



# ***Privacy Notice - Right to be Informed***

---

## **Table of Contents**

- 1. ABOUT US**
- 2. CONTACT US**
- 3. INFORMATION WE COLLECT ABOUT YOU AND WHY**
- 4. LAWFUL BASIS RELIED ON FOR PROCESSING INFORMATION ABOUT YOU**
- 5. DIRECT CARE SERVICES AND WHO WE MAY PROVIDE YOUR INFORMATION TO AND WHY**
- 6. NON DIRECT CARE SERVICES WHERE YOUR INFORMATION MAY BE USED:**
- 7. INDIVIDUAL RIGHTS**
- 8. HOW LONG DO WE KEEP YOUR INFORMATION**
- 9. OUR WEBSITE**
- 10. COOKIES**
- 11. WI-FI**
- 12. DATA SECURITY**
- 13. ORGANISATIONAL SECURITY**
- 14. WHERE TO FIND OUR PRIVACY NOTICE**
- 15. CHANGES TO OUR PRIVACY NOTICE**
- 16. INDIVIDUAL'S RIGHT TO BE INFORMED GDPR ARTICLE 13**



We understand how important it is to keep your personal information safe and secure and we take this very seriously. We have taken steps to make sure your personal information is looked after in the best possible way and we review this regularly.

Please read this privacy notice ('Privacy Notice') carefully, as it contains important information about how we use the personal and healthcare information we collect on your behalf.

**A Poster of how we handle your data is available here:**

<http://www.hallgrovesurgery.co.uk/website/E82062/files/Your%20Personal%20Information%20in%20Pictures%20Feb%202019.pdf>

**Children accessing our services can go to the Children's Policy here:**

<https://www.hallgrovesurgery.co.uk/data-protection-and-privacy-notice>

### **1. About Us**

We, at the Hall Grove Group Practice ('the Surgery') situated at Hall Grove and Parkway Surgeries, 4 Hall Grove, Welwyn Garden City, Herts AL7 4PL and 20 Parkway, Welwyn Garden City, Herts AL8 6HG, are a **Data Controller** of your information. This means we are responsible for determining the purpose for collecting, storing and handling your personal and healthcare information when you are registered with us as a patient.

Our aim is to provide you with the highest quality healthcare. To do this we must keep information about you, your health, and the care that is provided, or is planned to be provided, to you. This information is collectively known as your 'health record'. The purposes for which we use the information held in your health record are set out in this Privacy Notice.

It is important to us that you are informed about how we use the information we hold about you. If you have any questions about this Privacy Notice or any other concern regarding how your personal and healthcare information is used, then please contact us.

### **2. Contact Us**

#### **A. Data Controller**

The contact details of the named, responsible Data Controller at the practice is Anne Knight. You can contact Anne Knight on 01707 332233 if:

1. You have any questions about your information being held
2. You require access to your information or if you wish to make a change to your information.
3. Any other query in relation to this Privacy Notice and your rights as a patient.



#### **B. If you have a concern**

If you have a concern or complaint about the way we handle your personal data or how we have used or handled your personal and/or healthcare information, **please contact the Data Controller** on the contact information provided, so we can review your concern in accordance with our internal policy.

In the event that your concern was not resolved by your contact with our named Data Controller, then please contact our Data Protection Officer on the details below.

You also have the right to raise any concern or complaint with the UK supervisory authority, at the **Information Commissioner's Office (ICO)**: <https://ico.org.uk/> or **telephone: 0303 123 1113**.

- C. Data Protection Officer (DPO)** function for this practice is provided by HBL ICT services, hosted by ENHCCG. If you wish to contact the DPO for further information on how we use your data, or if you have a concern about anything to do with the personal and healthcare information we hold about you (that was not resolved by your enquiry with the practice), please contact the DPO at HBL ICT hosted by ENHCCG at: [enhertscg.dpo-gp.hblicit@nhs.net](mailto:enhertscg.dpo-gp.hblicit@nhs.net)

#### **3. Information We Collect About You and Why**

In order to provide healthcare services we collect personal information from you, such as your contact details: your name, address, telephone number(s), email address, date of birth, gender, ethnicity, NHS Number, details and contact number(s) of your next of kin / emergency contact or carers as applicable.

