



General Data Protection Regulation (GDPR) and Privacy Policies

Part 1: GDPR - Explanation of your rights

What is GDPR?

General Data Protection Regulations (GDPR) is a piece of legislation that superseded the Data Protection Act 1998 on Friday 25th May 2018 and covers anywhere in the world in which data about EU Citizens is processed.

GDPR is similar to the Data Protection Act (DPA) 1998, which the practice already complies with, but strengthens many of the DPA's principles. The main changes are:

- Practices must comply with subject access requests.
- Where we need your consent to process data, this consent must be freely given, specific, informed and unambiguous.
- There are new, special protections for patient data.
- The Information Commissioner's Office must be notified within 72 hours of a data breach.
- Higher fines for data breaches

What does this mean for you?

The GDPR sets out the key principles about processing personal data for staff and patients;

- Data must be processed lawfully, fairly and transparently.
- It must be collected for specific, explicit and legitimate purposes.
- It must be limited to what is necessary for the purposes for which it is processed.
- The information must be accurate and kept up to date.
- Data must be held securely.
- It can only be retained for as long as is necessary for the reasons it was collected.

There are also stronger rights for patients regarding the information that practices hold about them. These include;

- Being informed about how their data is used.
- Patients to have access to their own data.
- Patients can ask to have incorrect information changed.
- Restrict how their data is used.
- Move their patient data from one health organisation to another.
- The right to object their patient information being processed (in certain circumstances).

We will use your data to:

- Book/cancel appointments
- Appointment reminders



- Direct contact to discuss treatment and appointments
- Referrals to hospitals/specialists with your consent

What is 'Patient Data'?

Patient data is information that relates to a single person, such as his/her diagnosis, name, age, earlier medical history etc.

What is 'Consent'?

Consent is permission from a patient and is defined as "any freely given specific and informed indication of their wishes by which the data subject signifies their agreement to personal data relating to them being processed."

The changes in GDPR mean that we must get explicit permission from patients when using their data in order to protect your right to privacy. We may ask you to provide consent to do certain things, like contact you or record certain information about you for your clinical records.

Individuals also have the right to withdraw their consent at any time.

More details can be found by [visiting the ICO website](#).

How We Use Your Information

Privacy Notice

This Privacy Notice (or 'Fair Processing Notice') explains why we as a Practice collect information about our patients, what information we collect and how we use that information.

Recently the Data Protection Act 1998 was updated to the Data Protection Act 2018 and joined by new regulations on data protection and fair processing called the General Data Protection Regulation (GDPR) which came into effect on 25th May 2018.

This GP Practice (we) 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:

- 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

All GP surgeries in England are data controllers and data processors. Therefore, we have fair processing responsibilities under the **Data Protection Act 1998/2018**. In practice, this means ensuring that your personal confidential data (PCD) is handled clearly and transparently, and in a reasonably expected way. It means a practice must:

- Have legitimate reasons for the use or collection of personal data.

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- 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.

How your Personal Information is Used

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. For example, a hospital consultant may write to us as your GP.

NHS health records may be processed electronically, on paper or a mixture of both; 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, carers, legal representatives, emergency contact details and next of kin etc.
- Any contact the practice has had with you, including appointments (emergency or scheduled), clinic visits, telephone calls 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

Your records are used to ensure that you receive the best possible care. 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

Some of this information will be held centrally and used for statistical purposes. Where we hold data centrally, we take strict and secure measures to ensure that individual patients cannot be identified.

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.

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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

If you provide us with your mobile phone number, we may use this to send you reminders about any appointments or other health screening information being carried out. This may be by telephone call or SMS text messaging. Please contact the reception if you wish to 'opt-out' of this service and this information will be added to your records.

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.

CCTV recording

CCTV is installed on our practice premises covering both the external area of the building and the internal area excluding consulting rooms. Images are held to improve the personal security of patients and staff whilst on the premises, and for the prevention and detection of crime. The images are recorded onto an integral hard drive of the equipment and are overwritten on a rolling basis. Viewing of these digital images is password protected and controlled by the Practice Manager.

Telephone system

Our telephone system records all telephone calls. Recordings are retained for up to three years, and are used periodically for the purposes of seeking clarification where there is a dispute as to what was said and for staff training. Access to these recordings is restricted to named senior staff.

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 Integrated Care Board 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.



