



# PRIVACY NOTICE – March 2024

The **General Data Protection Regulation (GDPR)** was designed to promote greater awareness regarding our obligations on the information we hold, how we store and use that information and who we share it with. It also gives enhanced rights to patients with regard to consent and access to their data. All general practices must comply with these new regulations.

## **It is permitted for this practice to hold personal data for 3 purposes:**

1. Provision of direct health and social care: this includes administration of patient records, provision of general medical services and treatment, diagnosis, therapy, analysis for management purposes and statutory returns.
2. Healthcare administration: this includes sharing relevant information to ensure good, effective and safe care, the organisation of healthcare services, identification of patients, scheduling of patients and provision of healthcare education etc.
3. Research and statistical analysis: this includes data for survey purposes, distribution of questionnaires face to face or telephone interview and is used to check and review the quality of care. This is known as audit and clinical governance.

## **The obligations for the practice with regard to personal data are as follows:**

- Obtain and process data fairly and lawfully
- Respect and comply with our obligations under the common law duty of confidence
- Hold it only for the purposes specified in our registry entry
- Use it only for the purposes allowed and disclose it only to the people necessary for the provision of effective and safe healthcare
- Hold only data that is adequate, relevant and not excessive in relation to the purpose for which it is held
- Maintain accurate personal data that is kept up to date
- Keep your data secure and confidential
- Hold it for no longer than is necessary
- Allow you to access information we hold about you and where appropriate allow for information we hold to be corrected or erased.
- Take security measures to prevent unauthorised or accidental access to, alteration, disclosure or loss and destruction of information.
- Keep your GP records in line with the Records Management Code of Practice for Health and Social Care 2016

## **The Information we collect about you**

We aim to provide you with the highest quality of safe healthcare. To do this we must keep records about you, your health and the care we have provided or plan to provide.

This includes:

- Basic details about you, such as address, date of birth, next of kin or any carer you may have
- Contact we have had with you such as appointments, clinical visits or telephone calls
- Notes and reports we have made about your health
- Details and records about treatment or care you have received both here and from other organisations
- Results of any x-rays, scans or laboratory tests etc
- Relevant information from other healthcare professionals involved in providing you with health and social care eg hospital letters
- Relevant information from other people who care for you and know you well such as relatives or paid carers

## **We will try to make sure that:**

- We discuss and agree things with you so you know what we have recorded about you
- Make available copies of any letters we write about you

- You have a right to access your records and see what we have recorded. We will provide you access to view or have copies of your records in a suitable format if you wish. Subject access requests (SAR) can be made verbally or in writing and will be free of charge unless the request is repetitive or excessive.
- You have the right to have any errors and mistakes corrected but no legal right to have correct information deleted. Please speak to us if you think your information is incorrect. You will need to seek legal advice if you believe there is no lawful purpose for us holding the information we hold.

### How your records are used

We have a duty along with everyone else working for the NHS to keep information about you confidential. The people who care for you at the practice need to use your records to:

- Provide a good basis for making decisions with you and other care professionals about your care
- Make sure your care is safe and effective
- Making sure your care is coordinated efficiently with all other care professionals involved
- Allowing you as a patient to work with anyone involved in providing care for you

### Who we share your records with

NHS Digital hold a database of demographic data only for all patients who are eligible and receive NHS care. They may also share data of patients suspected of committing immigration offences with the home office.

<https://digital.nhs.uk/home> . We share your records with:

- Healthcare professionals and all staff in the surgery on a need to know basis only.
- Local hospitals and health and social care providers, including via the Great North care Record unless you have opted out of this. [www.greatnorthcarerecord.org.uk](http://www.greatnorthcarerecord.org.uk)
- We maintain a summary care record (SCR) that can be accessed in secondary care with your consent unless you have opted out of this. <https://digital.nhs.uk/summary-care-record>
- Out of hours services
- Diagnostic and treatment centres some of whom may be outside the NHS
- We may discuss your medication with your nominated a pharmacy if you have one.
- Other organisations involved in the provision of health and social care
- Third party processors, mainly companies that provide IT services and support for our clinical system and online services. We will always have an appropriate agreement in place to ensure your data is kept secure.

