

# Privacy Notice

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## Fair Processing Notice

### Privacy Notice – How we use your information

This fair processing notice explains why Ambrose Avenue Group Practice (AAGP) collects information about you and how that information may be used.

How do we maintain the confidentiality of your records?

AAGP 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:

- UK General Data Protection Regulation and the Data Protection Act 2018
- Human Rights Act 1998
- Common Law Duty of Confidentiality
- Health and Social Care Act 2012
- NHS Codes of Confidentiality and Information Security Information:

We collect and hold data for the sole purpose of providing healthcare services to our patients and we will ensure that the data is kept confidential. Confidentiality is an important duty, but it is not absolute. We can disclose personal information if:

- (a) it is required by law
- (b) the patient consents – either implicitly for the sake of their own care or expressly for other purposes
- (c) it is justified in the public interest.

Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential. 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 3rd party without your permission unless there are exceptional circumstances (i.e. life or death situations), where the law requires information to be passed on and / or in accordance with the new information sharing principle following Dame Fiona's Caldicott information sharing review (Information to share or not to share) where "*The duty to share information can be as important as the duty to protect patient confidentiality.*" This means that health and social care professionals should have the confidence to share information in the best interests of their patients within the framework set out by the Caldicott principles. They should be supported by the policies of their employers, regulators and professional bodies.

## 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 (e.g. NHS Hospital, GP Surgery, Walk-in clinic, etc.). These records help to provide you with the best possible healthcare.

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. Records which AAGP may hold about you may include the following information: -

- Records which this GP Practice hold about you may include the following information;
- Details about you, such as your address, legal representative, emergency contact details
- 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
- 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 about you.

## How we use your Information

Under the powers of the Health and Social Care Act 2012 (HSCA) the Health and Social Care Information Centre (HSCIC) can require Personal Confidential Data (PCD) from GP Practices without seeking patient consent. 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. For example, your GP will share information when they refer you to a specialist in hospital or your GP will send details about your prescription to your chosen pharmacy.

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.

**Care Quality Commission (CQC)** - 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: <http://www.cqc.org.uk/>

**Public Health** - 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. We will report the relevant information to local health protection team or Public Health England.

**Clinical audit** – information may be used for 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 make sure that individual patient records cannot be identified, e.g. the National Diabetes Audit.

**Clinical Research** - Sometimes your information may be requested to be used for research purposes – the surgery will always gain your consent before releasing the information for this purpose.

### **Your Data Matters**

Information about your health and care helps us to improve your individual care, speed up diagnosis, plan your local services and research new treatments. In May 2018, the strict rules about how this data can and cannot be used were strengthened. The NHS is committed to keeping patient information safe and always being clear about how it is used.

The **National Data Opt-Out programme** is a service that allows patients to opt out of their confidential patient information being used for research and planning.

Patients can view or change their national data opt-out choice at any time by using the online service at [www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters).

**Summary Care Record** – There is a new Central NHS Computer System called the Summary Care Record (SCR). It is an electronic record which contains information about the medicines you take, allergies you suffer from and any bad reactions to medicines you have had.

Storing information in one place makes it easier for healthcare staff to treat you in an emergency, or when your GP practice is closed. This information could make a difference to how a doctor decides to care for you, for example which medicines they choose to prescribe for you. Only healthcare staff involved in your care can see your Summary Care Record. It is not compulsory to have a summary care record. If you choose to opt out of the scheme, then you will need to complete a form and bring it along to the surgery. You can use the form at the foot of this page.

For further information visit the [NHS Care records website](http://www.nhs.uk/your-nhs-data-matters) or the [HSCIC Website](http://www.hscic.gov.uk)

**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 would not like your mobile number used for this purpose. Including Mjog, Accurx, Anima and other platforms for text messaging service for services ie flu campaign etc

**Our Practice Website** - Our website does not use cookies to track your activity online but the "Remember these details" feature on our on-line prescription form uses first party cookies on your computer to store your information. This information is only used to remember your details and is never passed to any third party. Cookies must be enabled in your browser for this feature to work. Using this feature means you agree to the use of cookies as required by EU Data Protection Directive 95/46/EC

**NHS Health Checks** – all 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 and only contact details would be securely transferred to a data processor (if that method was employed). You may be given the chance to attend your health check either within the practice or at a community venue. If your health check is at a community venue all data collected will be securely transferred back into the practice system and nobody outside the healthcare team in the practice will see confidential information about you during this process.

**Risk Stratification** - risk stratification data tools are increasingly being used in the NHS to help determine a person's risk of suffering a condition, preventing an unplanned or (re)admission and identifying a need for preventive intervention. Information about you is collected from several sources including NHS Trusts and from this GP Practice. A risk score is then arrived at through an analysis of your de-identified information using software and is only provided back to your GP as data controller 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.

**Individual Funding Request** – An 'Individual Funding Request' is a request made on behalf of a patient, by a clinician, for funding of specialised healthcare which falls outside the range of services and treatments that NHS Suffolk and North East Essex Integrated Care Board (ICB) has agreed to commission for the local community. 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.

**Invoice validation** - Invoice validation is an important process. It involves using your NHS number to check that the ICB that is responsible for paying for your treatment. We can also use your NHS number to check whether your care has been funded through specialist commissioning, which NHS England will pay for. The process makes sure that the organisations providing your care are paid correctly.

**NHS Digital** - NHS Digital is a national body which has legal responsibilities to collect information about health and social care services. 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 surgery 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.