We also collect health information and other related information from you and from health care professionals, or any other person involved in your general healthcare. This may include such information as:

- contact we have had with you, such as appointments and services
  - information related to the services provided
  - notes and reports about your health
  - details and records about your treatment and care
  - results of x-rays, laboratory tests etc.
  - administration such as firearms applications, immigration matters, court orders etc.
- These are examples of the type of information we may receive about you from others but is not an exhaustive list.

The information collected from you and others is collectively known as your 'health record'. Your health record may be held in hand written format (manual record) or on a computer system (electronic). Information held within your health record is used for your



direct care purposes and to check and review the quality of care you have received. (This is called audit and clinical governance).

We may contact you using SMS messaging for appointment and other services on the mobile number you have provided and where you have given us permission to do so. If you no longer wish to receive messages via SMS, please contact the practice to let us know.

Your care providers will endeavour to ensure that your health record is kept up-to-date, accurate, secure and appropriately accessible to those providing your care and treatment. Please ensure you update us on any changes to your contact information or any other relevant details. You have the right to access information held about you. For details on access requests, please see Section 7A of this Privacy Notice.

#### **4. Lawful Basis Relied on for Processing Information About You**

- A.** The primary lawful basis that we rely on to collect, store, use, and share your personal and health information for direct care, the administration of direct care services (prevention, investigation and treatment), and the planning of healthcare services under Data Protection Legislation are as follows:
- i. For processing personal data: The performance of a task carried out in the public interest or in the exercise of official authority...’ Article 6(1)(e)’

And

- ii. For Personal data concerning health or special categories of personal data:

Article 9(2) (h) ‘...for the medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems...’

**B. Vital Interests:**

There may be occasions where we rely on the lawful basis of Vital Interests in the event that we need to process personal data to protect an individual’s life.

**C. Legal Obligation:**

Sometimes we are required by law to share your information. Examples of this may include such reasons as: to safeguard children or vulnerable adults, where it is in the wider public interest (public health), detection or prevention of crime, to defend a legal claim, reporting to DVLA, or where required by court order. In these instances, the lawful basis for sharing information is Legal Obligation.

**D. Consent:**

Your consent will be sought in certain instances, where we do not rely on another lawful basis to process your information (see Section 4A-C). For example, if you wish to sign up to our practice newsletter or to release your information to a third party



who we do not have a lawful basis to share your information with, your consent will be required. When consent is given as the lawful basis for processing your information, your consent can be withdrawn at any time.

**We will never sell or share your information for direct marketing**

#### **5. Direct Care Services and Who We May Provide Your Information to and Why**

Safe and effective care is dependent upon relevant information being shared between all those involved in caring for a patient. When an individual agrees to being treated by the wider care team, it creates a direct care relationship between the individual patient, the health and social care professional, and their team. All health and adult social care providers are subject to the statutory duty under section 251B of the Health and Social Care Act 2012 to share information about a patient for their direct care. This duty is subject to both the Common Law Duty of Confidentiality.

Your personal information will only be shared in accordance with your rights under the General Data Protection Regulation, Data Protection Act 2018, the Common Law Duty of Confidentiality, the NHS Constitution, and in keeping with professional and NHS Codes of Practice.

For further information on the use and sharing of confidential information, please follow the NHS Digital link <https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-practice-for-handling-information-in-health-and-care/a-guide-to-confidentiality-in-health-and-social-care>

**You have the right to object** to your information being shared for direct care, but in some circumstances this may delay or affect the care you receive. Always consult your GP or relevant health professional before deciding to opt out of sharing your information, as they will be able to advise you on the possible outcomes of this decision. Please see Section 7E for further information on the right to object.

If you have registered for patient online access services, you may have the ability to view the My Care Record (MCR) partner organisations. Please see section 5G for more information about the MCR programme. Records are only available to partner organisations where you are registering for, or have been referred to, direct care services. The patient online access service offers you the ability to implement alternative preferences through specific lists of partner organisations. When you present at one of the partner organisations and you agree to their access of your record, you will receive a verification code via your mobile phone to provide access.



