

Groby Surgery

PRACTICE FAIR PROCESSING & PRIVACY NOTICE

Your Information, Your Rights

Being transparent and providing accessible information to patients about how we will use your personal information is a key element of the forthcoming new Data Protection Act and the EU General Data Protection Regulations (GDPR).

The following notice reminds you of your rights in respect of the above legislation and how your GP Practice will use your information for lawful purposes in order to deliver your care and the effective management of the local NHS system.

This notice reflects how we use information for:

- The management of patient records;
- Communication concerning your clinical, social and supported care;
- Ensuring the quality of your care and the best clinical outcomes are achieved through clinical audit and retrospective review;
- Participation in health and social care research; and
- The management and clinical planning of services to ensure that appropriate care is in place for our patients today and in the future.

Data Controller

As your registered GP Practice, we are the data controller for any personal data that we hold about you.

What information do we collect and use?

All personal data must be processed fairly and lawfully, whether is it received directly from you or from a third party in relation to the your care.

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

NHS health records may be processed electronically, on paper or a mixture of both; a combination of working practices and technology are used to ensure that your information is kept confidential and secure. Records held by this GP practice may include the following information:

- Details about you, such as address and next of kin
- Any contact the practice has had with you, including appointments (emergency or scheduled), clinic visits, etc.
- Notes and reports about your health
- Details about treatment and care received
- Results of investigations, such as laboratory tests, x-rays, etc.
- Relevant information from other health professionals, relatives or those who care for you

We will collect the following types of information from you or about you from a third party (provider organisation) engaged in the delivery of your care:

- 'Personal data' meaning any information relating to an identifiable person who can be directly or indirectly identified from the data. This includes, but is not limited to name, date of birth, full postcode, address, next of kin and NHS number ; and
- 'Special category / sensitive data' such as medical history including details of appointments and contact with you, medication, emergency appointments and admissions, clinical notes, treatments, results of investigations, supportive care arrangements, social care status, race, ethnic origin, genetics and sexual orientation.

The practice collects and holds data for the sole purpose of providing healthcare services to our patients and we will ensure that the information is kept confidential. However, we can disclose personal information if:

1. It is required by law
2. You provide consent – either implicitly or for the sake of their own care, or explicitly for other purposes
3. It is justified to be in the public interest

Why do we collect this information?

The NHS Act 2006 and the Health and Social Care Act 2012 invests statutory functions on GP Practices to promote and provide the health service in England, improve quality of services, reduce inequalities, conduct research, review performance of services and deliver education and training. To do this we will need to process your information in accordance with current data protection legislation to:

- Protect your vital interests;
- Pursue our legitimate interests as a provider of medical care, particularly where the individual is a child or a vulnerable adult;
- Perform tasks in the public's interest;
- Deliver preventative medicine, medical diagnosis, medical research; and
- Manage the health and social care system and services.

How is the information collected?

Your information will be collected either electronically using secure NHS Mail or a secure electronic transfer over an NHS encrypted network connection. In addition physical information will be sent to your practice. This information will be retained within your GP's electronic patient record or within your physical medical records.

Who will we share your information with?

In order to deliver and coordinate your health and social care, we may share information with the following organisations:

- NHS Trusts (your care and treatment)
- Specialist Trusts (your care and treatment)
- Independent Contractors such as dentists, opticians, pharmacists (your care and treatment)
- Private Sector Providers (Private hospitals such as Spire and Nuffield for your care and treatment)

- Voluntary Sector Providers (with your consent only)
- Ambulance Trusts (emergency care)
- Clinical Commissioning Groups
- Social Care Services (safeguarding and emergency care or with your consent)
- Local Authorities (safeguarding and emergency care or with your consent)
- Education Services (safeguarding and emergency care or with your consent)
- Fire and Rescue Services (emergency only)
- DWP (with your consent)
- Police (emergency only)

Your information will only be shared if it is appropriate for the provision of your care or required to satisfy our statutory function and legal obligations.

Your information will not be transferred outside of the European Union.

Whilst we might share your information with the above organisations, we may also receive information from them to ensure that your medical records are kept up to date and so that your GP can provide the appropriate care.

In addition we receive data from NHS Digital (as directed by the Department of Health) such as the uptake of flu vaccinations and disease prevalence in order to assist us to improve "out of hospital care".

How do we maintain the confidentiality of your records?

We are committed to protecting your privacy and will only use information that has been collected lawfully. Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential. We maintain our duty of confidentiality by conducting annual training and awareness, ensuring access to personal data is limited to the appropriate staff and information is only shared with organisations and individuals that have a legitimate and legal basis for access.

Information is not held for longer than is necessary. We will hold your information in accordance with the Records Management Code of Practice for Health and Social Care 2016.

Consent and Objections

Do I need to give my consent?

The GDPR sets a high standard for consent. Consent means offering people genuine choice and control over how their data is used. When consent is used properly, it helps you build trust and enhance your reputation. However consent is only one potential lawful basis for processing information. Therefore your GP practice may not need to seek your explicit consent for every instance of processing and sharing your information, on the condition that the processing is carried out in accordance with this notice. Your GP Practice will contact you if they are required to share your information for any other purpose which is not mentioned within this notice. Your consent will be documented within your electronic patient record.

What will happen if I withhold my consent or raise an objection?

You have the right to write to withdraw your consent to any time for any particular instance of processing, provided consent is the legal basis for the processing. Please contact your GP Practice for further information and to raise your objection.

Key Information Flows

Each information flow identified has a Privacy Impact Assessment and a specific Privacy Note in addition to this overall Privacy Note. Specific Privacy Notes are available from the Surgery upon request.

1. Risk Stratification

The records we keep enable us to plan for your care. This practice keeps data on you that we apply searches and algorithms to in order to identify from preventive interventions. This means using only the data we hold or in certain circumstances linking that data to data held elsewhere by other organisations, and usually processed by organisations within or bound by contracts with the NHS. If any processing of this data occurs outside the practice your identity will not be visible to the processors. Only this practice will be able to identify you and the results of any calculated factors, such as your risk of having a heart attack in the next 10 years or your risk of being admitted to hospital with a complication of chest disease.

2. Direct Care

This practice keeps data on you relating to who you are, where you live, what you do, your family, possibly your friends, your employers, your habits, your problems and diagnoses, the reasons you seek help, your appointments, where you are seen and when you are seen, who by, referrals to specialists and other healthcare providers, tests carried out here and in other places, investigations and scans, treatments and outcomes of treatments, your treatment history, the observations and opinions of other healthcare workers, within and without the NHS as well as comments and aide memoires reasonably made by healthcare professionals in this practice who are appropriately involved in your health care.

3. Direct Care – Emergencies

There are occasions when intervention is necessary in order to save or protect a patients life or to prevent them from serious immediate harm, for instance during a collapse or diabetic coma or serious injury or accident. In many of these circumstances the patient may be unconscious or too ill to communicate. In these circumstances we have an overriding duty to try to protect and treat the patient. If necessary we will share your information and possibly sensitive confidential information with other emergency healthcare services, the police or fire brigade, so that you can receive the best treatment.

4. Employees

As employers we need to keep certain information so that we can remain an employer and manage payments to our staff. This is a combination of personal and financial information. We are required by law to hold certain types of data on those we employ under the Health and Social Care Act and this data is examined during CQC inspection visits.

5. National Screening Programmes

The NHS provides national screening programmes so that certain diseases can be detected at an early stage. These currently apply to bowel cancer, breast cancer, aortic aneurysms, cervical smears and diabetic retinal screening service. The law allows us to share your contact information with Public Health England so that you can be invited to the relevant screening programme.

6. NHS Digital

NHS Digital is the secure haven for NHS patient data, a single secure repository where data collected from all branches of the NHS is processed. NHS Digital provides reports on the performance of the NHS, statistical information, audits and patient outcomes.

