

# Hartland Surgery - Privacy Policy

**Our Practice keeps medical records confidential and complies with the General Data Protection Regulation.**

**We hold your medical record so that we can provide you with safe care and treatment.**

**We will also use your information so that we can check and review the quality of the care we provide. This helps us to improve our services to you.**

- We will share relevant information from your medical record with other health or social care staff or organisations when they provide you with care. For example, your GP will share information when they refer you to a specialist in a hospital, or when you are poorly and call upon the Out of Hours service when we are closed.
- More information on how we share your information with organisations who are directly involved in your care can be found here:  
<https://www.devonccg.nhs.uk/information-for-patients/information-governance-your-information>
- Healthcare staff working in A&E and out of hours care will also have access to your information. For example, it is important that staff who are treating you in an emergency know if you have any allergic reactions. This will involve the use of your Summary Care Record. For more information see: <https://digital.nhs.uk/summary-care-records> or alternatively speak to your practice.
- You have the right to object to information being shared for your own care. Please ask reception for more details.
- You also have the right to have any mistakes or errors corrected.
- You have the right to object to your information being shared under the national data opt-out model. The national data opt-out model provides an easy way for you to opt-out of sharing information that identifies you being used or shared for medical research purposes and quality checking or audit purposes.

To opt-out of your identifiable information being shared for medical research or to find out more about your opt-out choices please ask a member of staff or go to NHS Digital's website: <https://digital.nhs.uk/services/national-data-opt-out-programme>

## Other important information about how your information is used to provide you with healthcare

### **Registering for NHS care**

- All patients who receive NHS care are registered on a national database.
- This database holds your name, address, date of birth 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/> or the phone number for general enquires at **NHS Digital is 0300 303 5678**

### **Identifying patients who might be at risk of certain diseases**

- Your medical records will be searched by a computer programme so that we can identify patients who might be at high risk from certain diseases such as heart disease or unplanned admissions to hospital.
- This means we can offer patients additional care or support as early as possible.
- This process will involve linking information from your GP record with information from other health or social care services you have used.
- Information which identifies you will only be seen by this practice.
- More information can be found at [www.eclipsesolutions.org](http://www.eclipsesolutions.org) or speak to a member of the Practice team.

### **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.
- Please see our local policies for more information:

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

<b>Data Controller</b> contact details	Hartland Surgery, 66 The Square, Hartland, Bideford, Devon EX39 6BL
<b>Data Protection Officer</b> contact details	Bex Lovewell Data Protection Officer Delt Shared Services Ltd. BUILDING 2 - DELT Derriford Business Park Plymouth PL6 5QZ
<b>Purpose</b> of the processing	<ul style="list-style-type: none"> <li>To give direct health or social care to individual patients.</li> <li>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 with the other healthcare staff to enable them to give appropriate advice, investigations, treatments and/or care.</li> <li>To check and review the quality of care. (This is called audit and clinical governance).</li> </ul>
<b>Lawful basis</b> for processing	<p>These purposes are supported under the following sections of the GDPR:</p> <p><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...’; and</i></p> <p><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> <p>Healthcare staff will also respect and comply with their obligations under the common law duty of confidence.</p>
<b>Recipient or categories of recipients</b> of the processed data	<p>The practice will also use carefully selected third party service providers that process data on behalf of the practice. When we use a third party service provider, we will always have an appropriate agreement in place to ensure that they keep the data secure, that they do not use or share information other than in accordance with our instructions and that they are operating responsibly to ensure the protection of your data. Examples of functions that may be carried out by third parties includes:</p> <ul style="list-style-type: none"> <li>Organisations that provide IT services &amp; support, including our core clinical systems; systems which manage patient facing</li> </ul>

services (such as our website and service accessible through the same); data hosting service providers; systems which facilitate video consultation, appointment bookings or electronic prescription services; document management services etc.

- Organisations who are delivering services on behalf of the practice (for example conducting Medicines Management Reviews to ensure that you receive the most appropriate, up to date and cost-effective treatments or supporting practices in offering choices of providers and appointments to patients who are being referred via the NHS E-Referral system).
- Payment providers (if for example you were paying for a prescription or a service such as travel vaccinations).

The data will be shared with:

- healthcare professionals and staff in this surgery;
- local hospitals;
- out of hours services;
- diagnostic and treatment centres;
- or other organisations involved in the provision of direct care to individual patients
- ECLIPSE data processor
- AccuRX
- eConsult
- InHealth Intelligence for Diabetic Eye Screening
- LumiraDx Care Solutions/INR Star

*For further information of who we share your personal data with and our third-party processors, please contact Trudy Bowles – Practice Manager*

<b>Rights to object</b>	<ul style="list-style-type: none"> <li>• You have the right to object to information being shared between those who are providing you with direct care.</li> <li>• This may affect the care you receive – please speak to the practice.</li> <li>• You have the right to object to your information being shared under the national data opt-out model - please see details listed on Page 1 of this document.</li> <li>• You are not able to object to your name, address and other demographic information being sent to NHS Digital.</li> <li>• This is necessary if you wish to be registered to receive NHS care.</li> <li>• You are not able to object when information is legitimately shared for safeguarding reasons.</li> <li>• In appropriate circumstances it is a legal and professional requirement to share information for safeguarding reasons. This is to protect people from harm.</li> <li>• The information will be shared with the local safeguarding service <a href="https://www.newdevonccg.nhs.uk/safeguarding">https://www.newdevonccg.nhs.uk/safeguarding</a></li> </ul>
<b>Right to access and correct</b>	<ul style="list-style-type: none"> <li>• You have the right to access your medical record and have any errors or mistakes corrected. Please speak to a member of staff or look at our Subject Access Request policy on our Practice website.</li> <li>• 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.</li> </ul>
<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://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016">https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</a> or speak to the practice.</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 <b>0303 123 1113</b></p>
<b>Data we get from other organisations</b>	<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>