

## Template General Practice Privacy Notice

### How we use your information

This privacy notice explains why the GP Practice collects information about you, and how that information may be used.

As data controllers, GPs have fair processing responsibilities under the Data Protection Act 1998. This means ensuring that your personal confidential data (PCD) is handled in ways that are safe, transparent and what you would reasonably expect. The Health and Social Care Act 2012 changed the way that personal confidential data is processed. Therefore it is important that patients are made aware of, and understand these changes and that you have an opportunity to object if you so wish and that you know how to do so.

Health care professionals maintain records about your health and any treatment or care you have received within the NHS (e.g. NHS Hospital Trust, GP Surgery, Walk-in clinic, etc.). These records help to provide the best possible healthcare.

NHS health records may be processed electronically, on paper or a mixture of both, and 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 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

This GP Practice collects and holds data for the sole purpose of providing healthcare services to our patients and we will ensure that information is kept confidential. We can disclose personal information if:

- (a) It is required by law
- (b) You consent – either implicitly for the sake of **your?** own care or explicitly for other purposes
- (c) It is justified 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 measures to ensure that individual patients cannot be identified.

On some occasions it may be necessary to undertake clinical audits of records to ensure that the best possible care has been provided to you or to prevent the spread of infectious disease, wherever possible this will be done in anonymised form.

Sometimes information about you may be requested to be used for research purposes. The Practice will always endeavour to gain your consent before releasing the information.

Under the powers of the Health and Social Care Act 2012 (HSCA) the Health and Social Care Information Centre (HSCIC) can request Personal Confidential Data (PCD) from GP Practices without seeking the patient's consent. The Care.Data Programme allows PCD to be collected by the HSCIC to ensure that the quality and safety of services is consistent across the country. 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.

Any patient 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.

## Risk Stratification

Risk stratification is a process for identifying and managing patients who are at a higher risk of emergency hospital admission. Typically this is because patients have a long term condition such as COPD or cancer. NHS England encourages GPs to use risk stratification tools as part of their local strategies for supporting patients with long-term conditions and to help prevent avoidable admissions.

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 the prevention of 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 Manager or your healthcare professional to discuss how the disclosure of your personal information can be restricted. All 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.

## Invoice Validation

If you have received treatment within the NHS, access to your personal information may be required in order to determine which Clinical Commissioning Group should pay for the treatment or procedure you have received.

This information would most likely include information such as your name, address, date of treatment and 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 purposes.

## NHS Health Checks

All 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 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.

## 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.

All of our staff, contractors and committee members receive appropriate and on-going training to ensure they are aware of their personal responsibilities and have 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. The following are examples of the types of organisations that we are likely to share information with:

- NHS and specialist hospitals, Trusts
- Independent Contractors such as dentists, opticians, pharmacists
- Private and Voluntary Sector Providers

- Ambulance Trusts
- Clinical Commissioning Groups and NHS England
- Social Care Services and Local Authorities
- Education Services
- Police, Fire and Rescue Services
- Other 'data processors' during specific project work e.g. Diabetes UK

## Access to personal information

You have a right under the Data Protection Act 1998 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; and
- 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. There may be a charge for this service.

Any changes to this notice will be published on our website and on the Practice notice board.

The Practice is registered as a data controller under the Data Protection Act 1998. The registration number is and can be viewed online in the public register at [http://ico.org.uk/what\\_we\\_cover/register\\_of\\_data\\_controllers](http://ico.org.uk/what_we_cover/register_of_data_controllers)

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

Care.data programme: <http://www.england.nhs.uk/ourwork/tsd/care-data/gp-guidance/>

The HSCIC Guide to Confidentiality gives more information on the rules around information sharing : <http://www.hscic.gov.uk/confguideorg>

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? The Information Governance Review, be found at: <https://www.gov.uk/government/publications/the-information-governance-review>

The NHS Commissioning Board – 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. <http://www.england.nhs.uk/wp-content/uploads/2012/12/clinical-datasets.pdf>

Please visit the Health and Social Care Information Centre's 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 at: <http://www.hscic.gov.uk/collectingdata>

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 visit the Information Commissioner's Office website at <http://www.ico.gov.uk>.

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