

## PRIVACY NOTICE

### How the Blackdown Practice Shares Your Information So That We Can Meet Legal Requirements

The law requires The Blackdown Practice to share information from your medical records in certain circumstances.

#### NHS Digital

NHS Digital is a national body which has legal responsibilities to collect information about health and social care services. It collects information from across the NHS in England and provides reports on how the NHS is performing and how care is being provided. These reports help to plan and improve services to patients.

This practice must comply with the law and will send data to NHS Digital, for example, when it is told to do so by the Secretary of State for Health or NHS England under the Health and Social Care Act 2012.

More information about NHS Digital and how it uses information can be found at <https://digital.nhs.uk/home>

#### Public Health England

The law requires us to share relevant information to local health protection team or Public Health England for public health reasons. This can be, for example, to prevent the spread of infectious diseases and/or other diseases which threaten the health of the population.

They also receive data regarding the effectiveness of care e.g. monitoring vaccination rates.

For more information about Public Health England and disease reporting see: <https://www.gov.uk/guidance/notifiable-diseases-and-causative-organisms-how-to-report>

#### Care Quality Commission (CQC)

The CQC regulates health and social care services to ensure that safe care is provided. The law says that we must report certain serious events to the CQC. For more information about the CQC see: <http://www.cqc.org.uk/>

#### Courts

We must share your information if a court of law orders us to do so.

#### Police

We must share information in certain limited circumstances e.g. if someone suffers a gunshot wound or if there is a need to prevent a serious crime.

## Safeguarding

Sometimes we need to share information so that other people, including healthcare staff, children or others with safeguarding needs, are protected from risk of harm. These circumstances are rare. We do not need your consent or agreement to do this.

## Health and Safety Executive

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013 puts duties on people in control of work premises (the Responsible Person) to report certain serious workplace accidents, occupational diseases and specified dangerous occurrences (near misses).

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

<b>Data Controller</b> contact details	The Blackdown Practice, Station Road, Hemyock, Cullompton. EX15 3SF  01823 680206
<b>Data Protection Officer</b> contact details	A Data Protection Officer, Bex Lovewell, has been appointed on behalf of our Practice and is hosted by DELT Shared Services. Bex may be contacted by e-mail <a href="mailto:bex.lovewell@nhs.net">bex.lovewell@nhs.net</a> or Data Protection Officer, DELT Shared Services Ltd, BUILDING 2 – DELT, Derriford Business Park, Plymouth PL6 5QZ.
<b>Purpose</b> of the processing	Compliance with legal obligations or court order.
<b>Lawful basis</b> for processing	These purposes are supported under the following sections of the GDPR and mean that we can share information when the law tells us to do so: <ul style="list-style-type: none"> <li>▪ <i>Article 6(1)(c) – ‘processing is necessary for compliance with a legal obligation to which the controller is subject...’</i></li> </ul> <p>And</p> <ul style="list-style-type: none"> <li>▪ <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></li> </ul>
<b>Recipient or categories of recipients</b> of the processed data	<ul style="list-style-type: none"> <li>▪ The data may be shared with NHS Digital.</li> <li>▪ The data may be shared with the Care Quality Commission.</li> <li>▪ The data may be shared with our local health protection team or Public Health England.</li> <li>▪ The data may be shared with the court if ordered.</li> <li>▪ The data may be shared with the police service.</li> <li>▪ The data may be shared with Safeguarding Services in the NHS or County Council</li> <li>▪ The data may be shared with the Health and Safety Executive</li> </ul>
<b>Rights to object and the national data opt-out</b>	There are very limited rights to object when the law requires information to be shared but government policy allows some rights of objection as set out below.

	<p><b>NHS Digital</b></p> <p>You have the right to ‘opt-out’ of national clinical audit and medical research under the national data opt-out model.</p> <p>You have the right to object to information being shared with NHS Digital for reasons other than your own direct care. This is called a ‘<b>Type 1</b>’ objection. There is also a <b>National opt-out</b> objection <a href="https://digital.nhs.uk/services/national-data-opt-out">https://digital.nhs.uk/services/national-data-opt-out</a> which means your data is extracted but not shared with third parties such as universities and charities.</p> <p>To opt-out of your identifiable information being shared for medical research or to find out more about your opt-out choices please go to NHS Digital’s website <a href="https://digital.nhs.uk/data-and-information/data-collections-and-data-sets/data-collections/general-practice-data-for-planning-and-research/transparency-notice">https://digital.nhs.uk/data-and-information/data-collections-and-data-sets/data-collections/general-practice-data-for-planning-and-research/transparency-notice</a> or you can ask our Practice Manager.</p>
<b>Right to access and correct</b>	<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>
<b>Retention period</b>	<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: <a href="https://www.nhsx.nhs.uk/information-governance/guidance/records-management-code/">https://www.nhsx.nhs.uk/information-governance/guidance/records-management-code/</a> or speak to our Practice Manager.</p>
<b>If you have concerns</b>	<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>
<b>Right to complain</b>	<p>You have the right to complain to the Information Commissioner’s Office. If you wish to complain follow this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a> or call the helpline</p> <p><b>0303 123 1113</b></p>
<b>Data we get from other organisations</b>	<p>We may receive information about your health from Public Health Services or the Police that we would include in your medical record.</p> <p>This means your GP medical record is kept up-to date when you receive care from other parts of the health service.</p>