**PRIVACY NOTICE**

**Introduction**

This leaflet explains why information is collected about you, the ways in which this information may be used, who it is shared with and how we keep it safe. It also explains how you go about accessing this information if you wish to see it and how you can have any inaccuracies corrected or erased.

The Practice is a “controller” for the purpose of data protection laws. Current and new data protection laws will be referred to as the “Data Protection Laws” within this privacy notice. We have a nominated Data Protection Officer.

Within the Practice, our clinicians and staff access your information in order to provide you with medical care. They are called “data processors” – you may hear this term being used.

**Legal basis for keeping and processing your data**

The legal basis for why we keep and process your data is complex as is the language used. However, for your information, we process your information wholly or partly on a computer. Processing is for your direct care and is necessary in the exercise of official authority vested in us under article 6(1)(e). Processing is also necessary for compliance with a legal obligation which we are subject under article 6(a)(c) and necessary for the preventative or occupational medicine for assessing the working capacity of the employee, medical diagnosis, the provision of health or social care of treatment or management of health or social care systems under article 9(2)(h).

What this means more simply is that we need to process your medical information in order to provide you with medical care and there are a number of different legal reasons that allow us to do so.

By freely choosing to register with us and give us data about yourself, you are consenting that we may process your data to look after you. This includes contacting you by mobile phone unless you specifically opt out of this. We are contracted by the NHS to provide Primary Care services to patients registered with us and we have a legal obligation therefore to provide you with health care and look after your health interests. Additionally, in the event of an outbreak of a notifiable disease (such as some types of food poisoning) we have an obligation to protect the wider population against an outbreak of this disease.

However, there are also strict guidelines that we must comply with in order to protect you from misuse of your data. Information about this may be found in the section called Data Breaches.

**What information do we collect from you?**

GP records are stored electronically on computers and on paper and include personal details about you such as your address, key codes, carers, legal representatives, emergency contact details, as well as:

* Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments and telephone calls
* Notes and reports about your health
* Details about your treatment and care
* Details about any medication you are taking
* Results of investigations such as laboratory tests or x-rays
* Relevant information from other health professionals, relatives or those who care for you
* Complaints you have made about the service we provide.
* Voice recording of telephone calls for legitimate interest to enable us to evaluate our patient service

**Email and SMS Messaging**

For quick and easy communication we will use email and SMS messaging to the address/phone numbers that you have provided. We will limit email and SMS messages to registered patients who are aged 16 and over, or their legal representative. We will contact you in respect of your direct care, for example your test results, your appointment confirmation, reminders to book your annual review, and notification if your prescription request has been rejected.

We may also use email and SMS messaging to communicate with you regarding your indirect care for example we may send you a message to contact us if we have been unable to contact you by telephone.

All emails and SMS messages to you will be made part of your medical record and you have the same right of access to these emails and SMS messages as you do to the rest of your record.

We do not solicit business or market our services using email or SMS messaging, nor do we disclose our patients’ contact information to third parties for this purpose.

If you do not wish to receive emails or SMS messages you can advise us that you wish to opt out.

SMS and emails relating to direct medical care only.  ​This would include requests to view your medical record as a subject access request.  We do not include correspondence relating to complaints or any other non-medical issues as this may be considered prejudicial if the patient moves to another practice.

We retain any emails relating to complaints for up to 24 months as we are required to submit annual returns to NHS England.  All other emails are retained for as long as the content is relevant e.g. once the query has been responded to the email will be deleted.

**Why do we collect this information?**

Your records are used to ensure you receive the best possible care from our nurses and doctors, as well as enabling support staff (such as receptionists) deal with your enquiries. Clinicians can see previous treatments, medications and enables them to make informed decisions about you future care. It helps the doctors to see lists of previous treatments and any special considerations which need to be taken into account when care is provided.

