

# PRESTON PARK SURGERY

## Privacy Notice

### **Data Controller**

As your registered GP practice, **Preston Park Surgery is your Data Controller** for any personal data that we hold about you.

### **Your information, what you need to know**

This privacy notice explains why we collect information about you, how that information may be used and how we keep it safe and confidential.

### **Why we collect information about you**

Health care professionals who provide you with care are required by law to maintain records about your health and any treatment or care you have received within any NHS organisation.

These records help to provide you with the best possible healthcare.

We collect and hold data for the sole purpose of providing healthcare services to our patients.

In carrying out this role we may collect information about you which helps us respond to your queries or secure specialist services. We may keep your information in written form and/or in digital form. The records may include basic details about you, such as your name and address.

They may also contain more sensitive information about your health and also information such as outcomes of needs assessments.

### **Details we collect about you**

The health care professionals who provide you with care maintain records about your health and any treatment or care you have received previously (eg. NHS Trust, GP Surgery, Walk-in clinic, etc.). These records help to provide you with the best possible healthcare.

Records which this GP Practice may hold about you may include the following:

- Details about you, such as your address and next of kin
- Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments, etc.
- Notes and reports about your health
- Details about your treatment and care
- Results of investigations, such as laboratory tests, x-rays, etc.
- Relevant information from other health professionals, relatives or those who care for you

### **How we keep your information confidential and safe**

Everyone working for the NHS is subject to the Common Law Duty of Confidence.

Information provided in confidence will only be used for the purposes advised with consent given by the patient, unless there are other circumstances covered by the law. The NHS Digital Code of Practice on Confidential Information applies to all our staff and they are required to protect your information, inform you of how your information will be used, and

allow you to decide if and how your information can be shared. All our staff are expected to make sure information is kept confidential and receive annual training on how to do this.

NHS health records may be electronic, on paper or a mixture of both, and we use a combination of working practices and technology to ensure that your information is kept confidential and secure. Your records are backed up securely in line with NHS standard procedures. We ensure that the information we hold is kept in secure locations, is protected by appropriate security and access is restricted to authorised personnel. We also make sure external data processors that support us are legally and contractually bound to operate and prove security arrangements are in place where data that could or does identify a person are processed.

We are committed to protecting your privacy and will only use information collected lawfully in accordance with:

- Data Protection Act 1998
- General Data Protection Regulation 2018
- Human Rights Act
- Common Law Duty of Confidentiality
- NHS Codes of Confidentiality and Information Security
- Health and Social Care Act 2015

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.

### **How we use your information**

To provide you with General Practice services we will use and share your data in the following ways:-

- Contact you by phone, text and letters
- As part of your registration with Preston Park Surgery you imply your consent to pass on relevant clinical information to other professional staff involved in your direct care. This means that you are consenting for us to send information about you and your medical history to external agencies to support clinical and social referrals and to help you access and benefit from external services.
- Some of this information is held centrally and used for statistical purposes. We take strict measures to ensure that individual patients cannot be identified.
- We participate in the NHS Adur Research Programme for Public Benefit and therefore with your consent, your data may be included in research projects. (You will always be asked about taking part in research projects).

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.

You can object to your 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.

To ensure you receive the best possible care, your records are used to facilitate the care you receive. Information held about you may be used to help protect the health of the public and to help us manage the NHS.

### **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:

- Hospitals - to provide information to support 'Secondary Care'
- County Council - to provide information to support access to their health and wellbeing services
- Sussex Community Foundation NHS Trust - to provide information to support District Nursing and Community Care - including Proactive Care
- Sussex Partnership Trust - to provide information to help with mental health
- Coastal West Sussex CCG and Emergency Services - If there is a large scale emergency incident a list of vulnerable people may need to be identified (People that are housebound / nursing homes / significantly frail). In this instance where harm could come otherwise - limited data will be shared for protection.
- Sussex Ambulance - SECAMB
- Out of Hours Services - IC24
- Share My Care - who provide information to out of hours and emergency services
- Innovations in Primary Care - MIAMI appointments and clinical services - Extended Hours and specialist clinics
- Other GP Practices - where you may be a temporary resident or receiving a particular service

We will never share your information outside of health partner organisations without your explicit consent unless there are exceptional circumstances such as when the health or safety of others is at risk, where the law requires it or to carry out a statutory function. Within the health partner organisations (NHS and Specialist Trusts) and in relation to the above mentioned themes – Risk Stratification, Invoice Validation, Supporting Medicines Management, Summary Care Record – we will assume you are happy to for your information to be shared unless you choose to opt-out (see below).