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 Data Protection Act 1998 (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 and contractors 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 has 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/Foundation Trusts
- GP Walk-in Centres and GP surgeries
- Accident and Emergency (A&E) and Urgent Care Centres
- Specialist Trusts
- NHS Commissioning Support Units
- Independent Contractors such as dentists, opticians, pharmacists
- Private Sector Providers
- Voluntary Sector Providers
- Ambulance Trusts
- Clinical Commissioning Groups
- NHS Digital (formerly HSCIC)
- Social Care Services
- Local Authorities
- Education Services
- Fire and Rescue Services
- Police and Judicial Services
- Voluntary Sector Providers
- Private Sector Providers
- Other 'data processors' which you will be informed of

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

We may also use external companies to process personal information, such as for archiving purposes. These companies are bound by contractual agreements to ensure information is kept confidential and secure.



Access to Personal Information (Subject Access Requests)

You have a right under the **Data Protection Act 1998/2018** and General Data Protection Regulation (GDPR) to request access to view information or obtain copies of the 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 you would like to make a 'subject access request', you may contact the Practice Manager in writing. For information solely related to the hospital you should write directly to them. Requests can be made by other means, including verbal requests if appropriate however you will likely be contacted by a member of our team to confirm the details relating to the request.
- The Practice has the right enquire as to what (the amount, date range or specific details) information you are requesting, and to act accordingly to transfer the data to you. The Practice has the right to reject your request if it is seen to be excessive. An example of where we may reject a request is that you request full copies of your records and the following month, you request the same information to be transferred into your care.
- You have the right to sign up for an online **Patient Access** account, and request that the Practice change the default settings on its clinical system, to enable you to view the information we hold about you in an electronic format. If you don't have an online / Patient services account, or want more information on what a Patient services account is, please visit reception.

The information will be provided free of charge within one month however, the practice may charge a reasonable fee to comply with requests for further copies of the same information or if it felt that the requests are manifestly unfounded or excessive.

Any changes to this notice will be published on our website or available from reception.

The practice is registered as a data controller under the Data Protection Act 1998. You can find your practice registration details by entering this Practice's details into the following Information Commissioner's Office (ICO).

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](#)
- [The NHS Constitution](#)
- [NHS Digital's Guide to Confidentiality in Health & Social Care](#) gives more information on the rules around information sharing

An independent review of information about patients is shared across the health and care system led by Dame Fiona Caldicott was conducted in 2012. The report, **Information: To share or not to share? The Information Governance Review**, can be found via the [Government website](#).

[NHS England – Better Data, Informed Commissioning, Driving Improved Outcomes: Clinical Data Sets](#) provides further information about the data flowing within the NHS to support commissioning.

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Please visit the [NHS Digital website](#) for further information about their work. Information about their responsibility for collecting data from across the health and social care system can be found.

The Information Commissioner's Office is the Regulator for the Data Protection Act 1998 and offer independent advice and guidance on the law and personal data, including your rights and how to access your personal information. For further information [please see here](#).



PART 2: How the Chapelgreen Practice and the NHS and care services use your information

Chapelgreen Practice is one of many organisations working in the health and care system to improve care for patients and the public.

Whenever you use a health or care service, such as attending Accident & Emergency or using Community Care services, important information about you is collected in a patient record for that service. Collecting this information helps to ensure you get the best possible care and treatment.

The information collected about you when you use these services can also be used and provided to other organisations for purposes beyond your individual care, for instance to help with:

- improving the quality and standards of care provided
- research into the development of new treatments
- preventing illness and diseases
- monitoring safety
- planning services

This may only take place when there is a clear legal basis to use this information. All these uses help to provide better health and care for you, your family and future generations. Confidential patient information about your health and care is **only used** like this where allowed by law.

Most of the time, anonymous data is used for research and planning so that you cannot be identified in which case your confidential patient information isn't needed.

You have a choice about whether you want your confidential patient information to be used in this way. If you are happy with this use of information you do not need to do anything. If you do choose to opt out your confidential patient information will still be used to support your individual care.

To find out more or to register your choice to opt out, please visit www.nhs.uk/your-nhs-data-matters. On this web page you will:

- See what is meant by confidential patient information
- Find examples of when confidential patient information is used for individual care and examples of when it is used for purposes beyond individual care
- Find out more about the benefits of sharing data
- Understand more about who uses the data
- Find out how your data is protected
- Be able to access the system to view, set or change your opt-out setting
- Find the contact telephone number if you want to know any more or to set/change your opt-out by phone
- See the situations where the opt-out will not apply

You can also find out more about how patient information is used at:

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www.hra.nhs.uk/information-about-patients/ (which covers health and care research); and

understandingpatientdata.org.uk/what-you-need-know (which covers how and why patient information is used, the safeguards and how decisions are made)

You can change your mind about your choice at any time.

Data being used or shared for purposes beyond individual care does not include your data being shared with insurance companies or used for marketing purposes and data would only be used in this way with your specific agreement.

From 2020 Health and care organisations must have systems and processes in place to be compliant with the national data opt-out and apply your choice to any confidential patient information they use or share for purposes beyond your individual care. Our organisation is currently compliant with the national data opt-out policy.

How Chapelgreen Practice uses your information to provide you with healthcare

This practice keeps medical records confidential and complies with the General Data Protection Regulation.

We hold your medical record so that we can provide you with safe care and treatment.

We will also use your information so that this practice can check and review the quality of the care we provide. This helps us to improve our services to you.

We will share relevant information from your medical record with other health or social care staff or organisations when they provide you with care. For example, your GP will share information when they refer you to a specialist in a hospital. Or your GP will send details about your prescription to your chosen pharmacy.

For more information on how we share your information with organisations who are directly involved in your care can be found with in practice.

Healthcare staff working in A&E and out of hours care will also have access to your information. For example, it is important that staff who are treating you in an emergency know if you have any allergic reactions. This will involve the use of your Summary Care Record. For more information see: digital.nhs.uk/summary-care-records or alternatively speak to your practice.

You have the right to object to information being shared for your own care. Please speak to the practice if you wish to object. You also have the right to have any mistakes or errors corrected.

Other important information about how your information is used to provide you with healthcare

Registering for NHS care

- All patients who receive NHS care are registered on a national database.
- This database holds your name, address, date of birth and NHS Number but it does not hold information about the care you receive.

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- The database is held by NHS Digital a national organisation which has legal responsibilities to collect NHS data.
- More information can be found at: digital.nhs.uk/home or the phone number for general enquires at NHS Digital is 0300 303 5678

Identifying patients who might be at risk of certain diseases

- Your medical records will be searched by a computer programme so that we can identify patients who might be at high risk from certain diseases such as heart disease or unplanned admissions to hospital.
- This means we can offer patients additional care or support as early as possible.
- This process will involve linking information from your GP record with information from other health or social care services you have used.
- Information which identifies you will only be seen by this practice.
- More information at the practice.

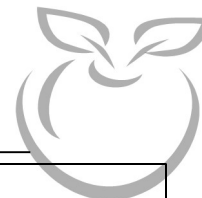
Safeguarding

- Sometimes we need to share information so that other people, including healthcare staff, children or others with safeguarding needs, are protected from risk of harm.
- These circumstances are rare.
- We do not need your consent or agreement to do this.

We are required by law to provide you with the following information about how we handle your information.

| | |
|-----------------------------|--|
| Data Controller | Dr Sujith Abraham |
| Data Protection officer | Mrs Jemma Dawson |
| Purpose of the processing | <ul style="list-style-type: none"> • To give direct health or social care to individual patients. For example, when a patient agrees to a referral for direct care, such as to a hospital, relevant information about the patient will be shared with the other healthcare staff to enable them to give appropriate advice, investigations, treatments and/or care. • To check and review the quality of care. (This is called audit and clinical governance). |
| Lawful basis for processing | <p>These purposes are supported under the following sections of the GDPR:</p> <p>Article 6(1)(e) ‘...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...’; and</p> |

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| | <p>Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...’</p> <p>Healthcare staff will also respect and comply with their obligations under the common law duty of confidence.</p> |
| <p>Recipient or categories of recipients of the processed data</p> | <p>The data will be shared with:</p> <ul style="list-style-type: none"> • healthcare professionals and staff in this practice; • local hospitals; • out of hours services; • diagnostic and treatment centres; • or other organisations involved in the provision of direct care to individual patients. |
| <p>Rights to object</p> | <ul style="list-style-type: none"> • You have the right to object to information being shared between those who are providing you with direct care. • This may affect the care you receive – please speak to the practice. • You are not able to object to your name, address and other demographic information being sent to NHS Digital. • This is necessary if you wish to be registered to receive NHS care. • You are not able to object when information is legitimately shared for safeguarding reasons. • In appropriate circumstances it is a legal and professional requirement to share information for safeguarding reasons. This is to protect people from harm. The information will be shared with the local safeguarding service |
| <p>Rights to access and correct</p> | <p>You have the right to access your medical record and have any errors or mistakes corrected. Please speak to a member of staff or look at our ‘subject access request’ policy on the practice website</p> <p>We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view.</p> |
| <p>Retention Period</p> | <p>GP medical records will be kept in line with the law and national guidance. Information on how long records are kept can be found at: digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</p> <p>or speak to the practice.</p> |

