

PRACTICE PRIVACY NOTICE FOR PATIENTS

HOW WE USE YOUR INFORMATION

A new data privacy law was introduced in the UK in May 2018. As a result, we've published a new privacy notice to make it easier for you to find out how the NHS uses and protects your information.

WHAT IS A PRIVACY NOTICE?

A Privacy Notice (or 'Fair Processing Notice') is an explanation of what information the Practice collects on patients, and how it is used. Being transparent and providing clear information to patients about how a Practice uses their personal data is an essential requirement of the new General Data Protection Regulations (GDPR).

Under the GDPR, the Practice must process personal data in a fair and lawful manner, and applies to everything that is done with patient's personal information. In practice, this means that the Practice must:

- have legitimate reasons for the use or collection of personal data
- not use the data in a way that may cause adverse effects on the individuals (e.g. improper sharing of their information with 3rd parties)
- be transparent about how you the data will be used, and give appropriate privacy notices when collecting their personal data
- handle personal data only as reasonably expected to do so
- make no unlawful use of the collected data

FAIR PROCESSING

Personal data must be processed in a fair manner – the GDPR says that information should be treated as being obtained fairly if it is provided by a person who is legally authorised or required to provide it. Fair Processing means that the Practice has to be clear and open with people about how their information is used.

This privacy notice explains why we as a Practice collect information about our patients and how that information may be used.

Wargrave House Surgery 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:

- General Data Protection Regulations
- 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

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; and we use 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 address and next of kin
- 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
- Results of investigations, such as laboratory tests, x-rays, etc.
- Relevant information from other health professionals, relatives or those who care for you

The practice collects and holds data for the sole purpose of providing healthcare services to our patients and we will ensure that the information is kept confidential. However, we can disclose personal information if:

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

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.

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 patient records cannot be identified.

Sometimes your information may be requested to be used for clinical research purposes – the practice will always endeavour to 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 & EMAIL ADDRESS

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

PRACTICE WEBSITE

Our Website does use cookies to optimise your experience. 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.

RISK STRATIFICATION

Risk stratification data tools are increasingly being used in the NHS to help determine a person's risk of suffering a particular condition, preventing an unplanned or re-admission and identifying a need for preventative intervention. Typically this is because patients have a long term condition such as COPD, cancer or other medical condition at risk of sudden worsening.

Information about you is collected 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 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 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.

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.

MEDICINES MANAGEMENT

The Practice may conduct Medicine Management Reviews of medications prescribed to its patients. This service performs a review of prescribed medication to ensure patients receive the most appropriate, up to date and cost effective treatments. This service is provided to practices within Herefordshire through Herefordshire Clinical Commissioning Group.

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 CCG should pay for the treatment or procedure you have received.

Information such as your name, address 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.

NHS HEALTH CHECKS

Cohorts of our patients aged 40-74 not previously diagnosed with cardiovascular disease are eligible to be invited for an NHS Health Check. Nobody outside the healthcare team in the practice will see confidential information about you during the invitation process.

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 General Data Protection Regulations (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 locums 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.

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
- Police, Fire & Rescue Services
- Other 'data processors' eg. Diabetes UK

You will be informed who your data will be shared with and in some cases asked for explicit consent for this to happen when this is required.

ACCESS TO PERSONAL INFORMATION

You have a right under the General Data Protection Regulations 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. Any changes to this notice will be published on our website and on the practice notice board.

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.

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).

WHO IS THE DATA CONTROLLER?

The practice is registered as a data controller under the Data Protection Act 2018. The registration number is Z5015815 and can be viewed online in the public register at <http://www.ico.gov.uk/>

COMPLAINTS

Should you have any concerns about how your information is managed at the Practice, please contact the Practice Manager. If you are still unhappy following a review by the GP Practice, you can then complain to the Information Commissioner's Office (ICO) via their website (www.ico.gov.uk) Telephone: 0303 123 1113.

The Information Commissioner's Office is the Regulator for the General Data Processing Regulations and offer independent advice and guidance on the law and personal data, including your rights and how to access your personal information.

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 : <http://www.wales.nhs.uk/nhswalesaboutus/thecoreprinciplesofnhswales>
- 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>
- Our Data Protection Officer is Kate Faulkner-Elliott, kate.faulkner-elliott@taurushealthcare.co.uk