

# MILL ROAD SURGERY

## PATIENT PRIVACY NOTICE

### GENERAL DATA PROTECTION REGULATION AND PRIVACY STATEMENT

Data Protection law is currently changing, and the EU General Data Protection Regulation (GDPR) and Data Protection Act 2018 will replace the Data Protection Act (1995). The new regulations aim to make organisations more accountable for protecting the rights of individuals and for GP Practices the regulations apply to all types of data used and not just patient data. The GDPR identifies data concerning health as a special category of personal data.

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 that 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 recognising this we are under a legal duty to ensure any personal information held is processed according to the following principles: -

1. Lawfulness, fairness, and transparency
2. Purpose limited.
3. Data minimized.
4. Accurate
5. Storage is limited.
6. We are accountable for our actions.

We hold your personal data for one or more of the following reasons: -

1. for the purposes of preventative medicine and health care and treatment,
2. for reasons of public interests in the area of public health,
3. for research or statistical purposes

We may keep your information in either written form and/or in digital form. The records may include basic details about you, such as your name and address as well as they may also contain more sensitive information about your health and information such as outcomes of needs assessments.

Records we may hold about you include:

- Your age, contact details and next of kin
- Details of your appointments, clinic visits etc.
- Records about your health, illness, treatment, and care
- Results of investigations, like laboratory tests, x-rays, etc.
- Information from other health professionals.

## **HOW WE KEEP YOUR INFORMATION CONFIDENTIAL AND SAFE**

Everyone working within the NHS is subject to the Common Law Duty of Confidence and complies with the NHS Confidentiality Code of Conduct. 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.

All our staff 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.

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**

We primarily use information to enable our clinicians to better treat you and your healthcare. However, we also use your information to improve our services by:

- Reviewing the care, we provide through clinical audit
- Investigating patient queries, complaints, and legal claims
- Preparing statistics on NHS performance
- Auditing NHS accounts and services
- Undertaking health research and development (with your consent – you may choose whether or not to be involved)
- Training and educating healthcare professionals.

## **SHARING YOUR INFORMATION**

We share your personal information with other health professionals who are directly involved in your care.

We may need to share information from your health records with other non-NHS organisations, such as Social Services. However, we will not disclose any health information to third parties without your explicit consent to do so, unless there are exceptional circumstances, such as when the health and safety of others is at risk or where the law requires it.

These non-NHS organisations may include, but are not restricted to:

- Social Services
- Independent contractors such as dentists. Opticians, Pharmacies
- Education services
- Local authorities
- Police and judicial services
- Voluntary sector providers
- Private sector providers.
- Fire and rescue services.

You may choose not to share your confidential information with anyone who is not directly involved in your health/care – Patients can find out more and set their opt-out choice at [nhs.uk/your-nhs-data-matters](https://nhs.uk/your-nhs-data-matters).

### **SUMMARY CARE RECORD**

The NHS in England uses a national electronic record called the Summary Care Record (SCR) to support patient care. It contains key information from your GP record. Your SCR provides authorised healthcare staff with faster, secure access to essential information about you in an emergency or when you need unplanned care, where such information would otherwise be unavailable.

Summary Care Records are there to improve the safety and quality of your care. SCR core information comprises your allergies, adverse reactions, and medications. An SCR with additional information can also include reason for medication, vaccinations, significant diagnoses / problems, significant procedures, anticipatory care information and end of life care information. Additional information can only be added to your SCR with your agreement.

Please be aware that if you choose to opt-out of SCR, NHS healthcare staff caring for you outside of this surgery may not be aware of your current medications, allergies you suffer from and any bad reactions to medicines you have had, to treat you safely in an emergency. Your records will stay as they are now with information being shared by letter, email, fax, or phone. If you wish to opt-out of having an SCR, please let Reception staff know.

