**Privacy Notice for Northam Surgery – updated September 2023**

This privacy notice describes the data, the practice holds about you, why we hold it, where and how we store it, how long for and how we protect it. It also tells you about your rights under the Data Protection Legislation and how the law protects you.

**Who we are and what do we do?**

Northam Surgery

Bay View Road

Northam

Bideford

Devon

EX39 1AZ

01237 474994

d-icb.northamdocuments@nhs.net

Northam Surgery is a Data Controller for the data we hold about you. We hold your data in order to provide you with health and care.

**What is personal data and what data do we use?**

Your personal data is any information that can be connected to you personally. If you can be identified from the data, it is personal data. The types of personal data we use and hold about you are:

* Details about you: your name, address, contact number, email address, date of birth, gender and NHS number. We may also hold information about your emergency contact, next of kin and carer.
* Details about your medical care: medical diagnosis, record of treatment received, referrals, history of prescribed medication, results of investigations such as X-rays etc.
* Information provided by you: this includes correspondence relating to feedback, concerns and complaints about the service you have received.
* Relevant information from other healthcare professionals, relatives or those who care for you.

We may also hold the following information about you:

* Religion or other beliefs of a similar nature,
* Family, lifestyle and/or social circumstances,
* Employment details,
* Financial details.

When we collect your mobile number we use it to text you to remind you of appointments, to inform you of other services which relate directly to your healthcare, to send links to participate in video consultations (when an appointment is booked as a remote video consultation), to send links to upload images for medical diagnosis (only when approved by you) and to send you links to secure documents when requested by you (eg a MED3). We also use it for sending out questionnaires to you, e.g. Asthma and smoking questionnaires. If you no longer wish to receive communication this way, please let a member of staff know who will be able to update your preferences.

When we collect your email address, we use it for communication and if you use the online services an email address is needed to verify your information and ID. If you no longer wish to receive communication this way, please let a member of staff know who will be able to update your preferences.

**Why do we process your data and what legal basis do we have to process your data?**

In order to process your personal data or share your personal data outside of the practice, we need a legal basis to do so. If we process or share special category data, such as health data, we will need an additional legal basis to do so.

We rely upon Article 6(1)(e) (public interest task) and Article 9(2)(h) (health and social care) for most of our processing and sharing, in particular to:

* Provide you with health and care,
* Share data from, or allow access to, your GP record, for healthcare professionals involved in providing you with health and care,
* Receive data from or access your data on other NHS organisation clinician systems,
* Work effectively with other organisations and healthcare professionals who are involved in your care,
* Ensure that your treatment and advice, and the treatment of others is safe and effective,
* Participate in National Screening Programmes,
* Use a computer program to identify patients who might be at risk from certain diseases or unplanned admissions to Hospitals,
* Help NHS England and the practice to conduct clinical audits to ensure you are being provided with safe, high-quality care,
* Support medical research when the law allows us to do so,
* Supply data to help plan and manage services and prevent infectious diseases from spreading.

We rely upon Article 6(1)(d) (vital interest) and Article 9(2)(c) (vital interests) to share information about you with another healthcare professional in a medical emergency.

We rely upon Article 6(1)(e) (public interest task) and Article 9(2)(g) (substantial public interest) to support safeguarding for patients who, for instance, may be particularly vulnerable to protect them from harm or other forms of abuse.

We rely upon Article 6(1)(c) (legal obligation) and Article 9(2)(h) to share your information for mandatory disclosures of information such as public inquiries. The kind of organisations we may be required to share information with may include NHS England, CQC, UK Health Security Agency and Office for Health Improvement and Disparities).

We rely upon Article 6(1)(c) (legal obligation) and Article 9(2)(f) (legal claims) to help us investigate legal claims and if a court orders us to do so.

We rely upon Article 6(1)(a) (consent) and Article 9(2)(a) (explicit consent), in order to:

* Help the practice investigate any feedback, including patient surveys, complaints or concerns you may have about contact with the practice,
* Help manage how we provide you with services from the practice, for example, when you nominate individuals to contact the practice on your behalf,
* Contact you if you have signed up to our patient participation group,
* Share your information with third parties, for example, insurance companies and medical research organisations.

We also use anonymised data to plan and improve health care services. Specifically, we use it to:

* Review the care being provided to make sure it is of the highest standard,
* Check the quality and efficiency of the services we provide,
* Prepare performance reports on the services we provide.

**Common law duty of confidentiality**

Healthcare staff will respect and comply with their obligations under the common law duty of confidence. We meet the duty of confidentiality under one of the following:

* You have provided us with your explicit consent,
* For direct care, we rely on implied consent,
* We have approval from the [Confidentiality Advisory Group (CAG)](https://www.hra.nhs.uk/about-us/committees-and-services/confidentiality-advisory-group/#:~:text=The%20Confidentiality%20Advisory%20Group%20(CAG,Health%20for%20non-research%20uses.),
* We have a legal requirement to collect, share and use the data,
* On a case-by-case basis, we will share information in the public interest.

**How do we collect your data?**

The practice collects data that you provide when you:

* Receive treatment or care from the practice,
* Contact the practice by telephone (all telephone calls received and made by the practice are recorded), online, via an online triage system or in person,
* Complete a form electronically or in paper,
* Contact the practice via a Social Network (for example if you communicate with the practice through Twitter or Facebook),
* Visit the practice’s website (If cookies are enabled).

We may also collect data from family members or carers to support your care.

We receive information about you from other providers to ensure that we provide you with effective and comprehensive treatment. These providers may include:

* The GP Practices within the Torridge Health Primary Care Network (Bideford Medical Centre, Castle Gardens Surgery, Hartland Surgery, Torrington Health Centre & the Wooda Surgery)
* Other GP Practices
* NHS Trusts/Foundation Trusts
* NHS Commissioning Support Units (CSUs)
* Community Services (District Nurses, Rehabilitation Services and out of hours services)
* Ambulance or emergency services
* Independent contractors such as Pharmacies, Dentists and Opticians
* Devon Integrated Care Board (ICB)
* NHS England
* Local authorities
* Health and Social Care Information Centre (HSCIC)
* Police and Judicial Services
* Educational Services
* NHS 111
* UK Health Security Agency
* Office for Health Improvement and Disparities
* Non-NHS health care providers
* The South West Clinical Research Network

We also use Accurx which is an online tool that allows you to get advice and treatment, request sick notes and results or self-help.

Accurx is provided by a third-party organisation and by using Accurx you are submitting your information to them. This information is then provided to the practice to be reviewed. Further information on eConsult can be found [here](https://www.accurx.com/privacy-policy).

You can also use Accurx Triage in the NHS App. Further information regarding the role of NHS England and the practice can be found [here](https://www.nhs.uk/using-the-nhs/nhs-services/the-nhs-app/privacy/online-consultations/).

To enhance our service, the Practice are now using Heidi Health, an AI-powered medical scribe. To enhance the quality and efficiency of our consultations, clinicians (your GP or a member of the multidisciplinary team within practice) may use Heidi Health AI Scribe during your appointment. You can click here (add website)  to visit their website and know more about them.

 **What is Heidi Health?**

Heidi Health is an advanced AI medical scribe designed to transcribe patient visits, generate clinical notes, fill out documents, and dictate letters.

It uses artificial intelligence to document medical notes, ensuring your clinician can focus on actively listening to your concerns and delivering personalised care, rather than spending time manually recording the notes themselves.

Any information that is captured is reviewed and approved before being saved in the medical record.

**Devon & Cornwall Care Record (DCCR)**

Health and social care services in Devon and Cornwall have developed a system to share patient data efficiently and quickly and, ultimately, improve the care you receive. This shared system is called the Devon and Cornwall Care Record. It’s important that anyone treating you has access to your shared record so they have all the information they need to care for you. This applies to your routine appointments and also in urgent situations such as going to A&E, calling 111 or going to an out-of-hours appointment. It’s also quicker for staff to access a shared record than to try to contact other staff by phone or email. Only authorised health and care staff can access the Devon and Cornwall Care Record and the information they see is carefully checked so that it relates to their job. Also, systems do not share all your data – just data that services have agreed is necessary to include. More information about the Devon and Cornwall Care Record can be found [here](http://www.devonandcornwallcarerecord.nhs.uk/)

**Who do we share your data with?**

In order to deliver and coordinate your health and care, we may sometimes share information with other organisations. We will only ever share information about you if other agencies involved in your care have a genuine need for it. Anyone who receives information from the practice is under a legal duty to keep it confidential and secure.

Please be aware that there may be certain circumstances, such as assisting the police with the investigation of a serious crime, where it may be necessary for the practice to share your personal information with external agencies without your knowledge or consent.

We may share information with the following organisations:

* The GP Practices Bideford Medical Centre, Castle Gardens Surgery, Hartland Surgery, Torrington Health Centre & the Wooda Surgery within the Torridge Health within the Torridge Health Primary Care Network
* Other GP Practices
* NHS Trusts/Foundation Trusts
* Devon Integrated Care Board (ICB)
* NHS Commissioning Support Units
* Community Services (District Nurses, Rehabilitation Services and out of hours services)
* Ambulance or emergency services
* Independent contractors such as Pharmacies, Dentists and Opticians
* Local authorities
* Multi-Agency Safeguarding Hub (MASH)
* Police and Judicial Services
* Educational Services
* Fire and Rescue Services
* NHS 111
* The Care Quality Commission, ICO and other regulators
* UK Health Security Agency
* Office for Health Improvement and Disparities
* NHS England
* Non-NHS health care providers, including Encompass Southwest- for high flow patients only
* Research providers
* Child health immunisation service (SCW CHIS) (South, Central and West Child Health Information Services is commissioned by NHS England to support the monitoring of care delivered to children. Personal data is collected from the child’s GP record to enable health screening, physical examination and vaccination services to be monitored to ensure that every child has access to all relevant health interventions. Further information can be found [here](http://www.scwcsu.nhs.uk/legal/fair-processing-notice-child-health-information-services)

In addition to sharing data with the above services, the practice will also use carefully selected third party service providers that process data on behalf of the practice. When we use a third-party service provider, we will always have an appropriate agreement in place to ensure that they keep the data secure, that they do not use or share information other than in accordance with our instructions and that they are operating responsibly to ensure the protection of your data. Examples of functions that may be carried out by third parties includes:

* Organisations that provide IT services & support, including our core clinical systems; systems which manage patient facing services (such as our website and service accessible through the same); data hosting service providers; systems which facilitate video consultation, appointment bookings or electronic prescription services; document management services etc.
* Organisations who are delivering services on behalf of the practice (for example conducting Medicines Management Reviews to ensure that you receive the most appropriate, up to date and cost-effective treatments or supporting practices in offering choices of providers and appointments to patients who are being referred via the NHS E-Referral system).
* Delivery services (for example if we were to arrange for delivery of any medicines to you).
* Payment providers (if for example you were paying for a prescription or a service such as travel vaccinations).
* Secure confidential waste shredding service
* Microsoft Forms – used for anonymous feedback
* Voice recognition and dictation software – Lexacom Echo

Please note some of these systems also use data to create anonymous usage statistics that they will share with national bodies, including NHS Digital and NHS England, local NHS bodies (including CCGs and PCNs) and some partnering commercial organisations, charities and academic institutions*.*

**Automatic Sharing out:**

Data Sharing Agreement between Northam Surgery and approved organisations relating to the provision of Direct Patient Care, information will automatically be shared out with organisations which are listed on the approved “safe list” when a patient is registered under their NHS Organisation to receive care. All other organisations will require a two-factor authentication code from the patient before they can view the GP record for patients who are registered under their Organisation.

**Automatic Sharing in:**

In order to provide safe and effective direct care, it is essential that information from other Organisations who use the SystmOne Computer system, and deliver care to our patients, is viewable to the GP Practice. The current policy is set to automatically share-in information from all Organisations that use SystmOne, unless the patient has specifically opted-out of sharing in. Patients can customise their sharing preferences by contacting the individual NHS Organisations and requesting that data is not shared back to their GP, although we advise against this as it has the potential to impact or delay care.

**Where do we store your data?**

We use a number of IT systems and tools to store and process your data, on behalf of the practice. Examples of tools we use include our Core Clinical System TPP, NHSmail, Microsoft 365 and AccuRx and iGPR (for electronic insurance reports / subject access requests)

For further information on this, please contact Northam Surgery on 01237 474994.

**GPConnect/Interoperability/Enhanced Data Sharing Module:**

We share your record using GP Connect/Interoperability/Enhanced Data Sharing Module to make sure that, whether you are visiting the practice, attending hospital, or being seen in the community or at home by a care professional, everyone knows the care you need and how you want to be treated. Your electronic health record is available to the practices in The Torridge Health PCN and other local providers (out of hours service provider PPG, Devon Partnership NHS Trust) who are involved in your care. This includes the sharing of personal contact details, diagnosis, medications, allergies, and test results. Your records will be treated with the strictest confidence and can only be viewed if you use their service.

You can find more information about GP Connect [here](https://digital.nhs.uk/services/gp-connect/gp-connect-in-your-organisation/transparency-notice).

You can also search for organisations who use GP Connect <here>

Please note that if you have previously dissented (opted-out) to sharing your records, this decision will be upheld, and your record will only be accessed by the practice. Should you wish to opt-out of, please speak to the surgery who will be able to update your personal preferences. Please note that by opting out of this sharing, other health professionals may not be able to see important medical information, which may impact on the care you receive.

**Summary Care Record (SCR)**

NHS England have implemented the SCR which contains information about you; including your name, address, data of birth, NHS number, medication you are taking and any bad reactions to medication that you have had in the past. This information is automatically extracted from your records and uploaded onto a central system.

Many patients who are seen outside of their GP Practice are understandably not able to provide a full account of their care or may not be in a position to do so. The SCR means patients do not have to repeat their medical history at every care setting and the healthcare professional they are seeing is able to access their SCR. The SCR can only be viewed within the NHS on NHS smartcard-controlled screens or by organisations, such as pharmacies, contracted to the NHS.

As well as this basic record, additional information can be added to include further information. However, any additional data will only be uploaded of you specifically request it and with your consent. You can find out more about the SCR <here>

**National Screening Programmes**

The NHS provides national screening programmes so that certain diseases can be detected at early stages. These screening programmes include bowel cancer, breast cancer, cervical cancer, aortic aneurysms and a diabetic eye screening service. More information on the national screening programmes can be found [here](https://www.gov.uk/topic/population-screening-programmes).

**Risk Stratification**

Your medical records will be searched by a computer program so that we can identify patients who might be at high risk from certain diseases such as heart disease or unplanned admissions to hospital. This means we can offer patients additional care or support as early as possible.

This process will involve linking information from your GP record with information from other health or social care services you have used. Information which identifies you will only be seen by this practice. More information can be found at [here](https://www.england.nhs.uk/ig/risk-stratification/) or speak to the practice.

**One Devon Dataset**

As well as using your data to support the delivery of care to you, your data may be used to help improve the way health and social care is delivered to patients and service users throughout Devon using Population Health Management methods.

We will use a pseudonymised extract (i.e., ***not*** identifiable information) which will be sent securely to NHS Devon ICB (Integrated Care Board) and in partnership with the Local Authorities. Data will be used to support the Devon Integrated Care System to improve short-term and medium-term health outcomes for local populations. If you would benefit from some additional care or support, your information will be shared back to the practice, or another local provider involved in your care, so that they can offer you direct care.

If you have previously asked the practice to apply a Type 1 opt-out to your medical records, this will be applied by NHS Devon ICB.

Further information about Population Health Management can be found [here](https://www.england.nhs.uk/integratedcare/what-is-integrated-care/phm/)

Further information about the One Devon Dataset can be found [here](https://devon.icb.nhs.uk/privacy-notice/)

We will rely on public interest task as the legal basis for processing your data for this purpose. You have a right to object to your information being used in this way. If you wish to discuss this further, please contact Northam Surgery.

**Clinical Practice Research Datalink (CPRD)**

This practice contributes to medical research and may send relevant data to CPRD. CPRD collects de-identified patient data from a network of GP practices across the UK. Primary care data is linked to a range of other health related data to provide a longitudinal, representative UK population health dataset. Further information regarding CPRD can be found [here](https://cprd.com/transparency-information)

#### How long do we hold your data?

We only hold your data for as long as necessary and are required to hold your data in line with the NHS Records Management Code of Practice 2023 Retention Schedule. Further information can be found online [here](https://transform.england.nhs.uk/information-governance/guidance/records-management-code/)

Data such as call recordings will be kept for 2 years, or longer if necessary e.g. for an ongoing complaint. Insurance reports, medical requests etc will be kept for 6 months.

**What rights do you have?**

You have various rights under the UK GDPR and Data Protection Act 2018:

**Right of access:**

You have the right to request access to view or request copies of the personal data, we hold about you; this is known as a Subject Access Request (SAR). In order to request access, you should contact the surgery either in person, verbally or in writing.

Please note that you are entitled to a copy of your data that we hold free of charge; however, we are entitled to charge in certain circumstances where the law permits us to do so. We are also entitled to refuse a request, where the law permits us to do so. If we require a fee or are unable to comply with your request, we will notify you within 1 calendar month of your request.

**Right to restrict or object the use of your information:**

There are certain circumstances in which you can object from your data being shared. Information regarding your rights to opt-out is detailed below:

**Consent:**

If the practice is relying on the consent as the basis for processing your data, you have the right to withdraw your consent at any time. Once you have withdrawn your consent, we will stop processing your data for this purpose.

However, this will only apply in circumstances on which we rely on your consent to use your personal data. Please be aware that if you do withdraw your consent, we may not be able to provide certain services to you. If this is the case, we will let you know.

**Summary Care Record:**

The SCR improves care; however, if you do not want one, you have the right to object to sharing your data or to restrict access to specific elements of your records. This will mean that the information recorded by the practice will not be visible at any other care setting.

If you wish to discuss your options regarding the SCR, please speak to a member of staff at the practice. You can also reinstate your consent at any time by giving your permission to override your previous dissent.

**National Screening Programmes:**

If you do not wish to receive an invitation to the screening programmes, you can opt out at [here](https://www.gov.uk/government/publications/opting-out-of-the-nhs-population-screening-programmes) or speak to the practice.

**Type 1 Opt-out:**

You have the right to object to your confidential patient data being shared for purposes beyond your direct care by asking the practice to apply a Type 1 opt-out to your medical records. A type 1 opt-out prevents personal data about you, being extracted from your GP record, and uploaded to any other organisations without your explicit consent. If you wish for a Type 1 opt-out to be applied to your record, please contact the practice.

**National Data Opt-out:**

You have the right to object to your data being shared under the national data opt-out model. The national data opt-out model provides an easy way for you to opt-out of sharing data that identifies you being used or shared for medical research purposes and quality checking or audit purposes.

Opt-out of your identifiable data being shared for medical research and find out more about your opt-out choices [here](https://digital.nhs.uk/services/national-data-opt-out-programme)or please ask a member of staff.

**National Disease Registration Service**

The National Disease Registration Service (NDRS) is run by NHS England and collects patient data on cancer, congenital anomalies and rare diseases, and provides analysis to support clinical teams, academics, charities and policy makers to help plan and improve treatments and healthcare in England.

Further information regarding the registry and your right to opt-out can be found [here](https://digital.nhs.uk/services/national-disease-registration-service)

**Right to rectification:**

You have the right to have any errors or mistakes corrected within your medical records. This applies to matters of fact, not opinion. If the information is of clinical nature, this will need to be reviewed and investigated by the practice. If you wish to have your records amended, please contact Emma Hill, Practice Manager on 01237 474 994.

If your personal information changes, such as your contact address or number, you should notify the practice immediately so that we can update the information on our system. We will also ask you from time to time to confirm the information we hold for you, is correct.

**Right to erasure:**

The practice is not aware of any circumstances in which you will have the right to delete correct data from your medical record, which the practice is legally bound to retain. Although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the data and contact the practice if you hold a different view.

**Right to complain:**

Please let us know if you wish to discuss how we have used your personal data, raise a concern, make a complaint or compliment. You can contact us at Northam Surgery, Bay View Road, Northam, Bideford, Devon EX39 1AZ, 01237 474994.

Following this, if you are still unhappy with how we have used your data, you can then complain to the ICO [here](https://ico.org.uk/global/contact-us/) or call the helpline on **0303 123 1113.**

**Data outside EEA**

We do not send your personal data outside of the EEA. However, if this is required, the practice would only do so, with your explicit consent.

**Data Protection Officer**

The Data Protection Officer for the practice is Bex Lovewell and can be contacted via email on d-icb.deltdpo@nhs.net or by post: Delt Shared Services Limited, BUILDING 2 – Delt, Derriford Business Park, Plymouth, PL6 5QZ.

**Cookies**

The practice’s website uses cookies. A cookie is a small file, typically of letters and numbers, downloaded on to a device (like your computer or smart phone) when you access certain websites. Cookies allow a website to recognise a user’s device. Some cookies help websites to remember choices you make (e.g., which language you prefer if you use the Google Translate feature). Analytical cookies are to help us measure the number of visitors to our website. The two types of cookies used by the practice are ‘Session’ and ‘Persistent’ cookies.

Some cookies are temporary and disappear when you close your web browser, others may remain on your computer for a set period. We do not knowingly collect or intend to collect any personal information about you using cookies. We do not share your personal information with anyone.

**What can I do to manage cookies on my devices?**

Most web browsers allow some control of most cookies through the browser settings. Find out more about cookies, including how to see what cookies have been set and how to manage and delete them [here](http://www.allaboutcookies.org/). If you are concerned about cookies and would like to discuss this, please contact Emma Hill, Practice Manager on 01237 474994.

**Improved Access**

Who will we share your information with?

As part of our Improved Access Initiative, The Wooda Surgery patients will be able to book evening and weekend appointments, both here and at other local GP Practices [Bideford Medical Centre , Northam Surgery, The Wooda Surgery, Torrington Health Centre, Castle Gardens Surgery, Litchdon Medical Centre, Brannam Medical Centre, Queens Medical Centre, Fremington Medical Centre, Combe Coastal Practice, South Molton Medical Centre, Lynton Health Centre, Hartland Surgery, Bradworthy Surgery, Ruby County Group Practices]. This will benefit you as a patient as it ensures that there are more appointments available to you at times that are more convenient out of the practice’s usual hours.

GP practices in our locality use one of the following clinical systems to securely host your electronic patient record:

SystmOne (provided by TPP)

EMIS Web (provided by EMIS)

**Improved Access between practices using the same clinical system**

When an Improved Access appointment is booked at a remote surgery whose clinical system is the same as that of your registered practice, the sharing of your full patient record will occur securely and electronically and the sharing only occurs when you choose to book the appointment (you will be asked to consent to the sharing of your record at the point of booking the appointment). Access to your record at the remote surgery will only be made by staff involved in your appointment.

If you have any concerns regarding this or wish object to the sharing of your medical record in this way, please speak to one of our reception team, who will be able to record your decision and change the settings for your record. Please note that should you object, you will not be able to attend an appointment at a remote surgery offering the Improved Access service.

**Improved Access between practices using different clinical systems**

When an Improved Access appointment is booked at a remote surgery whose clinical system is different to that of your registered GP practice, the following procedure will occur in order to provide the clinician at the remote surgery with essential details of your medical record:

To ensure that the clinician who is offering the Improved Access appointment has full access to a summary of your medical records, our reception team will ask you to consent to share your medical records summary when you book your appointment, which will ensure an effective and safe service.

On confirmation of booking this appointment, your medical records summary will be sent securely from this practice to the remote surgery (you will be asked to consent to the sharing of your record at the point of booking the appointment). Sharing of your data only occurs between us and staff at the remote surgery who are involved in your appointment. The clinician you visit will also be required to gain your consent prior to accessing your medical records summary.

Once you have attended your appointment, we will be securely notified of the outcome of it and will follow up any clinical comments that require action. Your medical record will be updated accordingly.

If you have any concerns regarding this or wish object to the sharing of your medical record in this way, please speak to one of our reception team, who will be able to record your decision and change the settings for your record. Please note that should you object, you will not be able to attend an appointment at a remote surgery offering the Improved Access service.

**Changes to privacy notice**

The practice reviews this privacy notice regularly and may amend the notice from time to time. If you wish to discuss any elements of this privacy notice, please contact Emma Hill, Practice Manager on 01237 474994.