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| Right to complain | You have the right to complain to the Information Commissioner's Office. If you wish to complain follow this link ico.org.uk/global/contact-us/ or call the helpline 0303 123 1113 |
| Data we get from other organisations | We receive information about your health from other organisations who are involved in providing you with health and social care. For example, if you go to hospital for treatment or an operation the hospital will send us a letter to let us know what happens. This means your GP medical record is kept up-to date when you receive care from other parts of the health service. |
| <p>How your information is shared so that this practice can meet legal requirements</p> <p>The law requires Chapelgreen Practice to share information from your medical records in certain circumstances. Information is shared so that the NHS or Public Health England can, for example:</p> <ul style="list-style-type: none"> • plan and manage services; • check that the care being provided is safe; • prevent infectious diseases from spreading. <p>We will share information with NHS Digital, the Care Quality Commission and local health protection team (or Public Health England) when the law requires us to do so. Please see below for more information.</p> <p>We must also share your information if a court of law orders us to do so.</p> | |
| <p>NHS Digital</p> <p>NHS Digital is a national body which has legal responsibilities to collect information about health and social care services.</p> <ul style="list-style-type: none"> • It collects information from across the NHS in England and provides reports on how the NHS is performing. These reports help to plan and improve services to patients. • This practice must comply with the law and will send data to NHS Digital, for example, when it is told to do so by the Secretary of State for Health or NHS England under the Health and Social Care Act 2012. • More information about NHS Digital and how it uses information can be found at: • digital.nhs.uk/home <p>NHS Digital sometimes shares names and addresses of patients suspected of committing immigration offences with the Home Office. More information on this can be found here: www.gov.uk/government/publications/information-requests-from-the-home-office-to-nhs-digital</p> | |
| <p>Care Quality Commission (CQC)</p> <ul style="list-style-type: none"> • The CQC regulates health and social care services to ensure that safe care is provided. • The law says that we must report certain serious events to the CQC, for example, when patient safety has been put at risk. • For more information about the CQC see: www.cqc.org.uk/ | |
| <p>Public Health</p> <ul style="list-style-type: none"> • The law requires us to share data for public health reasons, for example to prevent the spread of infectious diseases or other diseases which threaten the health of the population. | |

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- We will report the relevant information to local health protection team or Public Health England.
- For more information about Public Health England and disease reporting see: www.gov.uk/guidance/notifiable-diseases-and-causative-organisms-how-to-report

Rights to object and the national data opt-out

There are very limited rights to object when the law requires information to be shared but government policy allows some rights of objection as set out below.
NHS Digital

You have the right to object to information being shared with NHS Digital for reasons other than your own direct care.

This is called a 'Type 1' objection – you can ask your practice to apply this code to your record.

Please note: The 'Type 1' objection, however, will no longer be available after 2020.

This means you will not be able to object to your data being shared with NHS Digital when it is legally required under the Health and Social Care Act 2012.

NHS Digital sharing with the Home Office

There is no right of objection to NHS Digital sharing names and addresses of patients who are suspected of having committed an immigration offence.

Public health

Legally information must be shared under public health legislation. This means that you are unable to object.

Care Quality Commission

Legally information must be shared when the Care Quality Commission needs it for their regulatory functions. This means that you are unable to object.

Court order

Your information must be shared if it ordered by a court. This means that you are unable to object.

Where Chapelgreen Practice uses your information for national screening programmes

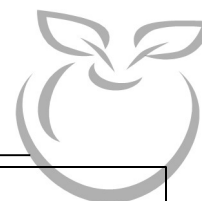
National screening programmes

- The NHS provides national screening programmes so that certain diseases can be detected at an early stage.
- These screening programmes include bowel cancer, breast cancer, cervical cancer, aortic aneurysms and a diabetic eye screening service.
- The law allows us to share your contact information with Public Health England so that you can be invited to the relevant screening programme.
- More information can be found at: www.gov.uk/topic/population-screening-programmes or speak to the practice.

We are required by law to provide you with the following information about how we handle your information in relation to our legal obligations to share data.