We will not normally share information that identifies you for any reason unless:

- We ask you and you agree. This is known as giving your explicit consent
- If you discuss a referral or course of action with a health care professional and agree to it, this is known as implied consent for the referral or action to be made. This could be to a hospital specialist or private care provider.
- You ask us to provide information to a third party and give your consent. This can be verbal but usually you have to provide explicit consent through the Access to Medical Records Act (AMRA), often to an insurance company or solicitor for example.

However, there are some instances where we need to share information that identifies you and we do not have your implied or explicit consent. We will always question the validity of these requests and only provide the details if:

- The information about you is needed by other healthcare professionals to provide effective, continued care for you. We will strive to get your consent but will make a professional judgement and provide the minimal information needed for your continued wellbeing without your consent if absolutely necessary.
- We have to by law
- Where safeguarding issues mean information is shared to prevent or protect from risk of harm
- We have special permission for health and research purposes
- We have special permission because the interests of the public are thought to be of greater importance than your confidentiality

We may be asked to share your identifiable or anonymised data with various organisations, within or working for the NHS. This could be for a number of reasons:

- To plan and manage future healthcare provision

- Check that the care being provided is safe. This regulated by the Care Quality Commission (CQC) <https://www.cqc.org.uk/>
- Prevent spread of infectious disease. This is usually our local health protection team or Public Health England. <https://www.gov.uk/guidance/notifiable-diseases-and-causative-organisms-how-to-report>
- To screening and identify high risk patients to provide early intervention, care and support. <https://www.gov.uk/topic/population-screening-programmes>
- To check the quality of care provided for example by clinical audit. This can be within the practice or for local or national audits. Results are used to recommend improvements to care. More information on clinical audits can be found at <https://www.hqip.org.uk/> or 02079977370
- To Keep track of NHS spending
- For teaching and professional development of health care workers
- For medical research purposes when the law allows us to do so. This can be within or outside the Practice and is used for developing new treatments and medicines to improve care.

Data sent outside the Practice is only provided to bodies with legal responsibilities to collect data. We will only provide identifiable data for this purpose with your explicit consent or within the law.

### **Your rights to object to data sharing and the National Data Opt Out Programme**

You have the right to object to:

- Information being shared between those who are providing you with direct care however this may affect the care you receive.
- NHS Digital has developed a National Data Opt Programme. If you would like more information or wish to opt out of your data being used for purposes other than your clinical care you can go to [www.nhs.uk/my-data-choice](http://www.nhs.uk/my-data-choice), or speak to us at the practice.
- You can opt out of public health national screening programmes at <https://www.gov.uk/government/publications/opting-out-of-the-nhs-population-screening-programmes>, call 0300 303 5678 or speak to us at the practice.

You are not able to object to:

- NHS digital holding your demographic data if you wish to receive NHS care or to them sharing this with the Home office if thought necessary
- Legitimate data being shared for safeguarding or public health reasons to prevent or protect people from harm.
- Information being shared with Care Quality Commission when required for regulatory functions.
- Data being shared if it is required by law.

### **Our communication with you and your choices**

We routinely contact you by letter or telephone and increasingly will use text messages and e-mail, sometimes using an NHS approved mailing or text company. If you have provided us with a landline telephone number, mobile telephone number or e-mail address we will assume you are happy for us to use these methods to contact you unless you tell us otherwise. Please let us know if you wish to opt out of communication by any of these methods.

### **Data handling Complaints**

If you believe there is a problem with how we have handled your data you can speak to our Data Controller and Business Manager, Olivia Rodda, e-mail her at [nencicb-nor.sele-admin@nhs.net](mailto:nencicb-nor.sele-admin@nhs.net) or telephone her on 01434 602237. In addition you can complain to the ICO, Information Commissioners Office by e-mail <https://ico.org.uk/global/contact-us/> or telephone on 0303 123 1113.

**This Practice is registered under the Data Protection Act: Registration No.: Z6181307**

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