

PRIVACY NOTICE

How the Blackdown Practice Uses Your Information to Provide You with Healthcare

When you register for NHS care

All patients who receive NHS care are registered on a national database. This database holds your name, address, date of birth, gender and NHS Number but it does not hold information about the care you receive. The database is held by NHS Digital a national organisation which has legal responsibilities to collect NHS data. More information can be found at <https://digital.nhs.uk/services/systems-and-service-delivery/national-health-application-and-infrastructure-services/primary-care-registration> or the phone number for general enquires is 0300 303 5678.

Your medical record – the information we hold

The Blackdown Practice keeps medical records confidential and complies with the General Data Protection Regulation 2018. We hold information within your medical record so that we can provide you with safe care and treatment.

The records we hold may be held in electronic and/or manual (written down or typed) format, and may include the following information:

- Personal details about you, such as name, address, date of birth, phone numbers, occupation and next of kin;
- Details about your medical conditions and any family history of illnesses;
- Details of any contact the surgery has had with you such as appointments, clinic visits, telephone consultations, visits – where you were seen, when you were seen and by whom;
- Referrals made to other healthcare services by the Practice and reports back detailing your treatment and care provided by these services;
- Referral to, and notes and about your health and wellbeing from, other services aligned to NHS services e.g. social services or voluntary or support organisations such as an agency providing care at home;
- Results of investigations, such as laboratory tests and x-rays;
- Relevant information from other health professionals, relatives or those who care for you and know you well.

Who do we regularly share medical information with when providing healthcare?

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.

The Practice may need to request information from, or provide information to; hospitals, dentists, opticians, pharmacists, out of hours GP services (e.g. Devon Doctors Ltd), ambulance staff, staff working at referral management centres (e.g. DRSS), other doctors surgeries, Local Authorities e.g. social services and care homes. This list is not exhaustive.

If your health needs require care from others elsewhere outside this practice we will exchange with them whatever information about you that is necessary for them to provide that care. Your consent to this sharing of data, within the Practice and with those others outside the practice is assumed and is allowed by the Law.

When you make contact with healthcare providers outside the practice but within the NHS it is usual for them to send us information relating to that encounter. We will retain part or all of those reports. Normally we will receive equivalent reports of contacts you have with non NHS services but this is not always the case. Information is shared either electronically through a secure internet connection, by letter, fax (less common) and by telephone. Safeguards are in place to ensure that data is transferred securely.

There are other occasions when medical information is provided by the Practice in response to a specific request e.g. from an insurance company, a solicitor, education services or a court. In these circumstances, generally the request is discussed specifically with the patient, unless there is a legal obligation to provide the information without doing so.

Various IT systems are used inside and outside the surgery to support your healthcare. Examples of these include the main system used to hold the electronic medical records. As the GP medical record is the most complete form of medical record, this is held off site within the UK on a secure server. The link between the surgery and the server is via an NHS specific internet connection that is also used to transfer information via e-mail and via the referral management centres to local hospitals. Other systems used in the Practice are 'tagged onto' the main clinical record e.g. software to calculate what warfarin dose patients should receive.

Sometimes we require help maintaining these systems to keep the Practice running. We have a small number of companies or individuals who may be required to remotely access the system to correct a fault within the clinical system that holds the medical record or to another essential piece of software e.g. to be able to carry out heart monitoring. These IT support professionals work for companies which are 'approved third party providers' for the medical system and the NHS. They only access our systems under strict controls to correct a fault and no information is removed from the Practice.

In an emergency

There are occasions when a medical intervention is necessary in order to save or protect someone's life or to prevent them from serious immediate harm in an emergency situation. In these circumstances the person may be unconscious or too ill to communicate and we have an overriding duty to try to protect and treat that person. If necessary we will share information including possibly sensitive confidential information with other emergency services, the police or fire brigade, so that you can receive the best treatment.

Healthcare staff working in hospitals, Emergency Departments and for Devon Doctors out of hours care may also have access to your information as part of your Summary Care Record. For more information see: <https://digital.nhs.uk/summary-care-records>.