The General Practice Extraction Service (GPES) collects information for a wide range of purposes, including providing GP payments. It works with the Calculating Quality Reporting Service (CQRS) and GP clinical systems as part of the GP Collections service. Find out more [General Practice Extraction Service - NHS Digital](#).

### **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
- GPs
- NHS Commissioning Support Units
- Independent Contractors such as dentists, opticians, pharmacists
- Private Sector Providers
- Voluntary Sector Providers

- Ambulance Trusts
- Integrated Care Boards
- Social Care Services
- Health and Social Care Information Centre (HSCIC)
- Local Authorities
- Education Services
- Fire and Rescue Services
- Police & Judicial Services
- Voluntary Sector Providers
- Private Sector Providers
- Other 'data processors' which you will be informed of.

We will keep you informed of how your data is used through this privacy notice, however please note that there may be times when we may not notify you such as for the prevention and detection of crime, safeguarding purposes, or as requested by a Court Order. We will only do this when the law requires us to do so.

### **Primary Care Network**

We are a member of Abbeyfield Primary Care Networks (PCNs). This means we will be working closely with a number of other Practices and health and care organisations to provide healthcare services to you.

During the course of our work we may share your information with these Practices and health care organisations/professionals. We will only share this information where it relates to your direct healthcare needs.

When we do this, we will always ensure that appropriate agreements are in place to protect your information and keep it safe and secure. This is also what the Law requires us to do.

If you would like to see the information the PCN holds about you please contact the Practice Manager. See also your rights as a patient listed below.

### **Multi-disciplinary Meetings**

Multidisciplinary teams (MDTs) are teams of professionals from different disciplines in primary, community, social care and mental-health services who work together to plan a patient's care.

### **Social Prescribing**

Social Prescribing enables GPs, nurses and other primary care professionals to refer people to a range of local, non-clinical services. NHS England describes social prescribing as "enabling all local agencies to refer people to a link worker". Link workers - known locally as Community Connectors - give people time and focus on what matters to the person. They connect people to community groups and agencies for practical and emotional support. If you have an appointment with a Community Connector, only limited information would be passed on. There are agreements in place to protect your data.

### **Diabetic Eye Screening**

The Diabetic Eye Screening Programme in this area is provided by Health Intelligence after they were awarded the contract by NHS England Midlands and East to continue provision of the service from 1 April 2016. All patients aged 12 and over, with a diagnosis of diabetes will be referred by their GP surgery to the diabetic eye screening programme. You can find more information about this service as [www.eadesp.co.uk](http://www.eadesp.co.uk)

## Access to personal information

You have a right under the UK General Data Protection Regulation and the Data Protection Act 2018 to request access to view or to obtain copies of what information the surgery holds about you and to have it amended should it be inaccurate. This is known as 'the right of subject accesses'. In order to request this, you need to do the following:

- Your request can be made in writing to the GP - for information from the hospital you should write directly to them
- Unless an exemption applies, we will provide you with the information requested free of charge
- We are required to respond to you within one calendar month
- You will need to give adequate information (for example full name, address, date of birth, NHS number and details of your request) so that your identity can be verified, and your records located.

You also have the rights related to erasure, the right to restrict processing, the right to data portability, the right to object and the right related to automated decision making and profiling. If you wish to exercise any of your rights, you can make contact with the practice.

## Objections / Complaints

Should you have any concerns about how your information is managed at the practice, please contact the Practice Manager who will forward your concerns to the Information Governance Manager to investigate. If you remain unhappy following a review by the Information Governance Manager, you can then complain to the Information Commissioners Office (ICO) via their website <https://ico.org.uk/make-a-complaint/>.

If you **do not want** your personal data being extracted and leaving the GP practice for any of the purposes described, you need to let us know as soon as possible. We will then enter clinical codes into your records that will prevent data leaving the practice and / or leaving the central information system at the Health and Social Care Information Centre (HSCIC) for use by secondary providers.

Any patient can choose to withdraw their consent to their data being used in this way. When the AAGP 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 must do to 'opt-out' of each new scheme.

A patient can also object to his/her personal information being shared with other health care providers but if this limits the treatment that that patient can receive then the doctor will explain this to them at the time.

## 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 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 Regulation 2018 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 partnership is registered with the Information Commissioners Office (ICO).

## **How long do we keep your information for?**

There are different retention schedules for different types of information and types of record. In the NHS, all commissioners and providers apply retention schedules in accordance with the [NHS Records Management Code of Practice](#).

NHS data are subject to legal retention periods and should not be destroyed unless specific instructions to do so has been determined and received from the Data Controller.

## **Who is the Data Controller?**

The Data Controller, responsible for keeping your information secure and confidential, AAGP data controller is Dr A Ajala

Any changes to this notice will be published on our website. AAGP is registered as a data controller under the UK General Data Protection Regulation 2018. Our registration number is ZB751001. Our registration can be viewed on-line in the public register at [ICO.gov.uk](http://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 in:

The NHS Care Record Guarantee:

<https://www.nhs.uk/nhsengland/thenhs/records/healthrecords/documents/patientguidancebooklet.pdf>

<http://www.nigb.nhs.uk/pubs/nhscrg.pdf>

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

The NHS Digital Guide to the duty of Confidentiality gives more information on the rules around information sharing : <https://digital.nhs.uk/services/data-access-request-service-dars/dars-guidance/data-sharing-standard-7b---duty-of-confidentiality>

An independent review of how 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? <https://www.gov.uk/government/publications/the-information-governance-review>

The Information Commissioner's Office is the Regulator for the General Data Protection Regulation 2018 now UK GDPR and offer independent advice and guidance on the law and personal data, including your rights and how to access your personal information.