Important information is also collected to help us to remind you about specific treatment which you might need, such as health checks, or reminders for screening appointments such as retinal screening or smear tests. Information held about you may be used to help protect the health of the public and to help us to improve NHS services. Information may be used within the GP practice for clinical audit to monitor the quality of the service provided.

Staff at the practice use your information to help deliver more effective treatment to you and to help us to provide you with proactive advice and guidance.

**Who might we share your information with?**

There are a number of ways information collected about you is shared, which includes:

1. **Patient referrals** to Secondary Care, GPs with special interests, and private health providers.
2. **Hospital, Community or Social Care Services** such as Southern Health and other secondary care providers, covering Community Nurses, Physiotherapy Services etc.
3. **NHS England and NHS Digital** regarding childhood immunisations, breast screening, NHS App, AAA screening, Bowel screening, cervical cancer screening etc. and other public health matters.
4. **Health intelligence** for retinal eye screening.
5. **Hampshire County Council** for the provision of health checks and safeguarding
6. **Insurance Companies** such as BUPA, travel insurance or mortgage providers.
7. **Local pharmacies** who look after your medication
8. **Summary Care Record (SCR)** which is an electronic record containing information about medication you are taking, any allergies you suffer from and any bad reactions to medications you have previously had which may be used in your emergency care at A&E..
9. **Care and Health Information Exchange (CHIE)** which is like the SCR above but covers people living in Hampshire, Portsmouth and Southampton. It means GP surgeries, hospitals, social care and community care teams collect information about you and store it electronically on separate computer systems. It stores summary information from these organisations in one place so that – with your consent – professionals can view it to deliver better care to you. This record contains more information than the SCR, but is only available to health organisations in Hampshire.
10. **Clinical Commissioning Groups (CCG)** where information shared is anonymised and is used to plan and improve services. The information collected includes data such as the area patients live, age, gender, ethnicity, language preference, country of birth and religion. The CCG also collects information about whether patients have long term conditions such as diabetes; blood pressure, cholesterol levels and medication. You cannot be identified from the data shared with the CCG nor does it include anything written as notes by the GP.
11. **Primary Care Networks** – as part of collaborative working with other surgeries in Basingstoke, you can be seen in the evening and on a Saturday morning by nurses or GPs. You will be asked at the start of each consultation to confirm that you are happy for the clinician to access your medical record as the clinician may be from another GP surgery taking part in the project.
12. **EMIS** – who support our clinical system ( called EMIS Web) and who may need to look at data when there is a technical problem that needs resolving.
13. **Healthcare computing** – who support all our IT infrastructure. It is highly unlikely they will see any data relating to patients but it may occur in exceptional cases to resolve an IT issue. They do not have access to EMIS Web (our clinical system) which is maintained by EMIS.
14. **Interpreters** – where they are providing services to you if you are unable to communicate in English.
15. **Eclipse** – this is a piece of software that runs within our clinical system and helps us evaluate the performance of medications. Anonymised data is automatically extracted by Eclipse for use by the North Hampshire Clinical Commissioning Group.
16. **Medication/Prescribing** -Prescriptions containing personal identifiable and health data will be shared with chemists/pharmacies, in order to provide patients with essential medication or treatment as their health needs dictate. This process is achieved either by face to face contact with the patient or electronically.Where patients have specified a nominated pharmacy they may wish their repeat or acute prescriptions to be ordered and sent directly to the pharmacy making a more efficient process. Arrangements can also be made with the pharmacy to deliver medication. Patients will be required to nominate a preferred pharmacy.

**What do we do with your information?**

The healthcare professionals who provide your care maintain records about your health.  This is a record of your care history and allows clinicians to review your care to help inform future decisions about your treatment. Sharing this information helps to improve the treatment you receive, such as a hospital consultant writing to your GP.   We follow strict data sharing guidelines to keep your information safe and secure.

