right to restrict or object to disclosure
 - (iv) The right to data portability
 - (v) The right to withdraw their consent as specified in (E) above
 - (vi) The right to lodge a complaint or grievance with the Data Protection Officer of the data fiduciary, or with the NDHM-Grievance Redressal Officer (“**NDHM-GRO**”)

The procedure for the exercise of these rights is as follows:

- (a) All requests under Clause 14.1 of the NDHM-Health Data Management Policy will be made by the data principal in writing, through e-mail or any other electronic means to the designated officer of the data fiduciary either directly or indirectly through a consent manager.
- (b) [*Specify clearly the **procedure for the exercise of rights under Clause 14 of the NDHM-Health Data Management Policy**. Indicate the channels for raising such requests, the location/URL of such channels and the clearly explain the procedure through which a request may be raised.*]
- (c) The management of the data fiduciary shall oversee the fulfilment of requests under Clause 14 of the NDHM-Health Data Management Policy and shall provide a legal justification in writing (physically or electronically) in case of the denial of any request under Clause 14.
- (d) In the event that the data principal wishes to refer any issue relating to its rights to the NDHM-GRO, the same may be contacted at: [Insert contact details of NDHM-GRO]

The data fiduciary shall not restrict any data principal from exercising their rights related to their personal data under the NDHM-Health Data Management Policy and applicable law based on any arbitrary characteristics, including language, disability status, technological knowledge, etc.

Contact Information

- H. [*Insert name of data fiduciary*] is the data fiduciary who may collect personal data in terms of this Privacy Notice. The data principal may contact the data fiduciary in the following manner:
[*Insert **identity and contact details** of the data fiduciary*]
- I. The data principal may contact the data fiduciary using the following mechanism in relation to complaints, inquiries, grievances and clarifications regarding the policies, practices and procedures employed in the collection, storage, transmission or any other aspect of processing of personal data:
[*Insert **contact details, and specify the mechanism, through which the data principal may contact the data fiduciary** in relation to the above*]

If you have questions about this Privacy Notice, please contact us via e-mail at: [*Insert e-mail address of data fiduciary*]