

VERSION	DOCUMENT CLASSIFICATION	AUTHOR and DATE
Version 1	Information Governance	East Devon Health - May 2018

BUDLEIGH SALTERTON MEDICAL CENTRE

PRACTICE PRIVACY NOTICE

DOCUMENT REVISION

Version	Date	Author	Approved By	Comments
1	25.05.2018	Christy Thurlow	Mrs Deborah Mitchell	

HOW WE USE YOUR INFORMATION

This privacy notice explains why we as a Practice collect information about our patients, what we collect and how we use that information.

Budleigh Salterton Medical Centre manages patient information in accordance with existing laws and with guidance from organisations that govern the provision of healthcare in England such as the Department of Health and the General Medical Council.

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 2012
- NHS Codes of Confidentiality and Information Security

As data controllers, GPs have fair processing responsibilities under the **Data Protection Act 1998**. In practice, this means ensuring that your personal confidential data (PCD) is handled clearly and transparently, and in a reasonably expected way.

The **Health and Social Care Act 2012** changed the way that personal confidential data is processed, therefore it is important that our patients are aware of and understand these changes, and that you have an opportunity to object and know how to do so.

The health care professionals who provide you with care, maintain records about your health and any NHS treatment or care you have received (e.g. NHS Hospital Trust, GP Surgery, Walk-in clinic, etc.). 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; a combination of working practices and technology are used to ensure that your information is kept confidential and secure. Records held by this GP practice may include the following information:

- Details about you, such as name, address next of kin, gender, D.O.B, email address, phone number
- Any contact the practice has had with you, including appointments (emergency or scheduled), clinic visits, etc.
- Notes and reports about your health
- Details about treatment and care received within Honiton medical practice and other healthcare settings that you may have been referred to
- Results of investigations, such as laboratory tests, x-rays, etc.
- Relevant information from other health professionals, relatives or those who care for you

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The special categories of personal data concerned are:

- Racial
- Ethnic origin
- Health data
- Data concerning a natural person's sex life
- Sexual orientation

The practice collects and holds data for the sole purpose of providing healthcare services to our patients under the legal basis of legitimate interests, or vital interest where appropriate. We will ensure that the information is kept confidential. However, we can disclose personal information if:

- a) It is required by law
- b) You provide consent – either implicitly or for the sake of their own care, or explicitly for other purposes
- c) It is justified to be in the public interest

Some of this information will be held centrally and used for statistical purposes. Where we hold data centrally, we take strict and secure measures to ensure that individual patients cannot be identified.

Information may be used for **clinical audit** purposes to monitor the quality of service provided and may be held centrally and used for statistical purposes. Where we do this, we ensure that your personal information cannot be identified.

Sometimes your information may be requested to be used for **clinical research** purposes – the practice will always gain your consent before releasing the information.

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.

Patients can choose to withdraw their consent to their data being used in this way. When the practice is about to participate in any new data-sharing scheme we will make patients aware by displaying prominent notices in the surgery and on our website at least four weeks before the scheme is due to start. We will also explain clearly what you have to do to 'opt-out' of each new scheme.

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.

MOBILE TELEPHONE

If you provide us with your mobile phone number we may use this to send you reminders about any appointments or other health screening information being carried out.

Our Website does use cookies to optimise your experience. The 'Remember my details' feature on our online prescription form uses first party cookies on your computer to store your information. This information is only used to remember your details and is never passed to any third party (cookies must be enabled for this to work).

Using this feature means that you agree to the use of cookies as required by the EU Data Protection Directive 95/46/EC. You have the option to decline the use of cookies on your first visit to the website.

CCTV

CCTV is not currently used.

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TELEPHONE CALLS

All telephone calls to and from the practice will be recorded in order to check any instructions given to us, for training purposes, for crime prevention and to improve the quality of our services. A message will inform you of this each time you ring the practice. Please be aware that calls will also be recorded when anyone from the practice rings you.

The recordings are stored within our telephone system.

RISK STRATIFICATION

Risk stratification is a process for identifying and managing patients who are at high risk of requiring emergency or urgent care and planning the management for that patient. Typically this is because patients have a long term condition such as COPD, cancer or other medical condition at risk of sudden worsening. NHS England (the national Commissioning Board) encourages GPs to use risk stratification tools as part of their local strategies for supporting patients with long-term conditions and to provide care plans and planned care with the aim to prevent avoidable admissions or other emergency care.

Information about you is collected through the clinical systems from a number of sources including NHS Trusts and from this GP practice. A risk score is then arrived at through an analysis of your de-identified information using software provided by **NHS North East and West Devon CCG** as the data processor and is provided back in an identifiable form to your GP or member of your care team as data controller.

Risk stratification enables your GP to focus on preventing ill health and not just the treatment of sickness. If necessary your GP may be able to offer you additional services.

Please note that you have the right to opt out of Risk Stratification.

OPTING OUT

Should you have any concerns about how your information is managed or wish to opt out of any data collection at the practice, please contact the practice, or your healthcare professional to discuss how the disclosure of your personal information can be limited.

Patients have the right to change their minds and reverse a previous decision. Please contact the practice, if you change your mind regarding any previous choice.

INVOICE VALIDATION

If you have received treatment within the NHS your personal information may be shared within a strictly monitored, secure and confidential environment in order to determine which Clinical Commissioning Group should pay for the treatment or procedure you have received.

Information such as your name, address, GP practice and date of treatment may be passed on to enable the billing process - these details are held in a secure environment and kept confidential. This information will only be used to validate invoices and will not be shared for any further commissioning purposes.

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 the Data Protection Act 1998 (which is overseen by the Information Commissioner's Office), Human Rights Act, the Common Law Duty of Confidentiality, and the NHS Codes of Confidentiality and Security. Every staff member who works for an NHS organisation has a legal obligation to maintain the confidentiality of patient information.

All of our staff, contractors and committee members receive appropriate and regular training to ensure they are aware of their personal responsibilities and have legal and contractual obligations to uphold confidentiality, enforceable through disciplinary procedures. Only a limited number of authorised staff have access to personal information where it is appropriate to their role and is strictly on a need-to-know basis.

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We maintain our duty of confidentiality to you at all times. We will only ever use or pass on information about you if others involved in your care have a genuine need for it. We will not disclose your information to any third party without your permission unless there are exceptional circumstances (i.e. life or death situations), or where the law requires information to be passed on.

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
- Independent Contractors such as dentists, opticians, pharmacists
- Private Sector Providers
- Voluntary Sector Providers
- Ambulance Trusts
- Clinical Commissioning Groups
- Social Care Services
- Local Authorities
- Education Services
- Fire and Rescue Services
- Police
- Other 'data processors'

HOW LONG DO WE KEEP DATA FOR

In line with the Department of Health Code, we will retain / store your health record for your lifetime. When a patient dies, we will review the record and generally it will be destroyed 10 years later, unless there is a reason to keep it for longer.

If you move away or register with another practice, we will send your records to the new practice.

ACCESS TO PERSONAL INFORMATION

You have a right under the **Data Protection Act 1998** to access/view information the practice holds about you, and to have it amended or removed should it be inaccurate. This is known as 'the right of subject access'. If we do hold information about you we will:

- give you a description of it
- tell you why we are holding it
- tell you who it could be disclosed to
- let you have a copy of the information in an intelligible form

If you would like to make a 'subject access request' please contact the practice manager in writing. We will not charge you for making a subject access request although an admin fee may be charged if a request clears has no basis in fact or excessive and/or repetitive. In the majority of circumstances, a request will be completed within one month of receipt. Any changes to this notice will be published on our website and on the practice notice board.

The practice is registered as a data controller under the Data Protection Act 1998. The registration number is **Z4909559** and can be viewed online in the public register at <http://ico.gov.uk/>

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 such as date of birth is incorrect in order for this to be amended. You have a responsibility to inform us of any changes so our records are accurate and up to date for you.

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NOTIFICATION

The Data Protection Act 1998 requires organisations to register a notification with the Information Commissioner to describe the purposes for which they process personal and sensitive information. This information is publicly available on the Information Commissioners Office website www.ico.org.uk. The practice is registered with the Information Commissioners Office (ICO).

DATA CONTROLLER

The Data Controller, responsible for keeping your information secure and confidential can be contacted at the surgery by telephoning **01395 441212** or by via the practice email d-ccg.budleighmedicalcentre@nhs.net. Any changes to this notice will be published on our website and displayed in prominent notices in the surgery.

The Partnership is registered as a data controller under the Data Protection Act 1998. Our registration can be viewed on-line in the public register at www.ico.gov.uk

CONSENT

By consenting to this privacy notice you are giving us permission to process your personal data for the purposes identified.

FURTHER INFORMATION

Further information about the way in which the NHS uses personal information and your rights in that respect can be found in:

- The NHS Care Record Guarantee : <http://www.nigb.nhs.uk/pubs/nhscrg.pdf>
- The NHS Constitution : <https://www.gov.uk/government/publications/the-nhs-constitution-for-england>
- NHS Digital's Guide to Confidentiality in Health & Social Care gives more information on the rules around information sharing : <http://content.digital.nhs.uk/article/4979/Assuring-information>

An independent review of information about patients is shared across the health and care system led by Dame Fiona Caldicott was conducted in 2012. The report, **Information: To share or not to share? The Information Governance Review**, be found at: <https://www.gov.uk/government/publications/the-information-governance-review>

[NHS England – Better Data, Informed Commissioning, Driving Improved Outcomes: Clinical Data Sets](#) provides further information about the data flowing within the NHS to support commissioning.

Please visit the [NHS Digital website](#) for further information about their work. Information about their responsibility for collecting data from across the health and social care system can be found.

The Information Commissioner's Office is the Regulator for the Data Protection Act 1998 and offer independent advice and guidance on the law and personal data, including your rights and how to access your personal information. For further information please visit the www.ico.gov.uk