### **RISK STRATIFICATION**

Risk stratification is a process for pro-actively identifying and managing patients who are statistically at-risk of unplanned admission to hospital or likely to require additional healthcare input. Information about you is collected from a number of sources including NHS Trusts and GP Practices. A risk score is then arrived at through an analysis of your de-identified information using software managed by an agreed 3rd party provider and is then provided back to your GP practice. If necessary, we may be able to offer you additional services, following this risk stratification process.

Risk stratification is commissioned by the NHS Sheffield Clinical Commissioning Group (CCG). Section 251 of the NHS Act 2006 provides a statutory legal basis to process data for risk stratification purposes. Further information about risk stratification is available from:

<https://www.england.nhs.uk/ourwork/tsd/ig/risk-stratification/>

If you are registered with one of our practices and do not wish information about you to be included in the risk stratification programme, please let Reception staff know.

### **INDIVIDUAL FUNDING REQUEST**

An 'Individual Funding Request' is a request made on your behalf, with your consent, by a clinician, for funding of specialised healthcare which falls outside the range of services and treatments that Sheffield Clinical Commissioning Group has agreed to commission for the local population. An Individual Funding Request is taken under consideration when a case can be set out by a patient's clinician that there are exceptional clinical circumstances which

make the patient's case different from other patients with the same condition who are at the same stage of their disease, or when the request is for a treatment that is regarded as new or experimental and where there are no other similar patients who would benefit from this treatment. A detailed response, including the criteria considered in arriving at the decision, will be provided to the patient's clinician.

### **SUPPORTING MEDICINES MANAGEMENT**

Clinical Commissioning Group pharmacists work within GP practices to provide advice on medicines and prescribing queries, and review prescribing of medicines to ensure that it is safe and cost-effective. Where specialist support is required e.g. to order a drug that comes in solid form, in gas or liquid, the CCG medicines management team will order this on behalf of the practice to support your care.

### **CLINICAL AUDIT**

Information may be used for clinical audit to monitor the quality of the service provided. Some of this information may be held centrally and used for statistical purposes. Where we do this, we take strict measures to ensure that individual patients cannot be identified e.g. the National Diabetes Audit.

### **CLINICAL RESEARCH**

Sometimes your information may be requested to be used for research purposes. We will require your consent before releasing the information for this purpose.

### **FRAUD PREVENTION**

We may share information with other bodies responsible for auditing or administering public funds, to prevent and detect fraud.

### **SAFEGUARDING**

To ensure that adult and children's safeguarding matters are managed appropriately, access to identifiable information will be shared in some limited circumstances where it's legally required for the safety of the individuals concerned.

### **DATA RETENTION**

We will manage 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 YOUR INFORMATION**

Patients can apply to have on-line access to their medical record. Under the General Data Protection Regulation 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. Requests should be submitted to the Practice Manager, Angi Hartley.

## **YOUR RIGHT TO WITHDRAW CONSENT FOR US TO SHARE YOUR PERSONAL INFORMATION**

At any time, you have the right to refuse/withdraw consent to information sharing. If you wish to have your information withheld, please let Reception staff know.

## **MOBILE TELEPHONE NUMBER**

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.

## **FURTHER INFORMATION**

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

## **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>

## **RESPONSIBLE INDIVIDUALS**

The following individuals are our named leads for information handling.

- Senior Information Responsible Officer: Dr David Warwicker, GP partner.
- Caldicott Guardian and Information Governance Lead: Dr David Warwicker, GP partner.

Data Protection Officer: External Data Protection Officer (DPO) Service Management is provided by Locala Community Partnerships CIC. All initial contact should be made via the practice manager, Keren Cheverton

## **NOTIFICATION**

The GDPR 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](http://www.ico.org.uk). The practice is registered with the Information Commissioners Office (ICO).

### **OBJECTIONS/COMPLAINTS**

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

If you are happy for your data to be extracted and used for the purposes described in this privacy notice, then you do not need to do anything. If you have any concerns about how your data is shared, then please contact the practice.