

## PRIVACY NOTICE

**Person with responsibility for review of this document: Mrs D Petty**

**Date of review: 26/02/2019**

**Date of next review: 26/02/2020**

### Introduction

This leaflet explains who we are, why information is collected about you, and the ways in which this information may be used, who it is shared with and how we keep it safe. It also explains how the practice uses the information we hold about you, how you go about accessing this information if you wish to see it and to have any inaccuracies corrected or erased.

### Who we are

Harcourt Medical Centre is a well-established GP surgery based in Salisbury. Our staff of General Practitioners and Nurses provides primary medical care services to our practice population of 12,000 patients and our administrative and managerial staff support the team in providing care for patients.

### WHAT INFORMATION DO WE COLLECT FROM YOU?

GP Records are stored electronically and on paper and include personal details about you such as your address, carers, legal representatives, emergency contact details, as well as:

- Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments and telephone calls
- Notes and reports about your health
- Details about your treatment and care
- Details about any medication you are taking
- Results of investigations such as laboratory tests, x-rays
- Relevant information from other health professionals, relatives or those who care for you

### WHY DO WE COLLECT THIS INFORMATION?

Your records are used to ensure you receive the best possible care from our nurses and doctors. It enables the staff to see previous treatments, medications and enables them to make informed decisions about future decisions about your care. It helps the doctors to see lists of previous treatments and any special considerations which need to be taken into account when care is provided.

Important information is also collected to help us to remind you about specific treatment which you might need, such as health checks, or reminders for screening appointments such as cytology reminders.

Information held about you may be used to help protect the health of the public and to help us to improve NHS services. Information may be used within the GP practice for clinical audit to monitor the quality of the service provided.

Staff at the practice use your information to help deliver more effective treatment to you and to help us to provide you with proactive advice and guidance.

## **WHO MIGHT WE SHARE YOUR INFORMATION WITH?**

There are a number of ways information collected about you is shared, which includes:

### **1. Patient referrals**

With your agreement, your GP or Nurse may refer you to other services and healthcare providers not provided by the practice, or they may work with other services to provide your care in the practice. Once you have been seen for your referral, the other health care provider will normally tell us about the treatment they have provided for you and any follow up which the GPs need to provide. This information is then included in your GP record.

### **2. Local Hospital, Community or Social Care Services**

Sometimes the clinicians caring for you need to share some of your information with others who are also supporting you. This could include hospital or community based specialists, nurses, health visitors, therapists or social care services.

### **3. Summary Care Record (SCR)**

A Summary Care Record is an electronic record of important patient information, created from the GP medical records. It contains information about medication you are taking, any allergies you suffer from and any bad reactions to medications you have previously had. It can be seen and used by authorised staff in other areas of the health and care system involved in your direct care. Giving healthcare staff access to this information can prevent mistakes being made when caring for you in an emergency or when your GP practice is closed. Your Summary Care Record also includes your name, address, date of birth and your unique NHS Number to help identify you correctly. If you and your GP decide to include more information it can be added to the Summary Care Record, but only with your express permission. For more information visit <https://digital.nhs.uk/summary-care-records/patients>

### **4. National Services**

There are some national services like the National Cancer Screening Programme that collect and keep information from across the NHS. This is how the NHS knows when to contact you about services like cervical, breast or bowel cancer screening. Often you have the right to not allow these organisations to have your information.

You can find out more about how the NHS holds and shares your information for national programmes on the NHS Choices website.

## 5. Other NHS organisations

Sometimes the practice shares information with other organisations that do not directly treat you, for example, Clinical Commissioning Groups. Normally, it will not be possible to identify you from this information. This information is used to plan and improve services. The information collected includes data such as the area patients live, age, gender, ethnicity, language preference, country of birth and religion. The CCG also collects information about whether patients have long term conditions such as diabetes; blood pressure, cholesterol levels and medication. However, this information is anonymous and does not include anything written as notes by the GP and cannot be linked to you.

## 6. Local Data Sharing Agreements

The practice currently has data sharing agreements with the Wiltshire CCG, CSCSU, Salisbury NHS Foundation Trust, Cathedral Locality Older Persons Team and Cathedral Locality Leg Club. The agreements cover:

- Integrated Care Teams (community nurses, physiotherapists and occupational therapists) being able to access GP information about people on their caseload who have recently been discharged from hospital, or who are housebound, or who require longer term rehabilitation from the GP record. This information can be read by the healthcare professional to improve the patients care, but they are not able to amend the GP medical record.