How do we maintain the confidentiality of your records?

Every member of staff who works for the Practice has a legal obligation to keep information about you confidential and only access your record where there is a reason to do so e.g. when recording a consultation, booking an appointment or scanning a letter. Anyone in an organisation who receives information from the Practice has a legal duty to keep it confidential.

We are required by law to provide you with the following detailed information about how we handle your information.

<p>Data Controller contact details</p>	<p>The Blackdown Practice, Station Road, Hemyock, Cullompton. EX15 3SF 01823 680206</p>
<p>Data Protection Officer contact details</p>	<p>A Data Protection Officer is being appointed on behalf of General Practice in Devon and will be hosted by an organisation called Sentinel. Until this individual has been appointed, Karen Button, Practice Manager is the officer to whom data protection matters should be directed. Karen can be found at: The Blackdown Practice, Station Road, Hemyock, Cullompton. EX15 3SF 01823 680206</p>
<p>Purpose of the processing</p>	<p>To give direct health or social care to individual patients. For example, when a patient agrees to a referral for direct care, such as to a hospital, relevant information about the patient will be shared (via the referral management service) with the other healthcare staff to enable them to give appropriate advice, investigations, treatments and/or care.</p>
<p>Lawful basis for processing</p>	<p>These purposes are supported under the following sections of the GDPR:</p> <ul style="list-style-type: none"> ▪ <i>Article 6(1)(e) ‘...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...’;</i> <p>And</p> <ul style="list-style-type: none"> ▪ <i>Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...’</i> <p>There is a specific legal justifications for emergency care;</p> <ul style="list-style-type: none"> ▪ <i>Article 6(1)(d) “processing is necessary to protect the vital interests of the data subject or of another natural person”</i> <p>And</p> <ul style="list-style-type: none"> ▪ <i>Article 9(2)(c) “processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent”</i> <p>Or alternatively</p> <ul style="list-style-type: none"> ▪ <i>Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...’</i> <p>Healthcare staff will also respect and comply with their obligations under the common law duty of confidentiality.</p>

<p>Recipient or categories of recipients of the processed data</p>	<p>The data will be shared with:</p> <ul style="list-style-type: none"> ▪ healthcare professionals and staff in this surgery; ▪ hospitals, these may be local or more specialist centres; ▪ out of hours services; ▪ diagnostic and treatment centres; ▪ referral management centres; ▪ or other organisations involved in the provision of direct health and social care to individual patients; ▪ third parties at the request of a patient e.g. insurance or solicitors reports
<p>Rights to object</p>	<p>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.</p> <p>You have the right to object to information being shared between those who are providing you with direct care. This may affect the care you receive – please speak to the Practice.</p> <p>You are not able to object when information is legitimately shared for safeguarding reasons with safeguarding services. In appropriate circumstances it is a legal and professional requirement to share information for safeguarding reasons. This is to protect people from harm.</p>
<p>Right to access and correct</p>	<p>You have the right to access/view what information the surgery holds about you, and have any errors or mistakes corrected. Please speak to a member of staff or look at our ‘subject access request’ policy on the practice website.</p> <p>We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view.</p>
<p>Retention period</p>	<p>GP medical records will be kept in line with the law and national guidance. Information on how long records are kept can be found at: https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016 or speak to the Practice Manager.</p>
<p>If you have concerns</p>	<p>Should you have any concerns about how your information is managed at the surgery please contact the Practice Manager to discuss how the disclosure of your personal information can be limited.</p>
<p>Right to complain</p>	<p>You have the right to complain to the Information Commissioner’s Office. If you wish to complain follow this link https://ico.org.uk/global/contact-us/ or call the helpline</p> <p>0303 123 1113</p>
<p>Data we get from other organisations</p>	<p>We receive information about your health from other organisations who are involved in providing you with health and social care. For example, if you go to hospital for treatment or an operation the hospital will send us a letter to let us know what happens. This means your GP medical record is kept up-to date when you receive care from other parts of the health service.</p>