

The New Surgery, Billericay

PRIVACY NOTICE

This practice keeps medical records confidential and complies with the General Data Protection Regulation (GDPR)

We understand how important it is to keep your personal information safe and secure and we take this very seriously. We have taken steps to make sure your personal information is looked after in the best possible way and we review this regularly.

Please read this 'Privacy Notice' carefully as it contains important information about how we use the personal and healthcare information we collect on your behalf.

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, your GP 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 (CCG) if you require individual funding for certain treatment or procedures.
- Information on how we share your information with organisations who are directly involved in your care can be requested from the Practice. Sharing of your medical information is usually by eReferral to the relevant service, by sharing your GP record through our clinical system, SystemOne, or by email. These methods for sharing your information are secure and all NHS and Practice staff are subject to codes of 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. For more information see: <https://digital.nhs.uk/summary-care-records> or alternatively speak to one of our receptionists.
- 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.

Date: 12 June 2018

Review Date: 12 June 2020

Other important information about how your information is used to provide you with healthcare

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 speak to the Practice Manager.

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 (ESCB) website by which we follow and are guided for our policy making <http://www.escb.co.uk> in relation to children & young people and the Essex Safeguarding Adults Board (ESAB) website

<http://essexsab.or.uk> with regards to vulnerable adults. These websites are followed by the practice and guide our policy making.

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

The 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;
- To participate in National Clinical Audit Programmes.

This is important because:

- the use of information from GP medical records is very useful in developing new treatments and medicines and to check the quality of care which is provided to you.
- 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 or clinical audits with your explicit consent or when the law allows. Where there is a National Programme we are allowed to share data by secure automatic and electronic extraction from our clinical software system. This data is sent to NHS Digital, a national organisation which has legal responsibilities to collect NHS 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.

How your information is shared so that this practice can meet legal requirements

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 (CQC), Basildon & Brentwood Clinical Commissioning Group (BB CCG) and the 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>
- NHS Digital sometimes shares names and addresses of patients suspected of committing immigration offences with the Home Office. More information on this can be found here: <https://www.gov.uk/government/publications/information-requests-from-the-home-office-to-nhs-digital>

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 the 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>

Basildon & Brentwood Clinical Commissioning Group (BB CCG) and NHS England (NHSE)

- We may share your details including medical information from your records with BB CCG when there is a need to make an application on your behalf for specialist funding via an individual funding request (IFR).
- Your NHS number or hospital number may be shared in cases where we need further information or to query information received from a hospital or service provider that is commissioned by our CCG e.g. Basildon Hospital.
- If you have received treatment within the NHS the local Commissioning Support Unit may require access to your personal information to determine whether BB CCG or NHSE is responsible for payment of the treatment or procedures you have received. These details are held securely and kept confidential and the information is only used to validate invoices in accordance with section 251 NHS Act 2006.

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.

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

<p>Data Controller contact details</p>	<p>Dr N Dabas (The New Surgery) 27 Stock Road Billericay CM12 0AH Telephone: 01277 633144 Fax: 01277 633374 Email: admin.mailboxf81045@nhs.net</p>
<p>Data Protection Officer contact details</p>	<p>Mrs E Hemmings, Practice Manager 27 Stock Road Billericay CM12 0AH Telephone: 01277 633144 Fax: 01277 633374 Email: admin.mailboxf81045@nhs.net</p>
<p>Purpose of the processing</p>	<ul style="list-style-type: none"> • To give direct health or social care to individual patients. E.g. 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). • Compliance with legal obligations or court order.
<p>Lawful basis for processing</p>	<p>These purposes are supported under the following sections of the GDPR:</p> <p><i>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</i></p> <p><i>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...’</i></p> <p>Healthcare staff will also respect and comply with their obligations under the common law duty of confidence.</p>
<p>Recipient or categories of recipients of the processed data</p>	<p>The data will be shared with:</p> <ul style="list-style-type: none"> • healthcare professionals and staff in this surgery and attached staff who operate from these premises e.g. community midwife; • local community services;

	<ul style="list-style-type: none"> • local hospitals; • out of hours services; • diagnostic and treatment centres; • or other organisations involved in the provision of direct care to individual patients. •
Rights to object	<ul style="list-style-type: none"> • 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 Manager. • 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 under Essex County Council.
Data we get from you	<p>The information we collect will include:</p> <ul style="list-style-type: none"> • your contact details; • contact details of your next of kin; • your age, gender, ethnicity; • details in relation to your medical history; • details of consultations and diagnoses with our GPs and other healthcare professionals within the surgery involved in your direct care.
Data we get from other organisations	<p>We also 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 helps us keep your GP medical record up-to date when you receive care from other parts of the health service.</p>
Right to access and correct	<ul style="list-style-type: none"> • You have the right to see what information we hold about you and to request a copy of this information. For more information please speak to a member of staff or look at our ‘Subject Access Request’ policy on the practice website.

	<ul style="list-style-type: none"> You may request online access to your medical record however we have certain protocols that we have to follow including obtaining written consent and production of documents that prove your identity. We want to make sure that your personal information is accurate and up to date. You have the right to access your medical record and request to have any errors or mistakes corrected. It is very important that you tell us if your contact details have changed. 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.
Retention period	<p>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.</p>
Information Security	<p>We take the security of your information very seriously and do everything we can to ensure that your information is always protected and secure. We regularly update our processes and systems and also ensure our staff are properly trained.</p>
Text messaging and contacting you	<ul style="list-style-type: none"> Because we are obliged to protect any confidential information we hold about you, and we take this very seriously, it is very important that you let us know immediately if you change your contact details. We may contact you by letter, telephone or SMS text to your mobile in the event that we need to notify you about appointments, test results and other services that we provide to you involving your direct care and therefore you must ensure that we have your up to date details. This is to ensure we are actually contacting you and not another person.
Right to complain	<ul style="list-style-type: none"> If you have a concern about the way we handle your personal data or you have a complaint about what we are doing, or how we have used or handled your personal and or healthcare information please contact the Practice Manager. You have the right to raise any concern or complaint with the Information Commissioner's Office who can be contacted at https://ico.org.uk/global/contact-us/ or call the helpline 0303 123 1113.