

VERSION	DOCUMENT CLASSIFICATION	AUTHOR and DATE
Version 1	Information Governance Policy	Mrs D Mitchell – April 2021

## BUDLEIGH SALTERTON MEDICAL CENTRE

### PRIVACY NOTICE – YOUR CONFIDENTIAL RECORD EXPLAINED

#### DOCUMENT REVISION

Version	Date	Author	Approved By	Comments
1	01/04/2021	Deborah Mitchell	Deborah Mitchell	

#### YOUR CONFIDENTIAL RECORDS

You can be assured that your medical records are safe with Budleigh Salterton Medical Centre. We will only share data that identifies you under the following circumstances:

- With other health care professionals (hospital or community staff) as part of an agreed plan of treatment
- With your explicit consent, e.g. for participation in research studies
- In circumstances where it is in the interests of your health and you are not able to give consent, e.g. if you are unconscious
- Where we are obliged to divulge information under the Health & Social Care Act 2012, e.g. in the case of a national emergency or pandemic
- Where we are required to do so for health service planning purposes and you have not explicitly opted out of having your data shared (see below)
- Please see our [privacy notices](#) for detailed information

Our strict rules about confidentiality mean that we will not discuss your medical affairs even with your close family unless you give us permission to do so. This includes details of appointments you have made. If you would like your partner, parent, son/daughter or carer to be able to speak to us on your behalf, you must tell us beforehand. Please ask our Reception Team for a consent form if you require an ongoing arrangement for sharing consent. You can withdraw your consent at any time.

Information about your health and care helps the NHS to improve your individual care, speed up diagnosis, plan your local services and research new treatments.

You have the right to control how medical information about you is shared, disseminated or sold, for purposes other than your direct medical care – so called secondary uses (or purposes).

Secondary uses include projects involved in risk stratification, population health management, national clinical audits, research, healthcare planning, commissioning of healthcare services by CCGs, commercial and even political uses. You can control your personal confidential information by opting out of data sharing.

There are 2 types of data sharing.

#### TYPE 1 OPT OUT

##### What is it?

A **type 1 opt out** prevents information being shared **outside a GP practice** for purposes other than direct care.

##### Who do you notify of your decision to opt out?

You can print and sign an [opt out form](#) and either bring the original to the practice for processing or take a photo of it and email it to us at [budleigh.medicalcentre@nhs.net](mailto:budleigh.medicalcentre@nhs.net) so that we can update your data sharing preferences.

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Please note the form is only for Type 1 Opt outs – patients need to register a Type 2 Opt out separately – full details below.

**This collection will start on 1 Sept 2021** so if you do not want your data to be shared with NHS Digital please register your Type 1 Opt-out with your GP practice by **15th August 2021** to allow us time to process your preference.

If you register a Type 1 Opt-out after this collection has started, no more of your data will be shared with us. We will however still hold the patient data which was shared with us before you registered the Type 1 Opt-out.

If you do not want NHS Digital to share your identifiable patient data with anyone else for purposes beyond your own care, then you can also register a National Data Opt-out.

## **TYPE 2 OPT OUT – NOW KNOWN AS NATIONAL DATA OPT-OUT**

### **What is it?**

A **type 2 opt out/National Data Opt-out** prevents information being shared **outside NHS Digital** for purposes beyond the individual's direct care.

The following link will take you to full current information regarding these opt-outs <https://digital.nhs.uk/data-and-information/data-collections-and-data-sets/data-collections/general-practice-data-for-planning-and-research/advice-for-the-public>

### **Who do you notify of your decision to opt out?**

Type 2 Opt outs are arranged by NHS Digital. If you are aged 13 or older you can go to [Make your choice about sharing data from your health records – NHS \(www.nhs.uk\)](#) and opt out online.

### **Other ways to make a choice.**

You can also make or change a choice for:

- yourself by phone, email or post
- someone else by email or post

NHS Digital Contact Centre phone number: 0300 303 5678 – Monday to Friday, 9am to 5pm (excluding bank holidays).