7. Payments

Contract holding GPs in the UK receive payments from their respective governments on a tiered basis. Most of the income is derived from baseline capitation payments made according to the number of patients registered with the practice on quarterly payment days. These amounts paid per patient, per quarter varies according to the age, sex and other demographic details for each patient.

8. Research

This practice participates in research. We will only agree to participate in any project if there is an agreed clearly defined reason for the research that is likely to benefit healthcare and patients. Such proposals will normally have a consent process, ethics committee approval, and will be in line with the principles of Article 89(1) of GDPR.

9. Safeguarding

Some members of society are recognised as needing protection, for example children and vulnerable adults. If a person is identified as being at risk from harm we are expected as professionals to do what we can to protect them. In addition we are bound by certain specific laws that exist to protect individuals. This is called "Safeguarding".

10. Summary Care Record

The Summary Care Record is an English NHS development. It consists of a basic medical record held on a central government database on every patient registered with a GP surgery in England. The basic data is automatically extracted from your GP's electronic record system and uploaded to the central system GPs are required by their contract with the NHS to allow this upload. The basic upload consists of current medication, allergies and details of any previous bad reactions to medicines, the name, address, date of birth and NHS number of the patient.

In addition to these process flow:

Mobile Telephone

If you provide us with your mobile phone number we may use this to send you reminders about any appointments or other health screening information being carried out.

Website

Our Website uses cookies to optimise your experience. These cookies are not used to track you or your activity but if you do not wish these cookies to be stored on your computer, disable cookies in your browser settings.

Our Web site: www.thegrobysurgery.nhs.uk

You can access our website without giving us any information about yourself. But sometimes we do need information to provide services that you request, and this statement of privacy explains data collection and use in those situations.

In general, you can visit our web site without telling us who you are and without revealing any information about yourself. However there may be occasions when you choose to give us personal information, for example, when you choose to contact us or request information from us. We will ask you when we need information that personally identifies you or allows us to contact you.

We collect the personal data that you may volunteer while using our services. We do not collect information about our visitors from other sources, such as public records or bodies, or private organisations. We do not collect or use personal data for any purpose other than that indicated below:

- To send you confirmation of requests that you have made to us.
- To send you information when you request it.

We intend to protect the quality and integrity of your personally identifiable information and we have implemented appropriate technical and organisational measures to do so. We ensure that your personal data will not be disclosed to any other party apart from State institutions and authorities if required by law or other regulation.

Our website may contain links to other websites of interest. However, once you have used these links to leave our site, you should be aware that we don't have any control over the other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting these sites.

Your Right of Access to Your Records

The Data Protection Act and General Data Protection Regulations allows you to find out what information is held about you including information held within your medical records, either in electronic or physical format. This is known as the "right of subject access". If you would like to have access to all or part of your records, you can make a request in writing to the organisation that you believe holds your information. This can be your GP, or a provider that is or has delivered your treatment and care. You should however be aware that some details within your health records may be exempt from disclosure, however this will be in the interests of your wellbeing or to protect the identity of a third party. If you would like access to your GP record please submit your request in writing to:

The Practice Manager,
Groby Surgery, 26 Rookery Lane, Groby, Leicester, LE6 0GL. 0116 2313331

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
- let you have a copy of the information in an intelligible form

Complaints

In the event that you feel your GP Practice has not complied with the current data protection legislation, either in responding to your request or in our general processing of your personal information, you should raise your concerns in the first instance in writing to the Practice Manager at:

Groby Surgery, 26 Rookery Lane, Groby, Leicester, LE6 0GL. 0116 2313331

Your Data Protection Officer is:

Paul Houseman

Groby Surgery, 26 Rookery Lane, Groby, Leicester, LE6 0GL. 0116 2313331

If you remain dissatisfied with our response you can contact the Information Commissioner's Office you can use this link <https://ico.org.uk/global/contact-us/>

or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate).