# Your information, what you need to know

This privacy notice explains why we collect information about you, how that information may be used, how we keep it safe and confidential and what your rights are in relation to this.

# Why we collect information about you

Health care professionals who provide you with care are required by law to maintain records about your health and any treatment or care you have received within any NHS organisation. These records help to provide you with the best possible healthcare and help us to protect your safety.

We collect and hold data for the purpose of providing healthcare services to our patients and running our organisation which includes monitoring the quality of care that we provide. In carrying out this role we may collect information about you which helps us respond to your queries or secure specialist services. We may keep your information in written form and/or in digital form. The records may include basic details about you, such as your name and address. They may also contain more sensitive information about your health and also information such as outcomes of needs assessments.

# Details we collect about you

The health care professionals who provide you with care, maintain records about your health and any treatment or care you have received previously (e.g. from Hospitals, GP Surgeries, A&E, etc.). These records help to provide you with the best possible healthcare.

Records which this GP Practice may hold about you may include the following:

* Details about you, such as your address and next of kin
* 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
* Details of concerns or complaints you have raised about your health care provision and we need to investigate

# How we keep your information confidential and safe

Everyone working for our organisation is subject to the Common Law Duty of Confidence. Information provided in confidence will only be used for the purposes advised with consent given by the patient, unless there are other circumstances covered by the law. The NHS Digital [Code of Practice on Confidential Information](http://systems.digital.nhs.uk/infogov/codes/cop/code.pdf) applies to all NHS staff and they are required to protect your information, inform you of how your information will be used, and allow you to decide if and how your information can be shared. All our staff are expected to make sure information is kept confidential and receive regular training on how to do this.

The health records we use 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. Your records are backed up securely in line with NHS standard procedures. We ensure that the information we hold is kept in secure locations, is protected by appropriate security and access is restricted to authorised personnel.

We also make sure external data processors that support us are legally and contractually bound to operate and prove security arrangements are in place where data that could or does identify a person are processed.

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

* Data Protection Act 2018
* General Data Protection Regulation
* Human Rights Act
* Common Law Duty of Confidentiality
* NHS Codes of Confidentiality and Information Security
* Health and Social Care Act 2015
* And all applicable legislation

We maintain our duty of confidentiality to you at all times. We will only ever use or pass on information about you if we reasonably believe that 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 (such as a risk of serious harm to yourself or others) or where the law requires information to be passed on.

# How we use your information

Improvements in information technology are also making it possible for us to share data with other healthcare organisations for the purpose of providing you, your family and your community with better care. For example it is possible for healthcare professionals in other services to access your record with your permission when the practice is closed. This is explained further in the Local Information Sharing section below.

Under the powers of the Health and Social Care Act 2015, NHS Digital can request personal confidential data from GP Practices without seeking patient consent for a number of specific purposes, which are set out in law. These purposes are explained below.

You may choose to withdraw your consent to personal data being shared for these purposes. When we are about to participate in a new data-sharing project we will display prominent notices in the Practice and on our website at least four weeks before the scheme is due to start. Instructions will be provided to explain what you have to do to ