

**PATIENT PRIVACY NOTICE – UPDATED 2023**

The General Data Protection Regulation (GDPR) came into force back in May 2018 and was new regulation in relation to the protection of confidential and sensitive information.

As your GP practice, we hold personal data about all the patients registered with us. This privacy notice sets out to inform you how we manage your data.

The information in this notice concerns the personal information we hold which is processed by us or on our behalf.

The Village Surgery is committed to protecting your privacy and would only use your information lawfully and in accordance with the following regulations and guidance:

* The General Data Protection Regulations 2016 and UKGDPR 2021
* Data Protection Act 2018
* Human Rights Act 1998
* Common Law Duty of Confidentiality
* The Health and Social Care Act 2012
* Caldicott Principles
* NHS Codes of Confidentiality, Information Security and Records Management policies
* Information Sharing Principle – To share or not to share review

The Village Surgery is the Data Controller for any personal data that we hold about you.

**It is really important that you ensure you keep us updated with any change to your personal circumstances including any name changes, changes to phone numbers or email addresses or any change of address. You have a responsibility to inform us of any changes as soon as possible so your care is not compromised.**

**We need to keep records accurate and up to date and we need your help to do this.**

***What information do we collect?***

When you request to be registered as a patient at our practice, we have to collect some personal information about you to allow us to allow us to accept you as a patient. This includes your basic demographic information such as name, address and contact details. We are also required to ask for some other details, known as ‘special data’, including ethnicity, sex, and religious beliefs. This allows us to comply with the requirement which helps to join up all the healthcare information held across all healthcare providers.

We also collect information about you from third parties such as hospitals, community services which may have supported you in delivering care as well as carers.

We collect and record:

* Information about legal representatives (LPA etc)
* Emergency contact details (Next of kin details)
* Details of any contacts you have with the surgery such as appointments, home visits and administrative contacts
* Images taken by the clinical team to expedite decisions about your care
* Details of any treatment you receive
* Details of any care or support that you need / receive
* Results of investigations you may have had (where we receive a copy of the results)
* Any notes or reports we receive in relation to your physical or mental health
* Information on medicines including side effects and allergies
* Information received from other health professionals, relatives or carers who have provided care to you

All of your records will be retained in accordance with the NHS Code of Practice for Records Management.

At the Village Surgery, our staff who are registered to a Professional body, such as the General Medical Council (GMC) or the Nursing and Midwifery Council (NMC) are required to adhere to record keeping standards defined by their registrant body. This is designed to guard against professional misconduct and to provide high quality care in line with the requirements of professional bodies.

***Why do we collect this data?***

The NHS Act of 2006 and the Health and Social Care Act 2012 require us to promote and provide the services of the NHS, improve the quality of the services provided as well as working to ensure that we reduce inequalities (ensuring access to and provision of the services are accessible to all regardless of disabilities etc). We are also asked to conduct research, deliver education and training to health professionals and non-clinical staff as well as reviewing service needs and performance.

The information we collect helps health professionals to make decisions about your care. It helps them to ensure that the care you receive is safe and effective as well as helping them to identify other health professionals to work with us to support the provision of your care.

We may share your information for the following purposes:

* Looking after the health of the general public
* Ensuring our services can meet our patients needs of the future
* Preparing statistics on performance and activity (where steps can be taken to ensure that you, personally, cannot be identified
* Investigating concerns, complaints or any legal claims
* Helping staff review their care to ensure they are delivering it to the highest standards
* Training and educating staff
* Research approved by the local Medical Ethics Committee (you will always be asked for your consent to take part in any research)
* Medication reviews; to ensure prescribed medication is the most appropriate and cost effective

NHS records may be held on paper records or held electronically (or sometimes both) and the Village Surgery has protocols and policies in place to ensure that your information is kept safe no matter what format it is held in.

***Legal basis for processing your personal information***

**Personal Information**

**Article 6.1 (e)** Processing is necessary for the performance of the task carried out in the public interest or in the exercise of official authority vested in the controller.

**Personal data including special category (health) data:**

**Article 9.2 (h)** Processing is 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 systems and services on the basis of Union or Member State lar or pursuant to the contract with a professional and subject to the conditions and safeguards referred to in paragraph 3.

We will also use your data within the following regulations:

* To protect your crucial interests, as a provider of medical care, especially where the individual is a child or vulnerable adult
* Perform tasks in the publics interest to deliver preventative medicine, medial diagnosis and medical research
* Legal and contractual obligations
* Legitimate interest of improving our services
* Ongoing management of the health and social care system

***How do we keep your information safe and secure?***

All of our staff working at the practice have an obligation to keep information about our patients confidential. This is in line with the requirement of all people working within the NHS.

Data protection and security is mandated for all staff through:

* Induction
* Annual mandatory training updates
* Audit (accessing records)
* Role based access to records

We also ensure that information is only shared with organisations and individuals that have a legitimate and legal basis to access your records and / or are involved in your care.

We will not disclose your information to any third party without your permission unless there is exceptional circumstances, or where the law requires us to pass information on. For example:

* We believe you are putting yourself at harm or risk of serious harm
* We believe you are putting a third party (adult or child) at risk of serious harm
* We have been instructed to do so by a court order made against the Village Surgery
* Your information is essential for the investigation of a serious crime
* You are subject to the Mental Health Act (1983)
* Regulators use their powers to request your information as part of an investigation

The Village Surgery has a comprehensive Confidentially Policy in place to support staff to respect the privacy of all our patients. All staff sign a confidentially agreement on starting with the practice.

This policy also applies to any trainee staff working within the practice.

Your information is retained within your medical record and any information sent into or out of the practice is processed via the NHS encrypted network connection.

***How we use your information and who we share your information with***

On registration we will ask you to consent to us using your name and contact details to allow us to share information with you about services which may benefit you and as a way of communicating information to you to help us to meet your needs.

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

**Section 1**

* NHS Trusts / Foundation Hospital Trusts
* GP’s
* Community Services such as district nurses, rehabilitation services and ‘out of hours’ service providers
* Child Health Services that do routine treatment and health screening
* Urgent Care Organisations (Walk-in centres, minor injury units etc)
* Community Hospitals
* Palliative Care Hospitals
* Care Homes
* Mental Health Trusts
* Ambulance Trusts
* Smoking cessation services
* Drug and alcohol services
* Child Protection
* Dermatology Services

**Section 2**

* Social Care Organisations
* NHS Commissioning Support Units
* Independant contractors such as pharmacies, opticians
* Private Sector providers
* Voluntary sector providers
* NHS England and NHS Digital
* Local Authorities
* Police and Judicial Services
* Fire and Rescue services
* Education services
* Other ‘data processors’ which you would be informed of

However, this would only occur for the provision of any of your care or if required for our statutory and / or legal obligations / duties.

We may also use your information for audit purposes to allow us to make improvements to the care we provide and patient outcomes as well as looking at compliance with guidelines.

***GP Connect***

GP Connect is a system that helps clinicians gain access to your GP patient records during interactions away from our practice and makes your medical information available to appropriate health and social care professionals when and where they need it, to support the patient’s direct care.

From a privacy, confidentiality and data protection perspective, GP Connect provides a method of secure information transfer and reduces the need to use less secure or less efficient methods of transferring information, such as email or telephone.

**GP Connect - key points**

* GP Connect can only be used for direct care purposes
* You can opt out of your GP patient record being  shared via GP Connect by contacting the practice
* Access to GP Connect is governed by role-based access control (RBAC) and organisational controls; only people who need to see the GP patient record for a patient’s direct care should be able to see it
* All organisations using GP Connect must comply with the National Data Sharing Arrangement (NDSA) and end-user agreement that sets out their responsibilities and obligations
* All individuals who have access to the GP patient record using GP Connect must agree to terms and conditions of use
* All systems that allow the use of GP Connect must undergo a robust compliance process and the organisations involved must sign a connection agreement holding them to high standards of information security

For more information on GP Connect visit: <https://digital.nhs.uk/services/gp-connect>

***Summary care record (SCR)***

Your core summary care record contains information in relation to your basic demographic data, medications you take (or have taken), allergies you may suffer from and any reactions to medications you have taken in the past. This information is automatically shared with any of the organisations listed above in section one.

You do have the right to stop the sharing of additional information in your health record (SCRai) being shared or to allow only part of it to be shared.

<https://www.england.nhs.uk/long-read/summary-care-records-scr>

Benefits of the SCRai include:

* providing relevant information for emergency or out-of-hours providers, making unwanted admissions less likely and avoiding delays in urgent care
* health and care professionals providing care in any setting have key clinical information, reducing the risk of prescribing and other errors
* for patients with a disability, information such as communication needs, carers’ details, likes, and dislikes, and specific care preferences can all be included.  (It is widely acknowledged that carers benefit from ‘contingency planning’ conversations and have these recorded in SCRs so that care professionals know when and how to action such plans when needed)
* awareness of health problems like diabetes or dementia
* identifying patients eligible for flu or other vaccinations
* end of life preferences, lasting power of attorney details and advance decisions are available to care professionals
* non-English speakers’ clinical information is available immediately

SCRai is simple and effective in supporting clinical management, helping to make clinical engagement with new and unfamiliar patients safer.

