**COPPULL MEDICAL PRACTICE**

 **GDPR PRIVACY NOTICE**

**How Coppull Medical Practice collects and uses your information to provide you with healthcare**

This practice keeps medical records confidential and complies with the General Data Protection Regulations. We hold your medical record so that we can provide you with safe care and treatment.

**What information is collected?**

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

Your healthcare records contain information about your health and any treatment or care you have received previously (e.g. from an acute hospital, GP surgery, community care provider, mental health care provider, walk-in centre, social services). These records may be electronic, a paper record or a mixture of both. We use a combination of technologies and working practices to ensure that we keep your information secure and confidential.

**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 transferred by secure 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.

**Registering for NHS care**

* All patients who receive NHS care are registered on a national database.
* This database holds your name, address, date of birth and NHS Number but it does not hold information about the care you receive.
* The database is held by NHS Digital, a national organisation which has legal responsibilities to collect NHS data.
* More information can be found at: https://digital.nhs.uk/ or the phone number for general enquires at 0300 303 5678.

**Identifying patients who might be at risk of certain diseases**

* Your medical records will be searched by a computer programme so that we can identify patients who might be at high risk from certain diseases 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 but it may be shared with other health and social care professionals with your consent.
* More information can be found at: https://www.midlandsandlancashirecsu.nhs.uk/products/aristotle-business-intelligence/or speak to the practice.

**Safeguarding**

* Sometimes we need to share information so that other people, including healthcare staff, children or others with safeguarding needs, are protected from risk of harm.
* We do not always need your consent or agreement to do this.
* Please see safeguarding information available in surgery and at www.coppullmedicalpractice.co.uk

**National screening programmes**

* The NHS provides national screening programmes so that certain diseases can be detected at an early stage.
* These screening programmes include bowel cancer, breast cancer, cervical cancer, aortic aneurysms and a diabetic eye 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.

More information can be found at: <https://www.gov.uk/topic/population-screening-programmes> or speak to the practice.

**Medical research**

Coppull Medical Practice shares information from medical records:

* to support medical research when the law allows us to do so, for example to learn more about why people get ill and what treatments might work best;
* we will also use your medical records to carry out research within the practice.

 This is important because:

* the use of information from GP medical records is very useful in developing new treatments and medicines;
* medical researchers use information from medical records to help answer important questions about illnesses and disease so that improvements can be made to the care and treatment patients receive.

We share information with the following medical research organisations with your explicit consent or when the law allows: Synexus - https://www.synexus.com/

You have the right to object to your identifiable information being used or shared for medical research purposes. Please speak to the practice if you wish to object.

**Checking the quality of care - national clinical audits**

We use your information so that this practice can check and review the quality of the care we provide. This helps us to improve our services to you. We also contribute to national clinical audits so that healthcare can be audited and planned.

* Information from medical records can help doctors and other healthcare workers measure and check the quality of care which is provided to you.
* The results of the checks or audits can show where hospitals are doing well and where they need to improve.
* The results of the checks or audits are used to recommend improvements to patient care.
* Data are sent to NHS Digital, a national body with legal responsibilities to collect data.
* The data will include information about you, such as your NHS Number and date of birth and information about your health which is recorded in coded form - for example the code for diabetes or high blood pressure.
* We will only share your information for national clinical audits or checking purposes when the law allows.
* For more information about national clinical audits see the Healthcare Quality Improvements Partnership website: <https://www.hqip.org.uk/> or phone 020 7997 7370.

* You have the right to object to your identifiable information being shared for national clinical audits. Please contact the practice if you wish to object.

**Sharing information**

* We will share relevant information from your medical record with other health or social care staff or organisations when they provide you with care. For example, your GP will share information when they refer you to a specialist in a hospital. Or your GP will send details about your prescription to your chosen pharmacy.
* For more information on how we share your information with organisations who are directly involved in your care can be found here: https://www.nhs.uk/NHSEngland/thenhs/records/healthrecords/Pages/sharing-your-records.aspx
* Healthcare staff working in A&E and out of hours care will also have access to your information. For example, it is important that staff who are treating you in an emergency know if you have any allergic reactions. This will involve the use of your Summary Care Record. For more information see: <https://digital.nhs.uk/summary-care-records> or alternatively speak to your practice.
* You have the right to object to information being shared for your own care. Please speak to the practice if you wish to object. You also have the right to have any mistakes or errors corrected.

 **How your information is shared so we can meet legal requirements**

The law requires the practice to share information from your medical records in certain circumstances. Information is shared so that the NHS or Public Health England can, for example:

* plan and manage services;
* check that the care being provided is safe;
* prevent infectious diseases from spreading.

We will share information with NHS Digital, the Care Quality Commission and local health protection team (or Public Health England) when the law requires us to do so. Please see below for more information.

 We must also share your information if a court of law orders us to do so.

**NHS Digital**

* NHS Digital is a national body which has legal responsibilities to collect information about health and social care services.

* It collects information from across the NHS in England and provides reports on how the NHS is performing. These reports help to plan and improve services to patients.

* This practice must comply with the law and will send data to NHS Digital, for example, when it is told to do so by the Secretary of State for Health or NHS England under the Health and Social Care Act 2012.
* More information about NHS Digital and how it uses information can be found at:

<https://digital.nhs.uk/home>

**Care Quality Commission (CQC)**

* The CQC regulates health and social care services to ensure that safe care is provided.
* The law says that we must report certain serious events to the CQC, for example, when patient safety has been put at risk.
* For more information about the CQC see: <http://www.cqc.org.uk/>
* The Care Quality Commission may also request to see parts of your data for the purposes of inspection and ensuring compliance with the CQC standards. The CQC Privacy Statement can be found at: <https://www.cqc.org.uk/about-us/our-policies/privacy-statement>

**Public Health**

* The law requires us to share data for public health reasons, for example to prevent the spread of infectious diseases or other diseases which threaten the health of the population.
* We will report the relevant information to local health protection team or Public Health England.

For more information about Public Health England and disease reporting see: <https://www.gov.uk/guidance/notifiable-diseases-and-causative-organisms-how-to-report>

**Telephone Call Recordings**

All outbound and inbound calls are recorded, the recordings are retained for 3 years.

The organisation is able to use call recordings to assist it in:

* Identifying any issues in process so that improvements can be made where necessary
* Identifying staff training needs
* Protecting staff from nuisance or abusive calls
* Confirmation of facts in relation to incoming / outgoing calls (e.g. disputes / complaints)

Confidentiality of call recordings is assured in line with UK GDPR law, in accordance with the Data Protection Act 2018. In line with these, an individual is allowed access to information that is held about them and their personal data, so that they may request copies of telephone conversations as a ‘subject access request’. After assessing if it is appropriate for this recording to be released, the requesting caller can be invited into the organisation’s premises to hear the recording, or a 24hr-available recording of the subject conversation can be downloaded and sent to them.

The right to be forgotten does not override legal and compliance obligations; when an external legal body requests a recording (such as the Police), this is to be directed to the Data and Information Security Management Team within the organisation.

Recorded calls are accessed by authorised members of the clinical phone system Management Team only, by logging in to the secure, dedicated password protected database within the system.

The authorised phone system Management team will monitor and manage recorded calls, via the secure online call-recording database, ensuring that any playback of the calls occurs in a confidential setting which cannot be overheard by unauthorised persons.

Where applicable, staff will be given the opportunity to listen to and review relevant recordings and may receive feedback and support relevant to development in their roles.

Coppull Medical Practice will endeavour to inform phone users that their phone call is being recorded, and why. A pre-recorded phone system message will be used to do this, also notices posted in reception and on the website.

When individuals call into the surgery, they will be informed by message that all calls are recorded. This will also occur ahead of a conversation when an external call is made out, where both parties are played the message upon the call being answered.

Patients and other callers are entitled to ask that their call is not recorded, and, in this case, we will select the ‘STOP RECORDING’ button within the system and refrain from recording the call.

Where a patient requests to hear a voice recording of their voice in conversation, this will be arranged securely by the Phone System Management team.

All call recordings are stored securely within the phone system and protected confidentially under GDPR law.

**CCTV**

CCTV is in place at Coppull Medical Practice for the prevention and detection of crime. CCTV may also be used to investigate incidents involving serious patient misconduct.

Signage is clearly visible in all relevant areas to notify visitors and staff that CCTV cameras are recording.

Access to the recordings is restricted to the practice management team.

The CCTV recorder stores data for a period of 21 days, after which time the data is automatically erased. In the event of an incident, requiring the recording to be retained for a longer period, the practice management team have access to a dedicated pen drive to store the recording. The recording will be deleted once it is no longer required.

Recordings containing images of patients will not be disclosed without the patients consent. Except in exceptional circumstances when this is justified in the public interest. Consultation with the Caldicott Guardian and/or the Data Protection Officer would be undertaken before disclosing CCTV without the patients consent.

