

Privacy Notice

Privacy statement – General Data Protection Regulation 2018

In the National Health Service (NHS), we aim to provide you with the highest quality healthcare and excellence in healthcare. To do this we must keep information about you, your health and the care we have provided to you or plan to provide to you. This privacy statement provides a summary of how we use your information.

The General Data Protection Regulation (GDPR) 2018 controls how your personal information is used by organisations, businesses or the government. **Essex Lodge Surgery** is defined as a ‘**data controller**’ of personal information. We collect information to help us provide and manage healthcare to our patients.

Why do we collect information about you?

As health care professionals, we maintain records about you in order to support your care. By registering with the practice, your existing records will be transferred to us from your previous practice so that we can keep them up to date while you are our patient. If you do not have a previous medical record (e.g. a new-born child or coming from overseas), we will create a medical record for you.

The people who care for you use your information and records to:

- provide a good basis for all health decisions made by you and your care professionals
- allow you to work with those providing care
- make sure your care is safe and effective
- work effectively with those providing you with care

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.

We take great care to ensure that your information is kept securely, that it is up to date, accurate and used appropriately. All of our staff are trained to understand their legal and professional obligations to protect your information and will only look at your information if they need to.

What information do we hold about you?

Records which this GP Practice holds about you may include the following information:

- Details about you, such as your Name, address, date of birth, NHS number, Carer, next of kin, 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

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.

How is your information stored?

Our practice uses a clinical records system called “**EMIS Web**” which is where any electronic information about you will be stored. Any information held in paper records is stored securely at the practice. We use a combination of working practices and technology to ensure that your information is kept confidential and secure.

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 Newham Clinical Commissioning Group (Newham CCG).

NHS Health Checks

All of our patients aged 40-74, not previously diagnosed with cardiovascular disease are eligible to be invited for an NHS Health Check. Nobody outside the healthcare team in the practice will see confidential information about you during the invitation process. You may be given the chance to attend your health check within the practice.

What is the legal basis that we use to process your information?

We are required to tell you the legal basis that is used for the various ways we process and use your data. The following table sets the main ways your personal data may be used and the corresponding legal basis and category of data.

Purpose of using personal data	Legal basis of processing	Special category of data
Provision of direct care and related administrative purposes e.g., e-referrals to hospitals or other care providers	GDPR Article 6(1)(e) – the performance of a task carried out in the public interest	GDPR Article 9(2)(h) – medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems.
For commissioning and healthcare planning purposes e.g., collection of mental health data set via NHS Digital or local	GDPR Article 6(1)(c) – compliance with a legal obligation	GDPR Article 9(2)(h) – medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems. Special category 9(2)(i) – public interest in the area of public health
For planning and running the NHS (other mandatory flow) e.g., CQC powers to require information and records	GDPR Article 6(1)(c) – compliance with a legal obligation (the GP practice) Regulation 6(1)(e) – the performance of a task carried out in the public interest (CQC)	GDPR Article 9(2)(h) – medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems. Special category 9(2)(i) – public interest in the area of public health
For planning & running the NHS – national clinical audits	GDPR Article 6(1)(e) – the performance of a task carried out in the public interest	GDPR Article 9(2)(h) – medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems.

		Special category 9(2)(i) – public interest in the area of public health
For research	<p>GDPR Article 6(1)(f) – legitimate interests...except where such interests are overridden by the interest or fundamental rights and freedoms of the data subject.</p> <p>GDPR Article 6(1)(e) – the performance of a task carried out in the public interest</p> <p>GDPR Article 6(1)(a) – explicit consent</p>	GDPR Article 9(2)(j) – scientific or historical research purposes or statistical purposes
For safeguarding or other legal duties	<p>GDPR Article 6(1)(e) – the performance of a task carried out in the public interest</p> <p>Regulation 6(1)(c) – compliance with a legal obligation</p>	GDPR Article 9(2)(b) – purposes of carrying out the obligations of ..Social protection law.
When you request us to share your information e.g., subject access requests	GDPR Article 6(1)(a) – explicit consent	GDPR Article 9(1)(a) – explicit consent

When is your information shared?