It is also particularly helpful in supporting clinicians treating the most complex and vulnerable patients.

***Third Party Processors***

When the Village Surgery use a third party provider to process data on our behalf we will always have a strict and appropriate data sharing agreement in place.

Our third party providers include:

* EMIS Health Clinical Systems Our Clinical Electronic Records system
* ACCURX Ltd Text messaging and on-line consultations
* Iplato Healthcare Ltd Text messaging
* Egton Medical Information Services Digitisation of medical records
* Surgery Connect Telephone system (call recording)
* R Security Alarm Company CCTV monitoring
* iGPR SARS
* Lexcom Dictation services
* Healthtech1 On-line registration
* GP Automate Blood test results management

***National Screening Programmes***

The NHS provides a number of national careening programmes to support the early detection of certain diseases to allow us to offer and provide early treatment.

These screening programmes include:

* Breast Cancer screening
* Bowel Cancer screening
* Cervical Cancer screening
* Aortic Aneurysm screening
* Diabetic eye screening

Other programmes include:

* Screening for newborn babies
* Screening in pregnancy

We are allowed, by law, to share information with Public Health England so that you are given the opportunity to engage with these programmes.

More information can be found at:

<https://www.nhs.uk/conditions/nhs-screening/>

<https://www.gov.uk/topic/population-screening-programmes>

***National Data Opt Out***

The Village Surgery, along with all other GP surgeries in England, will be legally required to extract and upload a copy of your full (historic) GP record to NHS Digital on 1st September 2021, and on a daily basis thereafter, as part of the GP Data for Planning & Research (GPDPR) scheme. NHS Digital becomes the data controller for all uploaded information and it will use the uploaded information for purposes beyond direct medical care, so-called “secondary uses”; such as commissioning, planning, population health management, & research.

Please visit <https://www.nhs.uk/your-nhs-data-matters/> for more information and to make your choice. You can also telephone 0300 3035678.

By law, we are required to inform our patients of such processing and of their right to opt-out of this extraction, should they wish to. The opt-out is the standard one used to prohibit use of your GP records for secondary purposes, the “Type 1 Opt-Out”.  If you have already expressed such an opt-out (e.g. you previously opted out of the abandoned care.data scheme) then it remains in force & will prohibit this extraction.

**Please note that the National Data Opt-Out**(such as you can set via the NHS App)**will not prohibit the extraction & the uploading of your personal information to NHS Digital for the GPDPR scheme**.

To get further information on how patient information is used you can also visit:

<https://www.hra.nhs.uk/information-about-patients/>

<https://understandingpatientdata.org.uk/>

***You have the right to change your mind at any time***

***Accessing your personal information***

If you want access to your records, from October 1st 2023 you can download the NHS app and you will be able to see what is held in your records from that date forward. This information will include texts, letters, documents once they have been received and filed by the practice. This will not affect any proxy access.

Retrospective information will be available shortly after the October date.

You can get further information using the links below.

<https://www.digitalhealth.net/2021/06/patients-to-get-easier-access-to-medical-data-through-nhs-app/>

<https://www.nhs.uk/using-the-nhs/about-the-nhs/how-to-get-your-medical-records/>

There will be some incidences where there will be a legitimate reason why access to your prospective records will not be given or may be reduced and these will be based on safeguarding.

If the release of this information is likely to cause harm to the physical or mental wellbeing of our patient or another individual, the GP will refuse or reduce the access. Third party may also not be disclosed if deemed necessary.

Once your information is visible to you, you do have the right to have your information amended should you feel it is inaccurate you can do this by:

* Requesting a correction or removal in writing to the practice which the reason why you feel the information recorded is inaccurate and a whether you want it correcting or removing. We will aim to respond to your request within 30 days
* If the information relates to any care provided by the hospital you will need to contact the hospital to get this corrected

We may ask you for additional information before any request is granted.

If you have any complaints, concerns or objections about your information please contact the Practice Manager, Lisa Roberts. You can do this by writing in or emailing the practice directly at: gp.n84018@nhs.net

If you remain unhappy after any response from the practice you can complain to the Information Commissioner at:

Information Commissioner

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 01625 545745

Website: <https://ico.org.uk/>