

GENERAL DATA PROTECTION REGULATION - PRIVACY NOTICE

Background

The General Data protection Regulations (GDPR) comes into force on 25th May 2018

Under the terms of the new GDPR, a privacy notice is required to explain to patients what personal information is held about them and how it is collected and processed.

Windmill Surgery has a legal duty to explain how we use any personal information we collect about you, as a registered patient at the practice.

How we obtain your personal data

Information provided by you

You provide us with personal data on your registration form when you register with the practice, via online registration for prescription services and over the telephone. This includes name, address, date of birth, landline phone number, mobile phone number and email address.

We may also keep information contained in any correspondence or conversations you may have with us.

Information collected from other sources

By registering with the practice, you consent to your medical history from your previous practice(s) being sent to the practice. The provision of this information is essential in order that we can deliver personal care and medical treatment.

We often obtain information from hospitals, pharmacies and other medical practitioners to whom you will already have submitted your personal data.

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:

- Data Protection Act 1998
- Human Rights Act 1998
- Common Law Duty of Confidentiality
- Health and Social Care Act 2015
- NHS Codes of Confidentiality, Information Security and Records Management

Every member of staff who works for an NHS organisation has a legal obligation, under the Common Law Duty of Confidence, to keep information about you confidential

How we use your personal information

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

The health care professionals, who provide you with care are required by law to maintain records about your health and any treatment or care you have received previously within any NHS organisation. 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, 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 hold 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

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.

The Health and Social Care Information Centre (HSCIC), under the powers of the Health and Social Care Act 2012 (HSCA), can request Personal Confidential Data (PCD) from GP Practices without seeking patient consent. The Care Data Programme allows PCD to be collected by the HSCIC to ensure that the quality and safety of services is consistent across the country. Improvements in information technology are also making it possible for us to share data with other healthcare providers with the objective of providing you with better care.

A patient can object to their personal information being shared with other health care providers but if this limits the treatment that you can receive then the doctor will explain this to you at the time.

Clinical Audit

Information may be used for clinical audit to monitor the quality of the service provided. Some of this information may be held centrally and used for statistical purposes. Where we do this we take strict measures to ensure that individual patients cannot be identified e.g. the National Diabetes Audit.

Clinical Research

Occasionally your information may be requested to be used for research purposes. The surgery will always gain your consent before releasing any information for this purpose.

National Registries

National Registries (such as the Learning Disabilities Register) have statutory permission under Section 251 of the NHS Act 2006, to collect and hold service user identifiable information without the need to seek informed consent from each individual service user.

Cabinet Office

The use of data by the Cabinet Office for data matching is carried out with statutory authority under Part 6 of the Local Audit and Accountability Act 2014. It does not require the consent of the individuals concerned under the Data Protection Act 1998.

Data matching by the Cabinet Office is subject to a Code of Practice. Information on the Cabinet Office's legal powers and reasons why it matches particular information can be found at <https://www.gov.uk/government/publications/code-of-data-matching-practice-for-national-fraud-initiative>

Sharing Information

We will keep information about you confidential and will only disclose any information with third parties if it is in your interests to do so and when we are sure that the party with whom we are sharing information is a medical practitioner with whom you have already shared personal information. 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 .

With your written or verbal consent, we will share information about you with a carer.

Information shared with solicitors and insurance companies is only done so when we are sure you have given your express consent.

Risk Stratification

Risk stratification is a mechanism used to identify and subsequently manage those patients deemed as being at high risk of requiring urgent or emergency care. Usually this includes patients with long-term conditions, e.g. cancer. Anonymised information is collected from a number of sources, including Windmill Surgery; this information is processed electronically and given a risk score which is relayed back to your GP who can then decide on any necessary actions to ensure that you receive the most appropriate care.

Section 251 of the NHS Act 2006 provides a statutory legal basis to process data for risk stratification purposes. Further information <https://www.england.nhs.uk/ourwork/tsd/ig/risk-stratification/>

Please note that you have the right to opt out of your data being included in the risk stratification programme

Invoice validation

Invoice validation involves using your NHS number, if you have received treatment, to determine which Clinical Commissioning Group (CCG) is responsible for paying for your treatment. Your NHS number may also be used to check whether your care has been funded through specialist commissioning, which NHS England will pay for. The process ensures that the organisations providing your care are paid correctly

Medicine 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 the practice by Coventry & Rugby Clinical Commissioning Group pharmacists

Safeguarding

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

Summary Care Record (SCR)

NHS England uses a national electronic record called the Summary Care Record (SCR) to support patient care. It contains key information from your GP record. Your SCR provides authorised healthcare staff with faster, secure access to essential information about you in an emergency or when you need unplanned care, where such information would otherwise be unavailable.

Summary Care Records are there to improve the safety and quality of your care. SCR core information comprises your allergies, adverse reactions and medications. An SCR with additional information can also include reason for medication, vaccinations, significant diagnoses / problems, significant procedures, anticipatory care information and end of life care information. Additional information can only be added to your SCR with your agreement.