## **WHAT DO WE DO WITH YOUR INFORMATION?**

The healthcare professionals who provide your care maintain records about your health. This is a record of your care history and allows health care professionals to review your care to help inform future decisions about your treatment. Sharing this information helps to improve the treatment you receive, such as a hospital consultant writing to your GP. We follow strict data sharing guidelines to keep your information safe and secure.

## **HOW LONG DO WE KEEP YOUR INFORMATION?**

Health and social care records are subject to a nationally agreed code of practice which regulates the minimum period for which records must be kept. This specifies that GP record should be retained until 10 years after the patient's death or after the patient has permanently left the country, unless they remain in the European Union. Electronic patient records must not be destroyed or deleted for the foreseeable future. For more information, see the records management code of practice: <https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016>

## HOW DO WE KEEP YOUR INFORMATION SAFE?

Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential. We are committed to protecting your privacy and will only use information collected lawfully in accordance with:

- General Data Protection Regulation 2018
- Data Protection Act 1998
- Human Rights Act 1998
- Common Law Duty of Confidentiality
- Health and Social Care Act 2012
- NHS Codes of Confidentiality, Information Security and Records Management
- Information: To Share or Not to Share Review

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 such as a life or death situation, or where the law requires information to be passed, or where it is in the best interest of the patient to share the information.

In May 2018, a new national regulation called the General Data Protection Regulation will come into force and the practice has a legal responsibility to ensure that we will also comply with these regulations.

## YOUR INDIVIDUAL RIGHTS

- Have inaccuracies corrected
- Have information erased
- Data portability

The practice does not engage in any direct marketing, profiling or use any automated decision making tools.

### 1. HOW CAN I ACCESS THE INFORMATION YOU HOLD ABOUT ME?

You have a right under the Data Protection legislation to request access to obtain copies of all the information the surgery holds about you. You are also allowed to have information amended should it be inaccurate.

In order to access your medical record, you need to let the practice know by making a Subject Access Request (SAR).

The practice will respond to your request within one month of receipt of your request. 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.

It will be very helpful to the practice if you could specify any particular information you need so we can provide the information to you as soon as possible. We have designed a form for patients to help them to identify the information they require and completing this form will help us process this information efficiently.

Usually there is no charge to see the information that the practice holds about you unless the request is excessive or complicated.

For information about your hospital medical records, you should write direct to them.

## **2. HAVE INACCURACIES CORRECTED OR ERASED**

If you feel that the personal data that the practice holds about you is inaccurate or incomplete then please let us know and we will update your records within one month of notification. If this incorrect information has been sent onwards, we will also inform any other organisations of this. If it is not possible to correct the information then we will write to you to let you know the reason behind the decision and inform you how you can complain about this.

If you feel information in your health record should not be there, you can ask the practice to erase that information. We will look at each request specifically. Please bear in mind there may well be legal reasons why we will need to keep data even if you request it to be erased. We will explain this to you in detail in our response.

## **3. DATA PORTABILITY**

You have the right to access your data in a format which allows you to re-use and share it with other organisations should you wish. As such, we will provide your data in a structured, commonly used and machine readable form.

## **4. RIGHT TO OBJECT**

As a patient, you have the right to object to personal data about you being used or shared.

You also have the right to restrict the use of data the practice holds about you. If you do wish to object, please contact the practice. This will prevent your confidential information being used other than where necessary by law.

If you are a carer and have a Lasting Power of Attorney for health and welfare then you can also object to personal data being used or shared on behalf of the patient who lacks capacity.

If you do not hold a Lasting Power of Attorney then you can raise your specific concerns with the patient's GP. If you have parental responsibility and your child is not able to make an informed decision for themselves, then you can make a decision about information sharing on behalf of your child. If your child is competent then this must be their decision.

### **Do I need to do anything?**

Note your decisions on the enclosed form and return to Reception. You can change your mind at any time, just complete another form.

**Objections / Complaints**

Should you have any concerns about how your information is managed at the practice, please contact Debbie Petty, Practice Manager. The practice will listen to your concerns and try and act upon the concerns raised as best we are able. 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)

**Changes to Privacy Policy**

We keep our privacy policy under regular review and we will place any updates on this web page. This privacy policy was last updated on February 2019.