Where other people are recorded in the same footage, their image will be blurred to protect their confidentiality.

* Individuals have the right to request CCTV footage of themselves. The individual will need to make a formal subject access request either in writing or verbally including:
	+ a specific date and time
	+ proof of their identity
	+ a description of themselves

* If the footage includes other people, the practice may need to decline the subject access request, if reasonable measures cannot be taken to edit out the image of other persons.

* Access to the image can be refused if it is likely to put an ongoing criminal investigation at risk.

* Consultation with the Caldicott Guardian and/or the Data Protection Officer will be undertaken before releasing the footage.

The police may request to view the footage either verbally, in writing or by court order. Data protection law still applies to the individual(s) being recorded, unless a court order has been produced requesting the footage.

Consultation with one or more of the following must be sought before releasing footage to the police:

* Caldicott Guardian
* Data Protection Officer
* Medical Defence union
* Local Medical Committee

Whilst the request is being processed, the footage will be stored to the pen drive, to prevent automatic deletion.

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We are required by law to provide you with the following information about how we handle your information.

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| **Data Controller** contact details | Coppull Medical Practice, 5 Acreswood Close, Coppull, Chorley PR7 5EN  |
| **Data Protection Officer** contact details | Hayley GidmanHead of Information GovernanceMidlands and Lancashire CSU Email: hayley.gidman@nhs.netHeron House, 120 Grove Road, Fenton, ST4 4LX |
| **Purpose** of the processing | * To give direct health or social care to individual patients.
* For example, when a patient agrees to a referral for direct care, such as to a hospital, relevant information about the patient will be shared with the other healthcare staff to enable them to give appropriate advice, investigations, treatments and/or care.
* To check and review the quality of care. (This is called audit and clinical governance).
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| **Lawful basis** for processing | These purposes are supported under the following sections 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…’; and* *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...”* Healthcare staff will also respect and comply with their obligations under the common law duty of confidence. |
| **Recipient or categories of recipients** of the processed data | The data will be shared with: * healthcare professionals and staff in this surgery;
* local hospitals;
* out of hours services;
* diagnostic and treatment centres;
* or other organisations involved in the provision of direct care to individual patients.
* NHS Trusts/Foundation Trusts
* GP Practices
* NHS Commissioning Support Units
* Independent contractors such as dentists, opticians, pharmacies
* Private Sector Providers
* Voluntary Sector Providers
* Ambulance Trusts
* Clinical Commissioning Groups
* Social Care Services
* Health and Social Care Information Centre
* Local Authorities
* Education Services
* Fire and Rescue Services Police and Judicial Services
* Other ‘data processors’ which you will be informed of
* Clinical IT providers (limited data)
* Chorley Central Primary Care Network
* Medical defense union (anonymously)
* NHS indemnity service
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| **Rights to object** | * You have the right to object to information being shared between those who are providing you with direct care.
* This may affect the care you receive – please speak to the practice.
* You are not able to object to your name, address and other demographic information being sent to NHS Digital.
* This is necessary if you wish to be registered to receive NHS care.
* You are not able to object when information is legitimately shared for safeguarding reasons.
* In appropriate circumstances it is a legal and professional requirement to share information for safeguarding reasons. This is to protect people from harm.
* The information will be shared with the local safeguarding service.
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| **Right to access and correct** | * You have the right to access your medical record and have any errors or mistakes corrected. Please speak to a member of staff or look at our ‘subject access request’ policy on the practice website – [www.coppullmedicalpractice.co.uk](http://www.coppullmedicalpractice.co.uk)
* We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view.
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| **Right to opt out of summary care record** | Patients have the right to opt out of the Summary Care Record by completing a form available at the practice or visit https://digital.nhs.uk/services/summary-care-records-scr/summary-care-records-scr-information-for-patients#summary |
| **Retention period** | GP medical records will be kept in line with the law and national guidance. Information on how long records are kept can be found at: <https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016> or speak to the practice. |
| **Right to complain** | You have the right to complain to the Information Commissioner’s Office. If you wish to complain follow this link <https://ico.org.uk/global/contact-us/> or call the helpline **0303 123 1113** |
| **Data we get from other organisations** | We receive information about your health from other organisations who are involved in providing you with health and social care. For example, if you go to hospital for treatment or an operation the hospital will send us a letter to let us know what happens. This means your GP medical record is kept up-to date when you receive care from other parts of the health service. |