

The Village Surgery Practice Privacy - Fair Processing Notice for Patients

This fair processing notice explains why our Surgery collects information about you and how that information may be used and shared.

The employees and Partners of the Surgery use electronic and paper records to create and maintain an in-depth history of your NHS medical care at the Surgery and elsewhere, to help ensure you receive the best possible healthcare. Anyone who accesses your data within the Surgery can only do so using a 'smartcard' that identifies him/her and what he/she accessed.

We comply with the Data Protection Act 1998 in ensuring your personal information is as confidential and secure as possible.

WHAT INFORMATION DO WE HOLD?

Records which this Surgery holds about you may include the following information;

- Details about you, such as your address, legal representative, emergency contact details
- Any contact the Surgery has had with you, such as appointments, telephone conversations and letters.
- Notes and reports about your physical (including sexual) and mental health
- Details about your treatment and medications
- Results of investigations such as laboratory tests, x-rays etc.
- Relevant information from other health professionals, relatives or those who care for you
- Reports from social services such as child protection reports or police reports if relevant to the care of you or your family
- Private reports sent, at your request, to other organisations

CONFIDENTIALITY

We are committed to protecting your privacy and will only use information collected lawfully in accordance with the Data Protection Act (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.

All of our staff and contractors receive appropriate and on-going training to ensure they are aware of their personal responsibilities and have contractual obligations to uphold confidentiality, enforceable through disciplinary procedures.

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 and/or in accordance with the new information sharing principle i.e. *"The duty to share information can be as important as the duty to protect patient confidentiality."* This means that health and social care professionals should have the confidence to share information in the best interests of their patients within the framework set out by the Caldicott principles. They should be supported by the policies of their employers, regulators and professional bodies.

Your information may be used within the Surgery for clinical audit to monitor the quality of the service provided or ensure we are providing appropriate care.

SHARING YOUR DATA OUTSIDE THE PRACTICE

Information held about you may be used to help protect the health of the public and to help the Department of Health manage the NHS. Some of this information will be extracted and held centrally and used for statistical purposes. Where we do this, we take strict measures to ensure that individual patients cannot be identified.

We currently only share information from your records on an individual basis either by fax, letter or courier but with improvements in information technology and strict information governance standards, it is becoming possible to share your GP records with other health and social care providers. **We will only allow this to happen with your consent, and where it is relevant for your care for doctors, nurses and other health and social care services to see the information held on your GP records.**

The following are examples of the types of organisations that we are likely to share information with:

- NHS and Specialist Hospitals, Trusts
- Independent Contractors such as dentists, opticians, pharmacists
- Private and Voluntary Sector Providers
- Ambulance Trusts
- Clinical Commissioning Groups and NHS England
- Social Care Services and Local Authorities

Any patient can choose to withdraw their consent to their data being used in this way. When the Surgery 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. These schemes are only for **direct care** so you (or your carer) will be present when the information is accessed and will be asked for consent again, before your records are opened.

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.

RISK STRATIFICATION

Risk stratification is a process for identifying and managing patients who are at a higher risk of emergency hospital admission. This may be because patients have a long term condition such as COPD, cancer or are very frail. NHS England encourages GPs to use risk stratification tools as part of their local strategies for supporting patients with long-term conditions and help reduce the patients' risk of hospital admissions.

Information about you is collected from a number of sources including NHS Trusts and from the Surgery. Your risk is then 'scored' after analysis of your anonymous information using computer programmes. Your information is only provided back to your GP or member of your care team in an identifiable form. Risk stratification enables your GP to focus on the prevention of ill health and not just the treatment of sickness.

NATIONAL DATA EXTRACTIONS (Also known as GPES)

The Health and Social Care Act 2012 allows NHS Digital to collate personal confidential data from GP practices without seeking your specific consent. This is extracted in order to make

increased use of information from medical records and either used just by the NHS with the intention of improving healthcare and the quality of care delivered to patients or may be shared with external organisation. Please see below if you do not want your data used in this way. More information about how NHS Digital uses your data can be found at <http://content.digital.nhs.uk/gpes>

WHAT IF I WANT TO SEE MY RECORDS?

You have a right under the Data Protection Act 1998 to access/view information the Surgery holds about you, and to have it amended or removed should it be inaccurate. This is known as 'the right of subject access'. We are very keen for you to have access to help you manage your own health and maintain the quality of the records about your health. You can request a copy of your records in paper form or on a CD disc. If you wish to do this, you will need to do the following:

- Your request must be made in writing to the GP - for information from the hospital you should write direct to them
- There will be a charge to have a printed/cd copy of the information held about you
- We are required to respond to you within 40 days
- You will need to give adequate information (for example full name, address, date of birth, NHS number and details of your request) so that your identity can be verified and your records located

WHAT IF I WANT TO SEE WHO HAS ACCESSED MY RECORDS?

On our computer system called TPP SystemOne you can look at your GP Shared Record History to find out when your GP record has been accessed. To do this all you need is the username and password that you use to order prescriptions or make appointments with via our website. (If you have chosen to have sharing functionality disabled this will not be available.) This only covers instances where your record has been accessed outside the Surgery for direct care purposes, i.e. it does not cover accesses by your own GP, and it does not cover the data that gets copied for research and to NHS Digital.

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 Surgery is registered with the Information Commissioners Office (ICO) as a data controller under the Data Protection Act 1998. The registration number is Z7631986 and can be viewed online in the public register at [http://ico.org.uk/what we cover/register of data controllers](http://ico.org.uk/what_we_cover/register_of_data_controllers)

OBJECTIONS/COMPLAINTS

Should you have any concerns about how your information is managed at the Surgery, please contact our Practice Manager. If you are still unhappy following a review by the Surgery, you can then complain to the Information Commissioners Office (ICO) via their website (www.ico.gov.uk).

If you are happy for your data to be extracted and used for the purposes described in this fair processing notice then you do not need to do anything.

If you **do not want** your personal data being extracted and leaving the Surgery for any of the purposes described, you need to let us know as soon as possible so please speak to the receptionist.

OPT-OUT

There are 3 levels of opt-out to prevent your data being shared. Each opt-out requires the practice to add a different code to your medical notes. (Please be aware that certain regulations such as child protection and court orders may over-rule your choices.)

1. You do not want your data to leave the Surgery even to support your own direct care.

2. You do not want your data leaving the Surgery for any purpose other than direct care (i.e. improving NHS services and public health).

3. You are happy to share your data with the NHS to improve services and public health but do not want the NHS sharing your data with third parties.

All patients have the right to change their minds and reverse a previous decision. Please contact the Surgery if you change your mind regarding any previous choice.

Please use the form below to inform the surgery of your wish to opt-out of data sharing:

Please tick as appropriate

1. I do not want my data to leave the Surgery even to support my own direct care. <i>For practice use: 9Ndo (SCR dissent), 9Nd1 (other electronic record sharing)</i>	
2. I agree to my data being shared for my own care but do not want my data leaving the Surgery for any other purpose (i.e. improving NHS services and public health). <i>For practice use: 9Nu0</i>	
3. I agree to my data being shared within the NHS to improve services and public health but do not want the NHS sharing my data with third parties. <i>For practice use: 9Nu4</i>	
Name:	
Address:	
Date of Birth:	
Signature:	
Date:	