If you're a parent or legal guardian and you want to opt your children out, you must complete the opt-out form. Once you've completed the form, you can email it to the Contact Centre – [enquiries@nhsdigital.nhs.uk](mailto:enquiries@nhsdigital.nhs.uk)

Alternatively, you can post the form to:

National Data Opt Out  
Contact Centre  
NHS Digital  
HM Government  
7 and 8 Wellington Place  
Leeds  
LS1 4AP

## **WHAT IS BUDLEIGH SALTERTON MEDICAL CENTRE DOING TO INFORM PATIENTS OF THIS CHANGE?**

To make sure that as many patients as possible know about the scheme and have the opportunity to make a choice, Budleigh Salterton Medical Centre are taking the following steps:

- All staff fully aware to support you with any queries you may have
- Information available in the practice
- Information on social media
- Information on website and links above to NHS websites for further information

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## SUMMARY CARE RECORD (SCR)

Your Summary Care Record is different to the above sharing for secondary uses. Your SCR is used to assist in provision of care for you. Access to SCR information means that care in other settings is safer, reducing the risk of prescribing errors. It also helps avoid delays to urgent care.

At a minimum, the SCR holds important information about;

- current medication
- allergies and details of any previous bad reactions to medicines
- the name, address, date of birth and NHS number of the patient

[Additional Information in the SCR](#), such as details of long-term conditions, significant medical history, or specific communications needs, is now included by default for patients with an SCR, unless they have previously told the NHS that they did not want this information to be shared. There will also be a temporary change to include COVID-19 specific codes in relation to suspected, confirmed, Shielded Patient List and other COVID-19 related information within the Additional Information.

All of our patients who have not chosen to opt out have a Summary Care Record that can be accessed, with the patient's consent, by hospital and out of hours staff.

You may choose to opt out of having a Summary Care Record. The websites below will help you to decide on the risks and benefits.

<https://digital.nhs.uk/services/summary-care-records-scr>

If you would like to opt out, please print off and complete the following consent form and return it to the surgery.

<https://digital.nhs.uk/services/summary-care-records-scr/scr-patient-consent-preference-form>

## NATIONAL DIABETES AUDIT (NDA)

Budleigh Salterton Medical Centre is taking part in an important national project about people at risk of diabetes and diabetes care and treatment in the NHS. The project is called the National Diabetes Audit (NDA). The NDA has always collected patient identifiable data from health care providers since it began in 2004.

Patients do not need to be individually consented but we want to raise awareness of the NDA. **This is known as 'fair processing'**.

If you have diabetes, non-diabetic hyperglycaemia, impaired glucose tolerance or pre-diabetes, your GP practice will share information about your diabetes care and treatment with the NDA. The type of information, and how it is shared, is controlled by law and enforced by strict rules of confidentiality and security.

Taking part in the NDA shows that this GP practice is committed to reducing diabetes and improving care for people with diabetes.

The NDA is a mandatory collection for the NHS. NHS England uses powers under section 254 of the Health and Social Care Act 2012 to direct NHS Digital to collect the data. The information is required by NHS Digital under section 259 of the 2012 Act to comply with the [National Diabetes Audit Directions 2017](#).

In line with section 259, all organisations in England that are in scope of the [NDA Data Provision Notice](#), must comply with the requirement and provide information to NHS Digital in the form, manner and period specified.

Where a collection is directed under this mechanism, **the national data opt out does not apply**. Therefore, all patients' records must be submitted to NHS Digital.

This is detailed in section 6.4 'When does a national data opt-out not apply?' of the National data opt-out [operational policy guidance document](#).

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NHS Digital is obliged to apply the national data opt out if they supply the data onwards to any other organisation. For example, if a research body applies for NDA data via the Data Access Request Service (DARS) run by NHS Digital, then they are required to apply the NDO preference from the patient to the data before supplying the data extract to the research body. They do this by checking the patient cohort against the national register.