**Patients Privacy Notice**

This privacy notice explains how we use any personal information we collect about you as a patient of health care services provided by Burnt Ash Surgery.

Why do we collect your personal information?

Health care professionals who 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 and help us to protect your safety.

We collect and hold data for the purpose of providing healthcare services to our patients and running our organisation which includes monitoring the quality of care that we provide. In carrying out this role we will collect information about you which helps us respond to your queries or secure specialist services. We will keep your information in written form and/or in digital form. The records will include both personal and special categories of data about your health and wellbeing.

What types of personal information do we collect about you?

We may collect the following types of personal information:

• Your name, address, email address, telephone number and other contact information

• Gender, NHS Number and date of birth and sexual orientation

• Details of family members and next of kin details

• Health (Medical) information, including information relating to your sex life

• Details of any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments and telephone calls.

• Results of investigations such as laboratory tests or x-rays

• Biometric data

• Genetic information

• CCTV footage

How will we use the personal information we collect about you?

We may use your personal information in the following ways:

• To help us assess your needs and identify and provide you with the health and social care that you require

• To determine the best location to provide the care you require

• To comply with our legal and regulatory obligations

• To help us monitor and manage our services

• To support medical research

Text (SMS) messages

If you have provided your mobile telephone number, we may use this to send automatic appointment reminders, requests to complete surveys or to make you aware of services provided by the surgery that we feel will be to your benefit. If you do not wish to receive these text messages, please let the reception team know.

CCTV footage

Burnt Ash Surgery use Close Circuit Television (CCTV) to record images within public areas of the practice for the safety and security of our patients and staff. CCTV footage is managed in the same way as all other personal data processed by us and in line with current legislation.

Data processors

We may use the services of a data processor to assist us with some of our data processing, but this is done under a contract with direct instruction from us that controls how they will handle patient information and ensures they treat any information in line with the General Data Protection Regulation, confidentiality, privacy law, and any other laws that apply.

How will we share your personal information?

We may share your personal information with other health and social care professionals and members of their care teams to support your ongoing health and or social care and achieve the best possible outcome for you. This may include:

• Primary Care Network

Burnt Ash Surgery is a member of Sevenfields Primary Care Network (PCN) so you may be contacted by or treated by one of the other practices within the PCN. In order to support and provide healthcare services to you, they will require access to your patient record.

• Patient Referrals

With your agreement, we may refer you to other services and healthcare providers for services not provided by Burnt Ash Surgery.

• Other Providers of Healthcare

We will share your information with other providers of healthcare services to enable them to support us in providing you with direct healthcare. This may include NHS organisations or private companies providing healthcare services for the NHS.

• Social Care Services

Sometimes the clinicians caring for you may need to share some of your information with others who are also supporting you outside of the practice.

• Local Authority

The local authority (council) provides health or social care services or assists us in providing direct healthcare services to you. We will share your personal information with them to enable this to take place.

• Safeguarding

We will share your personal information with the safeguarding teams of other health and social care providers where there is a need to assess and evaluate any safeguarding concerns. Your personal information will only be shared for this reason when it is required for the safety of the individuals concerned.

• Summary Care Record (SCR)

Your Summary Care Record is an electronic record of important patient information created from the GP medical records. It contains information about medications, allergies and any bad reactions to medications in the past. It can be seen by staff in other areas of the health and care system involved in your direct care.

• Integrated Care Records (ICR)

An Integrated Care Record allows other health and care providers who are directly involved with your care to access appropriate, timely and relevant information about you to enable them to support your heath and care. Further details about the ICR can be found here: <https://bswccg.nhs.uk/your-health/integrated-care-record>

• NHS Digital

In order to comply with its legal obligations this practice may send data to NHS Digital when directed by the Secretary of State for Health under the Health and Social Care Act 2012. This practice contributes to national clinical audits and will send the data, which are required by NHS Digital when the law allows. This may include demographic data, such as date of birth and information about your health, which is recorded in coded form. For example, the clinical code for diabetes or high blood pressure. In particular, this practice is supporting vital health and care planning and research by sharing your data with NHS Digital. For more information about this see the NHS Digital privacy notice for General Practice Data for Planning and Research here: General Practice Data for Planning and Research: GP Practice Privacy Notice - NHS Digital

• 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 cancer screening.