#### A. Case Findings and Risk Stratification

Sometimes your information will be used to identify whether you may benefit from a new or existing service; based on case findings. To do this, we may use automated technology to help us identify people that might require support or benefit from services, but ultimately, the decision is made by those involved in your care. Those involved in your care might look at particular 'indicators' (such as particular conditions) and contact you or take action for healthcare purposes. For example, this might be to prevent you from having to visit accident and emergency by supporting you in your own home or in the community.

The automated review may be completed at the practice or in conjunction with Clinical Commissioning Group's (CCG) Risk Stratification processes. The information we pass to the CCG is via our computer systems and cannot identify you to them.

This information only refers to you by way of a code that only your practice can identify (it is pseudo-anonymised). This protects you from being identified by anyone not involved in your care who may have access to this information.

Please follow this link to see how the CCG use information to provide services and improve care:

<https://www.enhertsccg.nhs.uk/how-we-use-information-about-you-fair-processing-notice>

We may provide your information to the following people or organisations, where there is a legitimate reason to do so i.e.: they require your information to assist them in the effective provision of your direct healthcare needs:

- B. People and Organisations involved in your care:** Health and Social Care Professionals, including support personnel who have, or will have a direct care relationship with you to meet your healthcare needs:
- C. Diagnostic Organisations:** Diagnostic testing organisations are provided with relevant information to allow contact with you and to book a test/procedure to assist in your direct healthcare needs.
- D. Pharmacies:** Pharmacists are provided with relevant information to allow contact with you and to provide relevant prescriptions and supporting advice, assisting in your direct healthcare needs.
- E. Referrals such as Hospital Appointments/Specialists/Dentists/Continuing Health Care Services, Community Services (including Mental Health), and CCG approvals for certain NHS health services:** When referrals are made for patients to an NHS or private healthcare provider, a summary of the patient's health history is typically included to assist the receiving healthcare professional to



make a holistic assessment and/decision. This is important, because removal of areas of the history that could be considered relevant may affect the outcome of referrals and treatment. If there are areas of your healthcare history that you do not want shared, please raise this with your GP or healthcare professional.

- F. National Screening Programmes:** The NHS provides national screening programmes so that certain diseases can be detected at an early stage. These screening programmes currently 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: <https://www.gov.uk/topic/population-screening-programmes>

For national screening programmes, you can opt out so that you no longer receive an invitation to a screening programme. See:

<https://www.gov.uk/government/publications/opting-out-of-the-nhs-population-screening-programmes> or speak to your practice.

#### **G. Record Sharing Programmes**

In order to provide you with the most integrated health and social care services, there are numerous national and regional initiatives in place to securely link different clinical systems via such technology as GP Connect or the Medical Interoperability Gateway (MIG). This allows health and social care professionals to access to your clinical records when they are providing direct care services to you. Security and protection of your data is managed through robust national and local agreements.

##### **1. My Care Record**

**This is a local record sharing initiative** that promotes the safe, transparent sharing of your healthcare records for the purpose of your direct care needs. The My Care Record currently allows the sharing of patient records with local partner organisations. To ensure that those partner organisations comply with the law and to protect the use of your information, we have very robust data sharing agreements and other clear arrangements in place to ensure your data is always protected and used for those intended purposes only.

For more information of the My Care Record initiative and a list of the organisations who have signed data sharing



agreements to promote this integrated care model,  
please follow the link: <https://www.mycarerecord.org.uk>

### 2. **Extended Access Service**

Provides you with access to GP appointments outside of our regular practice hours. In order to provide you with this service, we have formal arrangements in place with the Clinical Commissioning Group (CCG) and the local GP Federation. The local GP Federation (a group of local GP practices) offers this service on our behalf. This means the Federation (Ephedra) will need access to your healthcare record to be able to offer you the service. It is run from Spring House Medical Centre; many practices are involved in providing clinicians to run the service.

Each time you are offered an appointment with the Extended Access Service you will be asked if you are happy to give consent for a doctor or a nurse, who may not be from this practice, to have full access to view and update your record as if you were seen at the Surgery.

You have the right to object to your information being shared for extended access services, but due to the need to access your medical record, you will be unable to use the service if you opt out of having your record shared. Always consult your GP or relevant health professional before deciding to opt out of services, as they will be able to advise you on the possible outcomes of this decision.

To ensure that each organisation involved in the Extended Access service comply with the law and to protect the use of your information, we have very robust data sharing agreements and other clear arrangements in place to ensure your data is always protected and used for those purposes only.

- ### 3. **Primary Care Networks (PCN)** this practice is part of the Welwyn Garden City PCN. The PCN includes other local organisations such as: GP practices, community, mental health, social care, pharmacy, hospital and voluntary services, working together as participating organisations in the MCR programme. This enables a greater provision of proactive, personalised, coordinated and more integrated health and social care **for you**. In order to provide you with these services, we have





formal arrangements in place. To ensure partner organisations comply with the law and to protect the use of your information, we have very robust data sharing agreements and other clear arrangements in place to ensure your data is always protected and used for those intended purposes only.

Further information about the provider services within our PCN can be requested from the Data Controller at the practice, Anne Knight on 01707 332233.

Local PCN membership of GP practices can be found here:

<https://www.enhertscg.nhs.uk/primary-care-networks-pcns>

Further information about PCNs can be found here:

<https://www.england.nhs.uk/primary-care/primary-care-networks/>

#### **4. Your Summary Care Record and Summary Care Record with Additional Information**

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

Your summary care record is an electronic record held on a national healthcare records database provided and facilitated by NHS Digital. This allows other healthcare professionals who we do not have data sharing agreements with, but who you have a direct care relationship with, to access your electronic record when they are providing you with direct care services. This is particularly helpful if you are visiting another part of the country and require healthcare services.

At a minimum, the SCR holds important information about;

- current medication
- allergies and details of any previous bad reactions to medicines
- the name, address, date of birth and NHS number of the patient

This record may be accessed with your permission by relevant healthcare professionals involved in your direct healthcare. If you do not wish to have your SCR available to be shared,



please contact the practice so we can update your records.

<https://digital.nhs.uk/summary-care-records>

#### **5. Summary Care Record with Additional information**

The inclusion of additional information on a SCR is particularly useful for people with complex or long term conditions. Due to the sensitivity of more detailed information being accessible on your SCR, you will be asked for your permission to allow additional information to be added to, and accessible on, your SCR.

#### **H. Clinical Commissioning Group (CCG)**

The CCG manages the majority of contracts for primary care, in order for us to deliver healthcare services to you. At times, they may assist us with our delivery of direct care services through reviews, or coordination and follow up with other organisations involved in your care. This may include such functions as coordinating community pharmacy services, providing medication optimisation reviews, arranging continuing health care services, contacting a hospital about important discharge information or a diagnostic organisation about a test result, or other health or social care services involved in your care.

We have contracts in place with the CCG. This means that they cannot do anything with your personal information unless we have instructed them to. They will only share information about you that is relevant and necessary to fulfil the requirement of a particular service to you. Information about you is only shared with organisations that have a relationship with you or will have a relationship through a referral. They will hold your information securely and retain it for only as long as necessary. If you require further information please contact the practice or the DPO.

#### **I. Electronic Prescribing Services (EPS)**

The practice is upgrading to the latest phase of the Electronic Prescribing Service (EPS). This provides the following options:

You can choose a pharmacy or dispenser to dispense all your prescriptions. If you have already registered a nominated pharmacy or dispenser with us, we will continue to send your electronic prescription to that nominated pharmacy or dispenser. If you do not nominate a pharmacy or dispenser, you can be issued a secure barcode token to take to a pharmacy of your choice where your prescription can be electronically accessed. Your data will be shared securely



and in line with data protection legislation, for direct care purposes as outlined in this privacy notice. Further information on the EPS can be found here:

<https://www.nhs.uk/using-the-nhs/nhs-services/pharmacies/electronic-prescription-service/>

#### **J. Third Party Technical Support Processors**

We use data processors who are third parties, who provide technical administration services for us to deliver health care services to you. We have contracts in place with our data processors. This means that they cannot do anything with your personal information unless we have instructed them to do it. They will not share your personal information with any organisation apart from us. They will hold it securely, including using data hosting service providers within the UK (used by the NHS) and retain it for the period we instruct. If you require further information please contact the practice or the DPO.