Please be aware that if you choose to opt-out of SCR, NHS healthcare staff caring for you outside of this surgery may not be aware of your current medications, allergies you suffer from and any bad reactions to medicines you have had, in order to treat you safely in an emergency.

Your records will stay as they are now with information being shared by letter, email, fax or phone. If you wish to opt-out of having an SCR please return a completed opt-out form to the practice.

Local sharing

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 Injury Unit or Out Of Hours location, those treating you are better able to give appropriate care if some of the information from your GP patient record is available to them. This information may be locally shared electronically.

In all cases, information is only used by authorised health and social care professionals in locally based organisations, involved in your direct care. Your permission will always be asked before the information is accessed, unless the health and social care user is unable to ask you and there is a clinical reason for access, which will then be logged.

Data Retention

We will approach the management of patient records in line with the Records Management NHS Code of Practice for Health and Social Care which sets the required standards of practice in the management of records for those who work within or under contract to NHS organisations in England, based on current legal requirements and professional best practice.

Who are our partner organisations?

We may also have to share your information, subject to strict agreements on how it will be used, with the following organisations;

- NHS Trusts /Specialist 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
- Voluntary Sector Providers
- Private Sector Providers
- Other 'data processors' which you will be informed of

We will never share your information outside of health partner organisations without your explicit consent unless there are exceptional circumstances such as when the health or safety of others is at risk, where the law requires it or to carry out a statutory function.

Within the health partner organisations (NHS and Specialist Trusts) and in relation to the above mentioned themes – Risk Stratification, Invoice Validation, Supporting Medicines Management, Summary Care Record – we will assume you are happy to for your information to be shared unless you choose to opt-out (see below).

This means you will need to express an explicit wish not to have your information shared with the other NHS organisations; otherwise they will be automatically shared. We are required by law to report certain information to the appropriate authorities. This is only provided after formal permission has been given by a qualified health professional. There are occasions when we must pass on information, such as notification of new births, where we encounter infectious diseases which may endanger the safety of others, such as Meningitis or measles (but not HIV/AIDS), and where a formal court order has been issued. Our guiding principle is that we are holding your records in strictest confidence.

Your right to withdraw consent for us to share your personal information (Opt-Out)

If you are happy for your data to be extracted and used for the purposes described in this fair processing notice then you do not need to do anything. If you do not want your information to be used for any purpose beyond providing your care you can choose to opt-out. If you wish to do so, please let us know so we can code your record appropriately. We will respect your decision if you do not wish your information to be used for any purpose other than your care but in some circumstances we may still be legally required to disclose your data.

Opt-outs

There are two main types of opt-out

Type 1 Opt-Out: If you do not want information that identifies you to be shared outside the practice, for purposes beyond your direct care, you can register a '*Type 1 Opt-Out*'.

This prevents your personal confidential information from being used other than in particular circumstances required by law, such as a public health emergency like an outbreak of a pandemic disease.

Type 2 Opt-Out: NHS Digital collects information from a range of places where people receive care, such as hospitals and community services. If you do not want your personal confidential information to be shared outside of NHS Digital, for purposes other than for your direct care, you can register a '*Type 2 Opt-Out*'.

For further information about Type 2 Opt-Outs, please contact NHS Digital contact centre at enquiries@hscic.gov.uk referencing '*Type 2 Opt-Outs – Data Requests*' in the subject line; or call NHS Digital on (0300) 303 5678; or visit the website <http://content.digital.nhs.uk/article/7092/Information-on-type-2-opt-outs>.

If you wish to discuss or change your opt-out preferences at any time please contact the Practice Manager.

Right of Access

The General Data Protection Regulation (GDPR) grants you the right to access the information we hold about you, and if you would like to access this information, you will need to make the request in writing. If you wish to have a copy of the information the practice hold, please contact the practice manager.

Change of Details

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

Mobile Numbers & Email Addresses

If you provide us with your mobile phone number, we may use this to send you reminders about your appointments or other health screening information. Please let us know if you do not wish to receive reminders on your mobile.

If you provide us with your email address, we may use this to send you reminders to make an appointment for a review. Please let us know if you do not wish to receive correspondence by email.

Notification

Windmill Surgery is registered with the Information Commissioners Office (ICO) to describe the purposes for which it processes personal and sensitive information. Our Registration Number is **Z2849092**

Who is the Data Controller?

The Data Controller, responsible for keeping your information secure and confidential is :
Windmill Surgery

What to do if you have any questions

If you have any questions or queries which this privacy policy has not addressed, or if you have any concerns about how we use the personal information we hold about you, you can:

1. Write to the Practice Manager, Windmill Surgery, Longford Primary care Centre, Longford Road, Longford, Coventry CV6 6DR.

2. Email the practice data controller at sarah.knight@nhs.net
3. Ask to speak to the Practice Manager.

Complaints

If you have a complaint regarding the use of your personal information, please write to the Practice Manager, Windmill Surgery, Longford Primary care Centre, Longford Road, Longford, Coventry CV6 6DR.

For independent advice about data protection, privacy and data-sharing issues, you can contact:

The Information Commissioners Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF

Phone: 0303 123 1113

Website: www.ico.gov.uk