• Medical Research

With your consent, we will share 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 treatment might work best. This is important because:

o The use of information from GP medical records is very useful in developing new treatments and medicines.

o 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.

Any medical or health related personal information will be treated with confidence in line with the common law duty of confidentiality and the Confidentiality NHS Code of Practice.

We may be required to share information with organisations in order to comply with our legal and regulatory obligations. This may include:

• Care Quality Commission (CQC)

The CQC regulates health and care services to ensure that safe care is provided. The law requires that we must report certain serious events to the CQC, for example, when patient safety has been put at risk. Further information about the CQC can be found here: <http://www.cqc.org.uk/>

• Public Health England

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. Further information about Public Health England can be found here: <https://www.gov.uk/guidance/notifiable-diseases-and-causative-organisms-how-toreport>

• Other NHS Organisations

Sometimes the practice will share information with other NHS organisations that do not directly care for you, such as the Clinical Commissioning Group. However, this information will be anonymous and does not include anything written as notes by the GP and cannot be linked to you.

We will not share your information with organisations other than health and social care providers without your consent unless the law allows or requires us to.

NHS National Data Opt-out

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 confidential patient information helps to ensure you get the best possible care and treatment.

The confidential patient information collected about you when you use these services can also be used and provided to other organisations for purposes beyond your individual care where allowed by law.

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 choose to opt out your confidential patient information will still be used to support your individual care.

We do not share your confidential patient information for purposes beyond your individual care without your permission. When sharing data for planning and reporting purposes, we use anonymised data so that you cannot be identified in which case your confidential patient information isn’t required.

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

Health and care organisations that process confidential patient information have to put systems and processes in place so they can be compliant with the national data opt-out. They must respect and apply your opt-out preference if they want to use or share your confidential patient information for purposes beyond your individual care.

Burnt Ash Surgery are currently compliant with the national data-out policy as we do not share your confidential patient information for purposes beyond your individual care without your permission.

To find out more or to register your choice to opt out, please visit [www.nhs.uk/your-nhs-datamatters](http://www.nhs.uk/your-nhs-datamatters)

You can change your choice at any time.

How long do we keep your personal information?

We follow the Records Management Code of Practice for Health and Social Care 2016 records retention schedule published by the Information Governance Alliance for the Department of Health which states that electronic patient records should be retained for 10 years from the date of death. At that point, all personal data we hold on you will be securely deleted.

We keep CCTV footage for 14 days before it is overwritten.

Doctaly

We use Doctaly to assist us in delivering healthcare services to our patients that register to use Doctaly. When you register to use Doctaly, you give your explicit consent (permission) for Doctaly to collect and use your personal information for the services provided by Doctaly. Doctaly may share your personal data with us if you require an appointment or repeat prescription.

Full details about how Doctaly will process your personal information can be found on their privacy notice here: <https://doctalyassist.com/privacy-policy.pdf>

Your rights

You have a right to:

• ask for a copy of the information we hold about you;

• correct inaccuracies in the information we hold about you

• withdraw any consent you have given to the use of your information;

• complain to the relevant supervisory authority in any jurisdiction about our use of your information

• in some circumstances:

o ask us to erase information we hold about you;

o request a copy of your personal data in an electronic format and require us to provide this information to a third party;

o ask us to restrict the use of information we hold about you; and o object to the use of information we hold about you.

You can exercise these rights by contacting us as detailed below.

How to contact us If you have any questions about our privacy notice, the personal information we hold about you, or our use of your personal information then please contact our Practice Manager Louise Hassan. (LEWCCG.g85027-general@nhs.net)

How to make a complaint

You also have the right to raise any concerns about how your personal data is being processed by us with the Information Commissioners Office (ICO): [https://ico.org.uk/concerns 0303 123 1113](https://ico.org.uk/concerns%200303%20123%201113)

Changes to our privacy notice

We keep our privacy notice under regular review and we will place any updates on this webpage. This privacy notice was last updated on 16th March 2022.

Our legal basis for sharing data with NHS Digital

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 the 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).

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.

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 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

How NHS Digital will use and share your data

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 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.