

How we use your personal information

Fair Processing Notice



This privacy notice explains why the GP Practice collects information about you, and how that information may be used.

Health care professionals who provide you with care do so under the Health and Social Care Act and are required by law to maintain records about your health and any treatment or care you have received previously (e.g. NHS Trust, GP Surgery, Walk-in clinic, NHS 111 & 999 etc.). These records help to provide you with the best possible healthcare. The practice collects and holds data for the sole purpose of providing healthcare services to its registered patients.

NHS health records may be electronic, on paper or a mixture of both, and we use a combination of working practices and technology to ensure that your information is kept confidential and secure. Records Moatfield Surgery may hold about you may include the following information;

- Details about you, such as name, address, next of kin, carers, legal representatives
- Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments, etc.
- Notes and reports about your health
- Details about your treatment and care
- Results of investigations, such as laboratory tests, x-rays, etc.
- Relevant information from other health professionals, relatives or those who care for you.

Under the Health and Social Care (Safety and Quality) Act 2015, parties have a legal duty to share information for the direct care of a patient. This means that unless an individual objects, patient identifiable information must be shared between health or adult social care providers or commissioners in order to provide health services or social care that are in an individual's best interest.

Individuals can object at any time and will have to provide explicit consent at the point of access prior to any information sharing. Sharing patient identifiable information supports the health and care services for which the lead practice is authorised as a provider of healthcare services to NHS patients.

To ensure you receive the best possible care, your records are used to facilitate the care you receive. Information held about you may be used to help protect the health of the public and to help us manage the NHS. Information may be used for clinical audit to monitor the quality of the service provided.

Some of this information will be held centrally and used for statistical purposes. Where we do this, we take strict measures to ensure that individual patients cannot be identified.

Sometimes your information may be requested to be used for research purposes – the practice will always endeavour to obtain your consent before releasing any information.

Risk Stratification

Risk stratification tools are increasingly being used in the NHS to help determine a person's risk of suffering a particular condition, preventing an unplanned or (re)admission and identifying a need for preventive intervention. Information about you is collected from a number of sources including NHS Trusts and from this GP Practice. A risk score is then arrived at through an analysis of your de-identified information using software managed by the Horsham and Mid Sussex Clinical Commissioning Group as the data processor and is only provided back to your GP or member of your care team as data controller in an identifiable form. Risk stratification enables your GP to focus on the preventing of ill health and not just the treatment of sickness. If necessary your GP may be able to offer you additional services. Please be advised that patients do have the right to opt out.

Should you have any concerns about how your information is managed at the surgery, please contact the Practice Manager for Patient Services to discuss how the disclosure of your personal information can be limited?

Care.data

The Health and Social Care Act 2012 allows NHS Digital (formerly the Health & Social Care Information Centre (HSCIC)) to collate personal confidential data from GP practices without seeking your specific consent. Care.data is an example of a service that NHS England (not individual GP practices) has set up to use NHS Digital to collect data from GP practices about patients. This is in order to make increased use of information from medical records with the intention of improving healthcare and the quality of care delivered to patients. Information will be extracted from GP systems and includes personal confidential data such as referrals, NHS prescriptions and other clinical data. It also includes identifiers like your date of birth (DoB), postcode, NHS number and gender. This is so that your information can be linked with data from other healthcare settings for example, the hospital.

Care.data is not the same as Summary Care Record. If you want to know more, please visit the practice website at Moatfield.co.uk under Practice Policies and click on Computerisation & Records.

Summary Care Record

NHS England uses a national electronic record called the Summary Care Record (SCR) to support patient care. It contains key information from your GP record. Your SCR provides authorised healthcare staff with faster, secure access to essential information about you in an emergency or when you need unplanned care, where such information would otherwise be unavailable.

Summary Care Records are there to improve the safety and quality of your care. SCR core information comprises your allergies, adverse reactions and medications. An SCR with additional information can also include reason for medication, vaccinations, significant diagnoses / problems, significant procedures, anticipatory care information and end of life care information. Additional information can only be added to your SCR with your agreement.

Please be aware that if you choose to opt-out of SCR, NHS healthcare staff caring for you outside of this surgery may not be aware of your current medications, allergies you suffer from and any bad reactions to medicines you have had, in order to treat you safely in an emergency.

Your records will stay as they are now with information being shared by letter, email, fax or phone. If you wish to opt-out of having an SCR please return a completed opt-out form to the practice.

Local sharing via My Care Record

Your patient record is held securely and confidentially on the practice electronic system. If you require attention from a health professional such as an Emergency Department, Minor Injury Unit or Out Of Hours location, those treating you are better able to give appropriate care if some of the information from your GP patient record is available to them. This information can be locally shared electronically via My Care Record.

Your permission will be asked before the information is accessed, unless the health and social care user is unable to ask you and there is a clinical reason for access, which will then be logged.

Mobile Numbers & Email Addresses

If you provide us with your mobile phone number, we may use this to send you reminders about your appointments or other health screening information. Please let us know if you do not wish to receive reminders on your mobile.

If you provide us with your email address, we may use this to send you reminders to make an appointment for a review. Please let us know if you do not wish to receive correspondence by email.

How do we maintain the confidentiality of your records?