#### **K. Online Consultation Services**

To assist us in our delivery of online direct care services to you, we use external organisation e-Consult. Patients registered at this practice can access the secure e-Consult portal via our website or via the NHS App. NHS England is a joint data controller with the Practice for online consultation for the purposes of commissioning, contracting and assuring the compliance of e-Consult. NHS England does not access any of your health data. If you access e-consult via the NHS App, NHS Digital is a data controller of personal data relating to your identify verification only. For further information please refer to NHS APP Privacy policy: online consultation services

<https://www.nhs.uk/using-the-nhs/nhs-services/the-nhs-app/privacy/online-consultations/>

With your consent, e-Consult will process the data you provide and submit your completed consultation back to us for our review and action. Once received, the practice will become data controllers of the completed online consultation, which will become part of your medical record and processed as outlined in this privacy notice for the purpose of providing direct care services to you.

Further information about the online consultation services available at this practice can be found here <https://www.hallgrovesurgery.co.uk/econsult-2>

Information about how e-Consult processes your data can be found in their privacy notice



<https://hallgrovesurgery.webgp.com/staticLegalContent/privacyPolicy> or via their privacy notice when you access e-Consult. This includes the use of automated decision making and profiling when you complete the online consultation, but this decision is not absolute. A completed eConsult form is always evaluated by the most appropriate person within the health team. You can also: book an appointment directly with the practice for a consultation, fill in another form to provide different/ updated information on the e-Consult website, or provide further information when you speak with your GP.

To ensure compliance with data protection and other relevant legislation, we have a contract in place with e-Consult to ensure your data is protected and used for the purposes outlined in the privacy notice.

In the event that the practice receives an e-consultation where the individual is not registered at the practice, contact will be made to inform the individual of options available. Where the individual is unable to be contacted or will not be registering with the practice, the e-consultation data will be destroyed in accordance with our retention policy. Further information can be obtained from the practice.

#### **L. Video and Telephone Consultations**

As an alternative to face to face appointments, there may be instances where we may offer you an appointment via telephone or video consultation. By accepting the invitation and entering the consultation you are consenting to this. Your personal/confidential patient information shared on the consultation will be safeguarded in the same way it would with any other consultation with relevant information added to your patient record.

Video or audio consultations/appointments are not typically recorded, but if they are, your permission will be sought as to the purpose and use of the recording i.e.: for direct care purposes: diagnosis, treatment or care. Recordings will be stored as part of your patient record in line with NHS Digital Record Management Code of Practice (2016).

If, as part of the consultation, still images or photographs are taken/obtained and are to be kept, they will be securely stored as part of your patient record in line with NHS Digital Record Management Code of Practice (2016).

If the recording/images are to be used for any other reason than what the original permission was obtained for, then further permission would be required prior to that use.



If recordings or still images obtained are no longer needed (i.e.: adequately described in the clinical notes) then the recording/ images will be confidentially and securely destroyed as per our policies and in line with NHS Digital's guidance.

#### **M. NHS App**

The NHS App is a nationally run service that allows individuals to access a range of services within the Practice and beyond. NHS England and NHS Digital are joint data controllers of the NHS App and any personal data that is necessary for accessing the App. The data controller or processor of your personal data within a service accessed via the App will depend on the organisation accessed. Please see the NHS App privacy notice for further information

<https://www.nhs.uk/using-the-nhs/nhs-services/the-nhs-app/privacy/>

#### **6. Non Direct Care Services Where Your Information May Be Used:**

Whenever you use a health or care service, such as attending GP appointments, Accident & Emergency, admission to hospital, or using Community Care Services, important information about you is collected to help ensure you get the best possible care and treatment. In addition, this information may also be used by other approved organisations for non-direct care purposes, where there is a lawful basis to help with: planning services, improving care, research into developing new treatments, and preventing illness. All of this helps in providing better care to you and your family and future generations. Anonymised information (where you cannot be identified) will be used for non-direct care purposes whenever possible. However, confidential information about your health and care is only used in this way where the law allows and in alignment with the National Data Opt-Out Policy.

#### **National Data Opt –Out**

You have a choice about whether you want your confidential patient information to be used for research and planning. If you are happy with this use of information you do not need to do anything, but if you do choose to opt out, your confidential patient information will still be used to support your individual care and will not affect care and services available to you.

However, if there is an overriding public safety concern or legal requirement to share information, we must do so (See Section 4D).

#### **For further information on the Nation Data Opt-Out Policy:**

<https://www.nhs.uk/your-nhs-data-matters>



If you choose to opt out, you can still agree to your data being used for specific purposes i.e: a specific research project.

You can change your mind at any time on the NHS Digital link:

<https://www.nhs.uk/your-nhs-data-matters/manage-your-choice/>

**This practice is compliant with the National Data Opt-Out from March 2020 and will use your NHS number to apply your choice in line with the National Data Opt-Out Policy.**

**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 explicit consent .**

Please see Section 7E for further information on the right to object.

**Non-Direct Care services include organisations such as:**

**A. Clinical Commissioning Group** East and North Hertfordshire Clinical Commissioning Group (CCG) is the organisation responsible for commissioning (planning, designing and paying for) your NHS services. The CCG is made up of local GPs, health professionals and commissioners, working together with other clinicians and patients to decide how the local NHS budget should be spent. Information provided to the CCG is pseudo-anonymised, meaning the CCG cannot identify the individual. For more information on how the CCG uses your information:

<https://www.enhertsccg.nhs.uk/how-we-use-information-about-you-fair-processing-notice>

**B. NHS Digital** Your health records contain confidential patient information, which can be used to help with research and planning. NHS Digital takes the protection of your confidential patient information very seriously and puts measures in place to ensure it is looked after in accordance with good practice, the National Data Opt-Out Policy and the law. Whenever possible, information is anonymised. For further information on your choices, including opting out, please see:

<https://digital.nhs.uk/about-nhs-digital/our-work/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information/your-information-choices/opting-out-of-sharing-your-confidential-patient-information>

**C. Care Quality Commission Access to Health Records**

CQC has powers under the Health and Social Care Act 2008 to access and use your health information where it is necessary to carry out their functions as a regulator.



This means that inspectors may ask to look at certain records to decide whether we are providing safe, good quality care.

<https://www.cqc.org.uk/about-us/our-policies/privacy-statement#public>

#### **D. Research Organisations**

Health and social care research may be conducted by organisations commissioned by the NHS, other health and social care organisations, universities, or commercial research partners for such purposes as developing new treatments and improving healthcare outcomes. If through Case Findings (see section 5A), and where you have not previously objected, we would contact you to determine if you would like to participate with a research project. We always ensure that data protection and confidentiality laws are followed to protect your data, this includes compliance with the National Data Opt-Out Policy.

**E.** For the purposes of complying with the law as explained in section 4C.

**F.** Anyone you have given your consent to view or receive your record, or part of your record. Please note, if you give another person or organisation consent to access your record we may need to contact you to verify/clarify your consent before we release the record. It is important to us that you are clear and understand how much information and what aspects of your record will be released.

## **7. Individual Rights**

The Law gives you certain rights about your personal and healthcare information that we hold.

We have one calendar month to reply to you and give you the information that you require or explain why we are unable to fulfil your request. We would ask, therefore, that any requests you make is in writing or verbal requests followed up in writing, so it is as clear as possible what you are requesting. This will prevent unnecessary delays in getting a response to you.

#### **A. Subject Access Requests (SAR)**

You have the right to see what information we hold about you and to request a copy of this information. Under special circumstances, which have an overriding legal basis, some information may be withheld.

Sometimes information about third parties mentioned by you or others may be recorded on your records. We are under an obligation to make sure we also protect that third party's rights as an individual and to ensure that references to them which may breach their rights to confidentiality, are removed before we send any information to any other party including yourself. Third parties can include, but not limited to: spouses, partners, and other family members.



A subject access request can be made in writing or verbally but we will need to verify who you are. For ease of use, please complete this online form available on our website. Alternatively, please use the following contact at the GP Practice to make your request: Anne Knight on 01707 332233.

We will provide this information free of charge however, we may in some **limited and exceptional** circumstances have to apply a reasonable administrative charge for any extra copies or repetitive requests. If applicable, we will discuss this with you at the time of your request.

If you have consented to a third party to request a SAR on your behalf, we require the third party to supply us with your consent. Due to the confidentiality and sensitivity of health records, if we are unsure about the consent provided or think you may not be aware of the extent of what would be disclosed in the request, we may contact to review and confirm the request with you before the SAR is processed.