**How long do we keep your information?**

Health and social care records are subject to a nationally agreed code of practice which regulates the minimum period for which records must be kept. This specifies that GP record should be retained until 10 years after the patient’s death or after the patient has permanently left the country, unless they remain in the European Union. Electronic patient records must not be destroyed or deleted for the foreseeable future. For more information, see the records management code of practice: <https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016>

**How do we keep your information safe?**

Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential. We are committed to protecting your privacy and will only use information collected lawfully in accordance with current Data Protection Laws.

We will only ever use or pass on information about you if others involved in your care have a genuine need for it. We will not disclose your information to any third party without your permission unless there are exceptional circumstances such as a life or death situation, or where the law requires information to be passed, or where it is in the best interest of the patient to share the information.

In May 2018, a new national regulation called the General Data Protection Regulation has come into force and the practice has a legal responsibility to ensure that we will also comply with these regulations.

**How can I see what you hold about me?**

You have a right under the Data Protection legislation to request access to obtain copies of all the information the surgery holds about you. You are also allowed to have information amended should it be inaccurate.

In order to access your medical record, you need to let the practice know by making a Subject Access Request (SAR). You can do this in writing or verbally and give adequate information (for example full name, address, date of birth, NHS number and details of your request) so that your identity can be verified and your records located.

It will be very helpful to the practice if you could specify any particular information you need so we can provide the information to you as soon as possible. We have designed a form for you to help you identify the information you require and to help us process this information efficiently. However use of this form is optional.

Usually there is no charge to see the information that the practice holds about you unless the request is excessive, complicated or repeated frequently. For specific information about your hospital medical records, you should contact them direct.

The practice will respond to your request within one month of receipt of your request. When you collect these records from the surgery, you will need to provide photographic ID to demonstrate you have a right to collect and access this information.

Alternatively, you can access your medical records on-line. For the on-line registration form, please go to our website or speak to reception.

**What should I do if I don’t think something is correct?**

1. If you feel that the personal data that the practice holds about you is inaccurate (a factual inaccuracy) or incomplete then please let us know and we will update your records within 28 days of notification. If this incorrect information has been sent onwards, we will also inform any other organisations of this.

If it is not possible to correct the information because it relates to a clinical decision at that time, then we will write to you to let you know the reason behind the decision and inform you how you can complain about this.

If you feel information in your health record should not be there, you can ask the practice to erase that information. We will look at each request specifically and respond within 28 days. Please bear in mind there may well be legal reasons why we will need to keep data even if you request it to be erased. We will explain this to you in detail in our response.

**Your right to object**

As a patient, you have the right to object to personal data about you being used or shared including us using your mobile to contact you via SMS message.

You also have the right to restrict the use of data the practice holds about you. If you do wish to object, please contact the practice. This will prevent your confidential information being used other than where necessary by law.

If you are a carer and have a Lasting Power of Attorney for health and welfare then you can also object to personal data being used or shared on behalf of the patient who lacks capacity.

If you do not hold a Lasting Power of Attorney then you can raise your specific concerns with the patient’s GP. If you have parental responsibility and your child is not able to make an informed decision for themselves, then you can make a decision about information sharing on behalf of your child. If your child is competent then this must be their decision.

**Data portability**

You have the right to access your data in a format which allows you to re-use and share it with other organisations should you wish. As such, we will provide your data in a structured, commonly used and machine readable form.

**Data Breaches**

In the unlikely event that there is a breach of your data, we will tell you about it as soon as we are aware it has happened. We will also tell you what we have done to secure the breach, and what you can do if you would like to complain about it.

**Objections / Complaints**

Should you have any concerns about how your information is managed at the practice, please contact the Data Protection Officer, c/o CGH Partnership). The practice will listen to your concerns and try and act upon the concerns raised as best we are able.

If you are still unhappy following a review by the GP practice, you can then complain to the Information Commissioners Office (ICO) via their website: [www.ico.gov.uk](http://www.ico.gov.uk)

**Changes to Privacy Policy**

We keep our privacy policy under regular review. This privacy policy was last updated in January 2020.