

# Privacy Policy / GDPR

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Done by Practice Manager

Implemented by Dr R Rasheed

# Privacy Policy / GDPR

## Introduction

### What is GDPR?

GDPR stands for General Data Protection Regulations and is a new piece of legislation that will supersede the Data Protection Act. It will not only apply to the UK and EU; it covers anywhere in the world in which data about EU citizens is processed.

The GDPR is similar to the Data Protection Act (DPA) 1998 (which the practice already complies with), but strengthens many of the DPA's principles. The main changes are:

- As a practice we must comply with subject access requests
- Where we need the patients consent to process data, this consent must be freely given, specific, informed and unambiguous
- There are new, special protections for patient data
- The Information Commissioner's Office must be notified within 72 hours of a data breach
- Higher fines for data breaches – up to 20 million euros

Chapel Street Surgery is a "**data controller**". This means that we are responsible for deciding how we hold and use personal information about our patients. We are required under data protection legislation to notify the patients of the information contained in this privacy notice.

This notice applies to all patients.

### Policy

This practice keeps medical records confidential and complies with the General Data Protection Regulation. We hold your medical record so that we can provide you with safe care and treatment. We will also 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 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, we will share information when they refer you to a specialist in a hospital or local community service; we will send details about your prescription to your chosen pharmacy; we may share your details with our Clinical Commissioning Group when you require individual funding for certain treatment or procedures, different agencies working for the NHS example: Healthy IO, Oviva, Provide.

Information on how we share your information with organisations who are directly involved in your care can be requested from the Practice if needed.

As a general rule, we usually try to share your medical information by e-referral to the relevant body or by sharing your GP record through the clinical system we use known as SystmOne (TPP).

Both methods for sharing your information are secure and all NHS personnel are subject to codes of ensuring confidentiality and maintaining a high level of information governance.

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. You will have previously opted in to allow consent for us to undertake this. If you choose or now wish to withdraw consent please speak to one of the Receptionists and request a Summary Care Record Opt Out Form.

For more information see: <https://digital.nhs.uk/summary-care-records>

You may also choose to opt out of allowing NHS Digital to extract and provide your information to other parties for research etc. For more information or to opt out, please go to <https://www.nhs.uk/your-nhs-data-matters>

You have the right to object to information being shared for your own care. Please speak to the Practice Manager if you wish to object.

You also have the right to request to have any mistakes or errors corrected.

We will also process information obtained through call recording on our telephone system.

### **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 NHS Digital is **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 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 although there are some circumstances where this information will be shared. Please see the section regarding National Screening Programmes or view the website <https://www.gov.uk/topic/population-screening-programmes>

### **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.

These circumstances are rare. We do not need your consent or agreement to do this.

Please see the Essex Safeguarding Children Board website by which we follow and are guided for our policy making <http://www.escb.co.uk>

There may also be times when we need to share information with relevant agencies with regards to vulnerable adults. This is for their own safety and where we feel they may be at risk. Where there is capacity consent will be sought from you to undertake this.

### **How your information is used for medical research and to measure the quality of care**

We sometimes share 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

- to participate in National Audit Programmes
- 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 only share information for medical research with your explicit consent unless there is a national programme for sharing information with regards to a specific condition such as Diabetes. Where the programme is national then we are allowed to share data by automatic and electronic extraction from our clinical software programme. This data is sent to NHS Digital a National body with legal responsibilities to collect such data.

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.

The law requires us 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, Basildon & Brentwood Clinical Commissioning Group, NHS England 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/>

### **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>

### **Integrated Care System/Board & NHS England**

Your name, NHS number, Date of Birth, Address and medical details that relate to the need for an application to be made on your behalf for specialist funding known as an individual funding request.

Your NHS number or hospital number in cases where we need further information or query information received from a hospital or service provider that has been commissioned under the ICS/Board (ICS meaning integrated care system)

Invoice validation is an important process. It involves using your NHS number for the ICS or NHS England, who are responsible for paying for your treatment. Section 251 of the NHS Act 2006 provides a statutory legal basis to process data for invoice validation purposes. We can also use your NHS number to check whether your care has been funded through specialist commissioning, which NHS England will pay for. The process makes sure that the organisations providing your care are paid correctly.

ICS alliance supports local GP practices with a Medicines Management Team who help with prescribing queries which generally don't require identifiable information unless they are having to approach or seek specific forms/brands of medication on our behalf for you. Where specialist support is required e.g. to order a drug that comes in solid form, in gas or liquid, the medicines management team may order this on behalf of the practice to support your care.

### **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/populationscreening-programmes> or speak to the practice.