

PRIVACY NOTICE

GENERAL DATA PROTECTION REGULATION (GDPR)

How we use your personal information

This fair processing notice explains why the GP practice collects information about you and how that information may be used.

The health care professionals who provide you with care maintain records about your health and any treatment or care you have received previously (e.g. NHS Trust, GP Surgery, Walk-in clinic, etc.). These records help to provide you with the best possible healthcare.

NHS health records may be electronic, on paper or a mixture of both, and we use a combination of working practices and technology to ensure that your information is kept confidential and secure. Records which this GP Practice holds about you may include the following information:-

- Details about you, such as your address, carer, legal representative, emergency contact details
- Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments, etc.
- Notes and reports about your health
- Details about your treatment and care
- Results of investigations such as laboratory tests, x-rays etc.
- Relevant information from other health professionals, relatives or those who care for you
- It is required by law
- You consent – either implicitly or for the sake of your own care or explicitly for other purposes and
- It is justified in the public interest e.g. if a serious crime has been committed, if there is risk to the public or our staff and to protect vulnerable children or adults

Healthcare Professionals, who provide you with care are required by law to maintain records about your health and any treatment or care you have received within any NHS organisation. These records help to provide you with the best possible healthcare. Data Protection law says it is appropriate to do so for health and social care treatment of patients and for the management of health and social care systems and services. Every member of staff who works for an NHS organisation is subject to the Common Law Duty of Confidentiality and has an obligation to keep information about you confidential and receive annual training on how to do this.

The processing of personal data in the delivery of direct care and for providers' administrative purposes in this surgery and in support of direct care elsewhere is supported under the following Article 6 and 9 conditions of the GDPR:

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...'

We will also recognise your rights established under UK case law collectively known as the “Common Law Duty of Confidentiality

To ensure you receive the best possible care, your records are used to facilitate the care you receive. Information held about you may be used to help protect the health of the public and to help us manage the NHS. Information may be used within the GP practice for clinical audit to monitor the quality of the service provided.

Some of this information will be held centrally and used for statistical purposes. Where we do this, we take strict measures to ensure that individual patients cannot be identified. Sometimes your information may be requested to be used for research purposes – the surgery will always gain your consent before releasing the information for this purpose.

Safeguarding

To ensure that adult and children’s safeguarding matters are managed appropriately, identifiable information will be shared in some limited circumstances where it is legally required for the safety of the individuals concerned.

Risk Stratification

Risk stratification data tools are increasingly being used in the NHS to help determine a person’s risk of suffering a particular condition, preventing an unplanned or (re)admission and identifying a need for preventive intervention. Information about you is collected from a number of sources including NHS Trusts and from this GP Practice. A risk score is then arrived at through an analysis of your de-identified information using software managed by Hardwick CCG, and is only provided back to your GP as data controller in an identifiable form. Risk stratification enables your GP to focus on preventing ill health and not just the treatment of sickness. If necessary your GP may be able to offer you additional services. Should you have any concerns about how your information is managed, or wish to opt out of any data collection at the practice, please contact the practice, or your healthcare professional to discuss how the disclosure of your personal information can be limited. Please note that you have the right to opt out of your data being used in this way and also have the right to change their minds and reverse a previous decision. Please contact the practice if you change your mind regarding any previous choice.

Medicines Management

The Practice may conduct Medicines Management Reviews of medications prescribed to its patients. This service performs a review of prescribed medications to ensure patients receive the most appropriate, up to date and cost effective treatments. This service is provided to practices within North Derbyshire and Hardwick Commissioning Group..

How do we maintain the confidentiality of your records?

We are committed to protecting your privacy and will only use information collected lawfully in accordance with:

- General Data Protection Regulation
- Human Rights Act 1998
- Common Law Duty of Confidentiality
- Health and Social Care Act 2012
- NHS Codes of Confidentiality, Information Security and Records Management
- Information: To Share or Not to Share Review

Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential.

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 (i.e. life or death situations), where the law requires information to be passed on and / or in accordance with the new information sharing principle following Dame Fiona Caldecott's information sharing review (Information to share or not to share) where "The duty to share information can be as important as the duty to protect patient confidentiality." This means that health and social care professionals should have the confidence to share information in the best interests of their patients within the framework set out by the Caldecott principles. They should be supported by the policies of their employers, regulators and professional bodies.

Who are our partner organisations?

Your patient record is held securely and confidentially on our electronic system. If you require attention from a health professional such as an Emergency Department, Minor injuries Unit or Out of Hours service, those treating you will be able to give appropriate care if some of the information from your GP record is available to them. This information is only used by authorised professionals in local health and social care organisations and involved in your direct care. Your consent will be required before the information is assessed, unless you are unable to do that, e.g. unconscious, in which case if urgent access is required for your care, consent is overridden and the reason for the access logged for auditing. You may opt-out of this sharing by talking to the practice.

- NHS Trusts / Foundation Trusts
- GP's
- NHS Commissioning Support Units
- Independent Contractors such as Dentists, Opticians, Pharmacists
- Private Sector Providers
- Voluntary Sector Providers
- Ambulance Trusts
- Clinical Commissioning Groups
- Social Care Services
- Health and Social Care Information Centre (HSCIC)
- Local Authorities
- Education Services
- Fire and Rescue Services
- Police & Judicial Services
- Capita – medical records
- MIG (Medical Interoperability Gateway)

The NHS in England uses a national shared record to support safer patient care through providing authorised professionals with secure access to essential information about you in an urgent situation where they don't have access to your detailed record. The core summary care record covers information about your current medications, allergies you suffer from any bad reactions to medicines that you have previously experienced. Additional details can be added, but only with your consent. You may opt-out of this sharing by talking to the practice.

Access to personal information

You have a right under the General Data Protection Regulation to request access to view or to obtain copies of what information the surgery holds about you and to have it amended should it be inaccurate. In order to request this, you need to do the following:

- Your request must be made in writing / or verbally to the GP – for information from the hospital you should write direct to them
- We are required to respond to you within 30 days
- You will need to 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

We are registered as a data controller under the Data Protection Act 1998. The registration can be viewed online in the public register at:
[http://ico.org.uk/what we cover/register of data controllers](http://ico.org.uk/what-we-cover/register-of-data-controllers)

Objections / Complaints

Should you have any concerns about how your information is managed in General Practice, please contact the Data Controller at the practice. 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).

If you are happy for your data to be extracted and used for the purposes described in this privacy notice then you do not need to do anything. If you have any concerns about how your data is shared then please contact the practice.

Change of Details

It is important that you tell the person or the Receptionist treating you, if any of your details such as your name or address have changed or if any of your details such as date of birth is incorrect in order for this to be amended. You have a responsibility to inform us of any changes so our records are accurate and up to date for you.

Notification

The General Data Protection Regulations requires organisations to register a notification with the Information Commissioner to describe the purposes for which they process personal and sensitive information.

This information is publicly available on the Information Commissioners Office website www.ico.org.uk The practice is registered with the Information Commissioners Office (ICO).

Who is the Data Controller?

**The Data Controller, responsible for keeping your information secure and confidential is:
Wingerworth Medical Centre.**

The Data Protection Officer is Dr S Chawla