We are committed to protecting your privacy and will only use information collected lawfully in accordance with:

- ⇒ The Data Protection Act 1998 (which is overseen by the Information Commissioner's Office) and subsequent General Data Protection Regulation 2018
 - ⇒ Human Rights Act 1998
 - ⇒ The Common Law Duty of Confidentiality
 - ⇒ Health and Social Care Act 2012
 - ⇒ Health and Social Care (Safety and Quality) Act 2015
 - ⇒ Mental Capacity Act 2005
 - ⇒ Information Security Management: Code of Practice
 - ⇒ Caldicott Review: Information, to share or not to share 2013.
 - ⇒ Review of Data Security, Consent and Opt-Outs (2016)
 - ⇒ Records Management NHS Code of Practice for Health and Social Care 2016
 - ⇒ NHS England Safe Haven Procedure
- Any other relevant legislation, standards or guidance.

Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential. Anyone who receives information from an NHS organisation has a legal duty to keep it confidential.

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. We will not disclose your information to any third party without your permission unless there are exceptional circumstances (i.e. life or death situations), or where the law requires information to be passed on and/or in accordance with the new information sharing principle following Dame Fiona Caldicott's information sharing review (Information to share or not to share) where "*The duty to share information can be as important as the duty to protect patient confidentiality.*"

This means that health and social care professionals should have the confidence to share information in the best interests of their patients within the framework set out by the Caldicott principles. They should be supported by the policies of their employers, regulators and professional bodies. The Caldicott principles are:

Principle 1. Justify the purpose(s) for using confidential information

Principle 2. Don't use personal confidential data unless it is absolutely necessary

Principle 3. Use the minimum necessary personal confidential data

Principle 4. Access to personal confidential data should be on a strict need-to-know basis

Principle 5. Everyone with access to personal confidential data should be aware of their responsibilities

Principle 6. Comply with the law

Principle 7. The duty to share information can be as important as the duty to protect patient confidentiality

Who are our partner organisations?

We may share your information as required with third parties in order to allow us to provide healthcare services to you. This may include the following organisations:

- NHS Trusts
- Specialist Trusts
- Alliance for Better Care federation organisations
- Local GP hubs and Improved Access Service hubs
- Independent Contractors such as dentists, opticians, pharmacists
- NHS Digital
- Private Sector Providers
- Voluntary Sector Providers
- Ambulance Trusts
- NHS Clinical Commissioning Groups
- Social Care Services
- Carer Support Service & Wellbeing Services
- Local Authorities
- Education Services
- Fire and Rescue Services
- Police & Judicial Services
- Monitoring organisations as required by Law, eg. Care Quality Commission
- Other 'data processors', which you will be informed of.

When organisations other than outlined above are involved and no recent written consent from you is produced, you will be informed and we will ask for your explicit consent before data is shared, when this is required.

In future the practice may also use external companies to process personal information, such as for archiving purposes. These companies are bound by contractual agreements to ensure information is kept confidential and secure.

Medicines' Management

Our Clinical Commissioning Group (CCG) supports the practice with Medicines' Management Reviews of medications prescribed to its patients. This service performs a review of prescribed medications to ensure patients receive the most appropriate, up to date and cost effective treatments. This service is provided to practices within the Horsham and Mid Sussex CCG.

Access to personal information

You have a right under the Data Protection Act 1998 and subsequent General Data Protection Regulation 2018 (GDPR) to request access to view or to obtain copies (a charge may apply) of what information the surgery holds about you and to have it amended should it be inaccurate. In order to request this, you need to do the following:

- ⇒ Your request must be made in writing to the practice (for information from the hospital or any other service, please send your request directly to the appropriate organisation)
- ⇒ There may be a charge to have a printed copy of the information held about you
- ⇒ We are required to respond to you within 40 days or 30 days under GDPR
- ⇒ 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.

Objections / Complaints

Should you have any concerns about how your information is managed at the practice, please contact the Practice Manager for Patient Services who will look into the matter on your behalf.

If you are still unhappy following a review by the practice, the Information Commissioners Office (ICO) can be contacted via their website (www.ico.gov.uk).

If you are happy for your data to be extracted and used for the purposes described in this fair processing notice then you do not need to do anything.

If you do not want your personal data being extracted and leaving the GP practice for any of the purposes described, you need to let us know as soon as possible. We will then enter clinical codes into your records that will prevent data leaving the practice and / or leaving the central information system at NHS Digital for use by secondary providers.

Change of Details

It is important that you tell the person treating you if any of your details such as your name, address or telephone number have changed or if any of your details, such as date of birth, are incorrect in order for this to be amended.

Patients have a responsibility to inform the practice of any changes so our records are accurate and up to date for you. If you have moved to a new address it is particularly important that you inform the practice as soon as is practical as the new address may no longer fall within the area the practice serves. Patients may be asked to register with another practice and details of practices in your area can be found on the NHS Choices website.

Notification

The Data Protection Act 1998 requires organisations to register a notification with the Information Commissioner to describe the purposes for which they process personal and sensitive information.

This information is publicly available on the Information Commissioners Office website www.ico.org.uk

The practice is registered with the Information Commissioners Office (ICO).

Who is the Data Controller?

The Data Controller, responsible for keeping your information secure and confidential is:
The GP Practice where your medical record is being held, guided by the Caldicott Guardian in post at the time.