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| Data Controller | |
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| Data Protection officer | |
| Purpose of the processing | <ul style="list-style-type: none"> To give direct health or social care to individual patients. For example, when a patient agrees to a referral for direct care, such as to a hospital, relevant information about the patient will be shared with the other healthcare staff to enable them to give appropriate advice, investigations, treatments and/or care. To check and review the quality of care. (This is called audit and clinical governance). |
| Lawful basis for processing | <p>These purposes are supported under the following sections of the GDPR:</p> <p>Article 6(1)(e) ‘...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...’; and</p> <p>Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...’</p> <p>Healthcare staff will also respect and comply with their obligations under the common law duty of confidence.</p> |
| Recipient or categories of recipients of the processed data | The data will be shared with National Health Screening Service |
| Rights to object | <p>For national screening programmes: you can opt so that you no longer receive an invitation to a screening programme. See: www.gov.uk/government/publications/opting-out-of-the-nhs-population-screening-programmes</p> <p>Or speak to a member of staff</p> |
| Rights to access and correct | <p>You have the right to access your medical record and have any errors or mistakes corrected. Please speak to a member of staff or look at our ‘subject access request’ policy on the practice website</p> <p>We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view.</p> |
| Retention Period | GP medical records will be kept in line with the law and national guidance. Information on how long records are kept can be found |

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| | <p>at: digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</p> <p>or speak to a member of practice staff.</p> |
| Right to complain | <p>You have the right to complain to the Information Commissioner's Office. If you wish to complain follow this link ico.org.uk/global/contact-us/ or call the helpline 0303 123 1113</p> |
| Data we get from other organisations | <p>We receive information about your health from other organisations who are involved in providing you with health and social care. For example, if you go to hospital for treatment or an operation the hospital will send us a letter to let us know what happens. This means your GP medical record is kept up-to date when you receive care from other parts of the health service.</p> |

How your information is used for medical research and to measure the quality of care

Medical research

Chapelgreen Practice shares information from medical records:

to support medical research when the law allows us to do so, for example to learn more about why people get ill and what treatments might work best;
we will also use your medical records to carry out research within the practice.
This is important because:

- the use of information from GP medical records is very useful in developing new treatments and medicines;
- medical researchers use information from medical records to help answer important questions about illnesses and disease so that improvements can be made to the care and treatment patients receive.

We share information with the following medical research organisations with your explicit consent or when the law allows.

You have the right to object to your identifiable information being used or shared for medical research purposes. Please speak to the practice if you wish to object

Checking the quality of care – national clinical audits

Chapelgreen Practice contributes to national clinical audits so that healthcare can be checked and reviewed.

- Information from medical records can help doctors and other healthcare workers measure and check the quality of care which is provided to you.
- The results of the checks or audits can show where hospitals are doing well and where they need to improve.

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- The results of the checks or audits are used to recommend improvements to patient care.
- Data are sent to NHS Digital a national body with legal responsibilities to collect data.
- The data will include information about you, such as your NHS Number and date of birth and information about your health which is recorded in coded form – for example the code for diabetes or high blood pressure.
- We will only share your information for national clinical audits or checking purposes when the law allows.
- For more information about national clinical audits see the Healthcare Quality Improvements Partnership website: www.hqip.org.uk/ or phone 020 7997 7370.
- You have the right to object to your identifiable information being shared for national clinical audits. Please contact the practice if you wish to object.

We are required by law to provide you with the following information about how we share your information for medical research purpose

| | |
|-----------------------------|---|
| Data Controller | |
| Data Protection officer | |
| Purpose of the processing | <ul style="list-style-type: none"> • To give direct health or social care to individual patients. For example, when a patient agrees to a referral for direct care, such as to a hospital, relevant information about the patient will be shared with the other healthcare staff to enable them to give appropriate advice, investigations, treatments and/or care. • To check and review the quality of care. (This is called audit and clinical governance). |
| Lawful basis for processing | <p>These purposes are supported under the following sections of the GDPR:</p> <p>Article 6(1)(e) ‘...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...’; and</p> <p>Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...’</p> <p>Healthcare staff will also respect and comply with their obligations under the common law duty of confidence.</p> |
| Recipient or categories of | For medical research the data will be shared with the patients full consent. |