If online access is a service available at the practice, there are robust protocols necessary for security of this information. When we give you online access or provide you with a SAR via another means, the responsibility is yours to make sure that you keep your information safe and secure if you do not wish any third party to gain access to it.

**Access Requests for Deceased Patient Records:** This is not managed under the data protection legislation. The Access to Health Records Act 1990 includes this access. . NHS England becomes the data controller of deceased patient records and access requests are reviewed as per this Act.

Requests to access should be made to the Primary Care Services England.  
<https://pcse.england.nhs.uk/services/gp-records/accessing-medical-records/>

#### **B. Right to Restriction of Processing**

You have the right to request we restrict processing your information while the accuracy, lawful basis, or the legitimate use of the information is being reviewed.

#### **C. Right to Rectification/Correction**

We want to make sure that your personal information is accurate and up to date. You may ask us to correct any information you think is inaccurate. It is very important that you make sure you tell us if your contact details or any of your dependant's contact details, including your mobile phone number has changed.

You have the right to have any mistakes or errors corrected. However, we are not aware of any circumstances in which you will have the right to delete information from your health record that is deemed accurate at the time of entry.





#### **D. Right to be Forgotten**

The right is typically not available because the primary conditions we rely upon for processing your information for services are: for the performance of a task carried out in the public interest, or for reasons of public health in accordance with Art. 9(2) (h) or (i).

If there are instances of a specific processing activity where you believe the lawful basis allows the right to be forgotten, please contact the practice to review your request.

#### **E. Right to Objection**

You have the right to object to your information being shared outside of the practice; however 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.

Please see section 5 Direct Care: 'You have the right to Object' for more information about the right to object to the practice sharing information about you to other organisations involved in your direct care.

If you do not want your personal information to be shared and used for purposes other than your direct care and treatment, then you should contact the practice and ask for further information about how to register your objections. This should not affect the care and treatment you receive.

You can object to processing of your information at the practice; however this may prevent us from providing you with any further healthcare services.

Please note that there may be times where there are legitimate legal grounds that override the objection of an individual i.e. a legal obligation that the data controller must comply with or for the establishment, exercise or defence of legal claims.

#### **F. Right to Portability**

The right to request portability is only available where the processing is based on Data Protection legislation lawful basis of consent or contract and the processing is automated. These are typically not the lawful bases relied on in primary care services and are not the lawful bases used by this practice. If there are instances of a specific processing activity where you believe the lawful basis allows the right to portability, please contact the practice to review your request.

#### **G. Right to be informed of Automated Decision Making including profiling**

We will inform you where automated decision making and profiling is used for a specific service and provide further information. For example, if human involvement is used in a process (i.e.: see Case Findings Section 5A where a clinician reviews the findings) or where further reviews are available (i.e.: see Online Consultation Section 5K, where irrespective of the outcome of such profiling and automated



decision making, a member of the healthcare team will evaluate your online eConsult form, and you are free to visit the practice for a consultation. You can also fill in another form to provide different, updated information on the website and you can also speak to your GP and provide them with any further information.

#### **8. How Long Do We Keep Your Information**

In line with the most current NHS Digital Records Management Code of Practice for Health and Social Care, we will retain/store your health record for as long as necessary to provide the services set out in this Privacy Notice.

If you move away **or** register with another practice, we will send your paper records to the Primary care Support England who will forward on to the new practice in accordance with NHS guidelines. Your electronic records will be transferred via GP2GP, a secure electronic system in accordance with NHS GP2GP transfer guidelines.

If the practice is merging with another practice or will no longer be offering GP services, you will be notified of this change by the practice and you will be provided further information on the secure transfer of your record to your new GP practice.

For further information, please contact the practice.

#### **9. Our Website**

The only website this Privacy Notice applies to is the GP practice's website. If you use a link to any other website from the Practices' website, then you will need to read their respective privacy notice. We take no responsibility (legal or otherwise) for the content of other websites.

#### **10. Cookies**

The Practice's website uses cookies. For more information on which cookies our website uses and how they are used please go to

<https://www.mysurgerywebsite.co.uk/disclaimer.htm#cookies>

#### **11. Wi-Fi**

Is available on site for the use of our visitors via a third party provider as part of an NHS initiative. The practice has no access to the data held or control over Wi-Fi usage.

You will be provided with the access name and password if you wish to access the Wi-Fi, where terms and conditions of use will be available.