This means you will need to express an explicit wish not to have your information shared with the other NHS organisations; otherwise they will be automatically shared. We are required by law to report certain information to the appropriate authorities. This is only provided after formal permission has been given by a qualified health professional. There are occasions when we must pass on information, such as notification of new births, where we encounter infectious diseases which may endanger the safety of others, such as

meningitis or measles (but not HIV/AIDS), and where a formal court order has been issued. Our guiding principle is that we are holding your records in strictest confidence.

### **Your right to withdraw consent for us to share your personal information (Opt-Out)**

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 information to be used for any purpose beyond providing your care you can choose to opt-out. If you wish to do so, please let us know so we can code your record appropriately. We will respect your decision if you do not wish your information to be used for any purpose other than your care but in some circumstances we may still be legally required to disclose your data.

There are two main types of opt-out.

#### **Type 1 Opt-Out**

If you do not want information that identifies you to be shared outside the practice, for purposes beyond your direct care, you can register a 'Type 1 Opt-Out'. This prevents your personal confidential information from being used other than in particular circumstances required by law, such as a public health emergency like an outbreak of a pandemic disease.

#### **Type 2 Opt-Out**

NHS Digital collects information from a range of places where people receive care, such as hospitals and community services. If you do not want your personal confidential information to be shared outside of NHS Digital, for purposes other than for your direct care, you can register a 'Type 2 Opt-Out'. For further information about Type 2 Opt-Outs, please contact NHS Digital contact centre at [enquiries@hscic.gov.uk](mailto:enquiries@hscic.gov.uk) referencing 'Type 2 Opt-Outs – Data Requests' in the subject line; or call NHS Digital on **(0300) 303 5678**; or visit the website <http://content.digital.nhs.uk/article/7092/Information-on-type-2-opt-outs> .

If you wish to discuss or change your opt-out preferences at any time please contact the Practice Manager.

Detailed privacy notices can be viewed on the website: [www.prestonparksurgery.co.uk](http://www.prestonparksurgery.co.uk)  
Paper copies are available to be viewed in the surgery. Please ask a member of the reception team if you wish to view these notices.

#### **Data Retention**

We will approach the management of patient records in line with the Records Management NHS Code of Practice for Health and Social Care which sets the required standards of practice in the management of records for those who work within or under contract to NHS organisations in England, based on current legal requirements and professional best practice.

#### **Access to personal information held about you**

Under the new General Data Protection Regulation (GDPR) 2018 everybody has the right to see, or have a copy, of data we hold that can identify you, with some exceptions. You do not need to give a reason to see your data.

If you want to access your data you must make the request in writing. Under special circumstances, some information may be withheld. If you wish to have a copy of the information we hold about you, please contact the Practice Manager.

From 25<sup>th</sup> May 2018 we will no longer be charging for access to medical records to comply with the new General Data Protection Regulations.

### **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 are incorrect in order for this to be amended. Please inform us of any changes so our records for you are accurate and up to date.

### **Mobile Numbers & Email Addresses**

If you provide us with your mobile phone number, we may use this to send you reminders about your appointments or other health screening information. Please let us know if you do not wish to receive reminders on your mobile.

If you provide us with your email address, we may use this to send you reminders to make an appointment for a review. Please let us know if you do not wish to receive correspondence by email.

### **Notification**

Preston Park Surgery is registered with the Information Commissioners Office (ICO) to describe the purposes for which they process personal and sensitive information. We are a registered Data Controller and our registration 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) .

### **Complaints**

If you have concerns or are unhappy about any of our services, please contact the Practice Manager.

For independent advice about data protection, privacy and data-sharing issues, you can contact: The Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF - Phone: **0303 123 1113** Website: [www.ico.gov.uk](http://www.ico.gov.uk) .

### **Further Information**

Further information about the way in which the NHS uses personal information and your rights in that respect can be found here: <https://www.england.nhs.uk/contact-us/privacy/privacy-notice/your-information/>

### **The NHS Care Record Guarantee**

The NHS Care Record Guarantee for England sets out the rules that govern how patient information is used in the NHS, what control the patient can have over this, the rights individuals have to request copies of their data and how data is protected under the Data Protection Act 1998. <http://systems.digital.nhs.uk/infogov/links/nhscrg.pdf>

### **The NHS Constitution**

The NHS Constitution establishes the principles and values of the NHS in England. It sets out the rights patients, the public and staff are entitled to. These rights cover how patients access health services, the quality of care you'll receive, the treatments and programmes available to you, confidentiality, information and your right to complain if things go wrong.

<https://www.gov.uk/government/publications/the-nhs-constitution-for-england>

### **NHS Digital**

NHS Digital collects health information from the records health and social care providers keep about the care and treatment they give, to promote health or support improvements in the delivery of care services in England.

<http://content.digital.nhs.uk/article/4963/What-we-collect>

### **Reviews of and Changes to our Fair Processing Notice**

We will keep our Privacy Notice under regular review. This notice was last reviewed following GDPR implementation in May 2018.