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

- Data Protection legislation
- 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

Others in the NHS may need to use records about you to:

- check the quality of care (called clinical audit)
- collect data regarding public health matters
- ensure NHS funding is being allocated appropriately
- help investigate any concerns or complaints you may have about your health care

With your explicit consent only, others in the NHS may also need to use records about you to:

- teach healthcare workers
- help with research

Information sharing with non-NHS organisations

For your benefit we may need to share information from your health records with non-NHS organisations from whom you are also receiving direct care, such as social services or private healthcare organisations. We may also need to share your information, such as blood test results, for direct care processing purposes by a non-NHS organisation under an agreement with the practice. We will always seek your permission to share your information with organisations for purposes other than your direct care. However, in exceptional situations we may need to share information without your permission if:

- it is in the public interest – for example, there is a risk of death or serious harm
- there is a legal need to share it – for example, to protect a child under the Children Act 1989
- a court order tells us that we must share it
- there is a legitimate enquiry from the police under the Data Protection Act (1998) for information related to a serious crime.

How long does the Practice hold your information?

As long as you are registered as a patient with Essex Lodge Surgery, your paper records are held at the practice along with your GP electronic record. If you register with a new practice, they will initiate the process to transfer your records. The electronic record is transferred to the new practice across a secure NHS data-sharing network and all practices aim to process such transfers within a maximum of 8 working days. The paper records are then transferred via Primary Care Services England (operated on behalf of NHS England by Capita) which can take longer. Primary Care Services England also look after the records of any patient not currently registered with a practice and the records of anyone who has died.

Once your records have been forwarded to your new practice (or after your death forwarded to Primary Care Services England), a cached version of your electronic record is retained in the practice and classified as “inactive”. If anyone has a reason to access an inactive record, they are required to formally record that reason and this action is audited regularly to ensure that all access to inactive records is valid and appropriate. We may access this for clinical audit (measuring performance), serious incident reviews, or statutory report completion (e.g., for HM Coroner).

Your right to withdraw consent for your information to be shared

You have the right to withdraw and refuse consent to information sharing at any time, but note that not sharing your information may affect the quality and safety of the care you receive. For further information please contact the Data Protection Officer or Caldicott Guardian using the details below.

How can you see what information we hold about you?

You have a right under the Data Protection Act 1998 to access to view or to obtain copies of what information the Practice holds about you and to have it amended should it be inaccurate. This is known as ‘the right of subject access’. If we do hold information about you we will:

- give you a description of it;
- tell you why we are holding it;
- tell you who it could be disclosed to; and
- let you have a copy of the information in an intelligible form.

If you would like to make a ‘subject access request’, please contact the **Practice Manager, Mrs Shima Haque** in writing.

In order to request this, you need to do the following:

- Your request should be made in writing – for information from the hospital you should write direct to them
- We will provide electronic copies (via online access, by email or on CDROM) free of charge.
- We are required to respond to you within 30 days.

You will need to provide sufficient 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.

In some circumstances there may be a charge to have a printed copy of the information held about you. If this is the case, this will be discussed with you before any charge is made.

Objections / Concerns / Complaints

If you are happy for your data to be extracted and used for the purposes described in this notice then you do not need to do anything.

Should you have any concerns about how your information is managed at the practice, please contact **Dr. Abu Khan (Data Protection Officer) or Dr Hardip Nandra, Caldicott Guardian**. You have the right to access your record and to have inaccurate data corrected. The retention period for records is during a patient's lifetime. If you are still unhappy following a review by the Practice, you can contact the Information Commissioners Office (ICO) via their **website: www.ico.org.uk, email: casework@ico.org.uk, telephone: 0303 123 1113 (local rate) or (01625) 545 745.**

Any changes to this notice will be published on our website and on the Practice notice board. The Practice is registered as a data controller under the Data Protection Act 1998. The registration number is Z7157863 and can be viewed online in the public register at <http://ico.org.uk/what-we-cover/register-of-data-controllers>

For further information please contact:

Data Protection Officer Dr Abu Khan Essex Lodge Surgery 94 Greengate Street Plaistow London E13 0AS Tel: 020 8472 5777	Caldicott Guardian Dr. Hardip Nandra Essex Lodge Surgery 94 Greengate Street Plaistow London E13 0AS Tel: 020 8472 5777
Data Controller: Essex Lodge Surgery	

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