#### **12. Data Security**

We take the security of your information very seriously and we do everything we can to ensure that your information is always protected and secure.



We regularly update our processes and systems and we also ensure that our staff members complete regular training on data protection. We also carry out assessments and audits of the information that we hold about you, and we make sure that if we are considering providing new services, we carry out security assessments to ensure measures are put in place to protect your data.

### **13. Organisational Security**

#### **A. CCTV**

CCTV is in place outside our practice.

It has been installed solely for the safety and security of our patients and staff; to prevent and deter crime.

Images are recorded 24 hours a day and stored on the hard drives of the recording devices that are situated in secure areas and only those authorised at the practice and those delivering technical support services will have access to the system.

The CCTV only records images and does not record audio.

All CCTV recordings are stored on our recording devices for 28 days before being deleted.

There are signs outside the practice telling you that CCTV is in place.

We will only ever share information with the relevant internal personnel/authorities in connection with the safety and security of patients and staff and will not share with any other third parties.

Visitors to the practice have the right to request to see images of themselves on CCTV as part of a request made under the privacy legislation. Please refer to our Subject Access Request section '8 A' of this Privacy Notice for more information.

#### **B. Lawful Basis**

The purpose for processing the information is for quality, security and safety reasons. The lawful basis we rely on to process your personal data is article 6(1)(f) of the GDPR, which allows us to process personal data when it's necessary for the purposes of our legitimate interests.

### **14. Where to find our Privacy Notice**

You may find a copy of this Privacy Notice in our reception, on our website, or a copy may be provided on request.



### **15. Changes to our Privacy Notice**

We regularly review and update our Privacy Notice. This Privacy Notice was last updated on May 2020.

**Please note:** If English is not your first language, you may be able to request a translation of this Privacy Notice from the practice.



### Data Protection Requirements for Individual's Right to be Informed GDPR Article 13

	Mandatory Requirement as set by Data Protection Legislation Article 13	Section of Template the requirement is included	Page Number
1.	Data Controller	About Us (1) Contact Us (2A,B)	2-3
2.	Data Protection Officer (DPO)	Contact Us (2C)	3
3.	Type of data is being processed	Information we collect about you and Why (3)	3-4
4.	Source of personal data obtained (if not the individual)	Information we collect about you and Why (3)	3-4
5.	Purpose of the processing being done	Information we collect about you and Why (3)	3-4
	Who data will be shared with	Direct Care Services and Who We May Provide Your Information to and Why (5)  Non Direct Care Services where your Information may be Shared (6)	5-13  13-15
7.	Lawful basis relied on for the different types of processing (for both Article 6: Personal Identifiable Information and Article 9: Special Category)	Lawful Basis Relied on for Processing Information About You (4)	4-5
8.	Where legitimate interests pursued by Data Controller: (CCTV, phone recordings of data held)	Website Cookies (10) Organisational Security (13)	18 19
9.	Retention Periods	How Long Do We Keep Your Information (8)	18
10.	Where Lawful Basis of consent given, the right to withdraw is evident	Lawful Basis Relied on for Processing Information About You (4D)	4-5
11	Data obtained and used for other purposes than initial intention (i.e.: non direct care)	Non Direct Care Services Where your Information may be Shared (6)	13-15
12.	Right to lodge a complaint with a supervisory authority	About Us (2B)	2
12.	Rights available to individuals	Individual Rights (7) Right to object also covered in sections (5 and 6)	15-18
	Right to be informed of Automated Decision Making including profiling	Individual Right – General and examples Case Findings and Risk Stratification (5A) Online consultation	17-18 6 11-12
13.	Privacy notice for children written in language that will be understandable to them:  Poster- high level of how and why data is processed for all data subjects. Relevant to all age groups  Main Privacy Notice written in plain language, but a Children's Policy may also be made available to potentially reach a wider audience of age ranges	High level poster and Children's Privacy Notice may be used for all age groups as a layering approach.	2
14.	Clear, concise, transparent, intelligible, easily accessible and in plain language	<b>Plain language and clear what and why the processing is occurring</b> , and how and when objecting and /other rights can be exercised.	
15.	To be provided to patients at time of collecting personal data	Our Privacy Notice is regularly reviewed and updated	