

SHAP MEDICAL PRACTICE

PRIVACY NOTICE AND LEAFLET

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

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 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 or elsewhere (e.g. NHS Hospital Trust, other GP Surgery, Out of Hours GP Centre, A&E, Walk-in clinic, etc.). These records help to provide you with the best possible healthcare:

- Records which we may hold about you may include the following:
- Details about you, such as your address and next of kin, emergency contacts, carers, and those you authorise to collect prescriptions (and other such items) on your behalf
- Your home telephone number, mobile phone number, email address
- Any contact the surgery has had with you, such as appointments, clinic visits, immunisations, emergency appointments, etc.
- Notes and reports about your health, 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, or information provided to the surgery by you (including that provided via our surgery website)

How we keep your information confidential and safe

All your GP NHS health records are kept electronically. Our GP records database is hosted by EMIS Health Ltd, who is acting as a data processor, and all information is stored on their secure servers in Leeds, is protected by appropriate security, and access is restricted to authorised personnel. We also make sure that 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 only email you, or use your mobile number to text you, regarding matters of medical care, such as appointment reminders and (if appropriate) test results. *Unless you have separately given us your explicit consent*, we will not email you for non-medical matters. We maintain our duty of confidentiality to you always. 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 information about you

Confidential patient data will be shared within the healthcare team at the practice, including nursing staff, admin staff, secretaries and receptionists, and with other healthcare professionals to whom a patient is referred. Those individuals have a professional and contractual duty of confidentiality.

Details of who is authorised to access your GP record can be found on our website, or in our “Your Medical Records” booklet in the surgery.

Referrals for specific health care purposes

We sometimes provide your information to other organisations for them to provide you with medical services. We will always inform you of such a referral and you always have the right not to be referred in this way. Below are examples of where we would refer you to:

- Referrals for home oxygen services
- Referrals for Diabetes dietary advice
- Referrals for Diabetes Eye Screening
- Referrals for Pre-diabetes advice

Data Sharing Schemes

A number of data sharing schemes are active locally, enabling healthcare professionals outside of the surgery to view information from your GP record, with your explicit consent, should that need arise. These schemes are as follows:

- The National Summary Care Record (SCR)
- EMIS Web data streaming (A&E, GP out of hours, PTHC, PCN)
- CHOC (GP out of hours)
- Aداstra Web Access (GP out of hours)
- NWAS (Ambulance service)
- Electronic Prescription Service*
- Eden Valley Primary Care Network including:
 - Wellbeing Co-ordinators, Virtual Pharmacist Ltd and First Contact Physiotherapy*
- Great North Care Record (Hospitals in the North East who are dealing with your care)*

*Details of these schemes, and of your right to opt-out of any or all of them, can be found on our website or in our “Your Medical Records” booklet in the Practice.

Mandatory disclosures of information

We are sometimes legally obliged to disclose information about patients to relevant authorities. In these circumstances the minimum identifiable information that is essential to serve that legal purpose will be disclosed.

That organisation will also have a professional and contractual duty of confidentiality. Data will be anonymised if at all possible before disclosure if this would serve the purpose for which the data is required.

Organisations that we are sometimes obliged to release information to include:

- NHS Digital (e.g. the National Diabetes Audit)
- CQC
- DVLA
- GMC
- HMRC
- NHS Counter Fraud
- Police
- The Courts
- Public Health England
- Local Authorities (Social Services)
- The Health Service Ombudsman

In the event of actual or possible legal proceedings, we may need to disclose information from an individual's GP record to a medical defence organisation.

Permissive disclosures of information

Only with your explicit consent can Shap Medical Practice release information about you, from your GP record, to relevant organisations. These may include:

- Your employer
- Insurance companies
- Solicitors
- Local Authorities
- Police

Accessing your information on other databases

Shap Medical Practice can access certain medical information about you, when relevant or necessary, that is held on other databases (i.e. under the control of another data controller). These include the Cumberland Infirmary pathology database and NHS Digital's Open Exeter database. Accessing such information would only be for your direct medical care.

Research

Shap Medical Practice occasionally undertakes accredited research projects. Where this involves accessing or disclosing identifiable patient information, we will only do so with the explicit consent

of the individual and Research Ethics Committee approval. Shap Medical Practice is not currently involved with other research projects such as the Clinical Practice Research Database (CPRD).

Your Data Rights

Your right to object to sharing of your information

You have the right to object to (or opt-out of) ways by which your information is shared, both for direct medical care purposes (such as the national NHS data sharing schemes), i.e. *primary uses* of your information, or for purposes other than your direct medical care – so-called *secondary uses*. You cannot object to some of the ways by which your information is disclosed.

Details of these purposes, and how you can object, can be found on our website or in our “Your Medical Records” booklet in the surgery.

Your right to rectification

You have the right to have any factual inaccuracies about you in your GP record corrected.

Accessing your own medical information

You have the right to access your own GP record. Details of how to do this can be found on our web site or in our “Your Medical Records” booklet in the surgery.

You can also sign up to have secure online access to your electronic GP record. Again, details of how to do this can be found on our website or in our “Your Medical Records” booklet in the surgery.

Your right to be informed

Shap Medical Practice provide fair processing information about all data processing activities concerning your medical records, by means of posters, booklets and detailed privacy notices.

Lawful bases for processing and the GDPR

Detailed information (individual privacy notices) about all our data processing activities, including lawful bases, can be found on our website, upon request from the surgery, or from the Data Protection Officer; Dr Margaret McCabe.

We rely upon Article 6(1)(e) Official Authority and Article 9(2)(h) Provision of Health for much of our processing, in particular:

- Maintaining your electronic GP record
- Sharing information from, or allowing access to, your GP record, for healthcare professionals involved in providing you with medical care
- Referrals for specific health care purposes
- The NHS data sharing schemes
- Our data processors

- Organising your prescriptions, including sending both paper and electronic prescriptions to your chosen pharmacy
- Some permissive disclosures of information
- Accessing your information on other NHS organisation databases

We rely upon Article 6(1)(d) Vital Interests and Article 9(2)(h) Provision of Health to share information about you with another healthcare professional in a medical emergency.

We rely upon Article 6(1)(c) Legal Obligation and Article 9(2)(h) Provision of Health for mandatory disclosures of information (such as to NHS Digital, CQC).

We rely upon Article 6(1)(a) Consent and Article 9(2)(h) Provision of Health for certain permissive disclosures of information (such as to insurance companies).

We rely upon Article 6(1)(e) Official Authority and Article 9(2)(j) Research for accredited research undertaken in the surgery, with your explicit consent.

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. We are registered as a data controller and our registration can be viewed here <https://ico.org.uk/ESDWebPages/Entry/Z6511926>

Complaints

If you have concerns or are unhappy about any of our services, please contact the Practice Manager. Details of how to complain are on our website, or available in surgery. For independent advice about data protection, privacy, and data sharing issues, you can contact:

The Information Commissioner
 Wycliffe House
 Water Lane
 Wilmslow
 Cheshire SK9 5AF
 Phone: 08456 30 60 60 Website: www.ico.gov.uk

Further Information

If you would like any further information about any aspect of NHS data sharing or your medical records, then please contact the Practice Manager.

Reviewed by:	Wendy Hancock	13/05/2022
	Wendy Hancock	24/05/2023