Chapelgreen Practice



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| recipients of the processed data | For national clinical audits which check the quality of care the data will be shared with NHS Digital. |
| Rights to object | For national screening programmes: you can opt so that you no longer receive an invitation to a screening programme. See: www.gov.uk/government/publications/opting-out-of-the-nhs-population-screening-programmes Or speak to a member of staff |
| Rights to access and correct | You have the right to access your medical record and have any errors or mistakes corrected. Please speak to a member of staff or look at our 'subject access request' policy on the practice website We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view. |
| Retention Period | GP medical records will be kept in line with the law and national guidance. Information on how long records are kept can be found at: digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016 or speak to a member of practice staff. |
| Right to complain | You have the right to complain to the Information Commissioner's Office. If you wish to complain follow this link ico.org.uk/global/contact-us/ or call the helpline 0303 123 1113 |

COVID-19 Direction

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| <p>Our legal basis for sharing data with NHS Digital</p> <p>NHS Digital has been legally directed to collect and analyse patient data from all GP practices in England to support the coronavirus response for the duration of an outbreak. NHS Digital will become the controller under the General Data Protection Regulation 2016 (GDPR) of the personal data collected and analysed jointly with the Secretary of State for Health and Social Care, who has directed NHS Digital to collect and analyse this data under the COVID-19 Public Health Directions 2020 (COVID-19 Direction).</p> <p>All GP practices in England are legally required to share data with NHS Digital for this purpose under the Health and Social Care Act 2012 (2012 Act). More information about this requirement is contained in the data provision notice issued by NHS Digital to GP practices.</p> <p>Under GDPR our legal basis for sharing this personal data with NHS Digital is Article 6(1)(c) – legal obligation. Our legal basis for sharing personal data relating to health, is</p> |
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Article 9(2)(g) – substantial public interest, for the purposes of NHS Digital exercising its statutory functions under the COVID-19 Direction.

The type of personal data we are sharing with NHS Digital

The data being shared with NHS Digital will include information about patients who are currently registered with a GP practice or who have a date of death on or after 1 November 2019 whose record contains coded information relevant to coronavirus planning and research. The data contains NHS Number, postcode, address, surname, forename, sex, ethnicity, date of birth and date of death for those patients. It will also include coded health data which is held in your GP record such as details of:

- diagnoses and findings
- medications and other prescribed items
- investigations, tests and results
- treatments and outcomes
- vaccinations and immunisations

NHS Digital will analyse the data they collect and securely and lawfully share data with other appropriate organisations, including health and care organisations, bodies engaged in disease surveillance and research organisations for coronavirus response purposes only. These purposes include protecting public health, planning and providing health, social care and public services, identifying coronavirus trends and risks to public health, monitoring and managing the outbreak and carrying out of vital coronavirus research and clinical trials. The British Medical Association, the Royal College of General Practitioners and the National Data Guardian are all supportive of this initiative.

NHS Digital has various legal powers to share data for purposes relating to the coronavirus response. It is also required to share data in certain circumstances set out in the COVID-19 Direction and to share confidential patient information to support the response under a legal notice issued to it by the Secretary of State under the Health Service (Control of Patient Information) Regulations 2002 (COPI Regulations).

Legal Notices under the COPI Regulations have also been issued to other health and social care organisations requiring those organisations to process and share confidential patient information to respond to the coronavirus outbreak. Any information used or shared during the outbreak under these legal notices or the COPI Regulations will be limited to the period of the outbreak unless there is another legal basis for organisations to continue to use the information.

Data which is shared by NHS Digital will be subject to robust rules relating to privacy, security and confidentiality and only the minimum amount of data necessary to achieve the coronavirus purpose will be shared. Organisations using your data will also need to have a clear legal basis to do so and will enter into a data sharing agreement with NHS Digital. Information about the data that NHS Digital shares, including who with and for what purpose will be published in the NHS Digital data release register.

For more information about how NHS Digital will use your data please see the NHS Digital Transparency Notice for GP Data for Pandemic Planning and Research (COVID-19).

National Data Opt-Out

The application of the National Data Opt-Out to information shared by NHS Digital will be considered on a case by case basis and may or may not apply depending on the specific purposes for which the data is to be used. This is because during this period of emergency, the National Data Opt-Out will not generally apply where data is used to

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support the coronavirus outbreak, due to the public interest and legal requirements to share information.

Your rights over your personal data

To read more about the health and care information NHS Digital collects, its legal basis for collecting this information and what choices and rights you have in relation to the processing by NHS Digital of your personal data, see:

- the NHS Digital GPES Data for Pandemic Planning and Research (COVID-19) Transparency Notice
- the NHS Digital Coronavirus (COVID-19) Response Transparency Notice
- the NHS Digital General Transparency Notice
- how NHS Digital looks after your health and care information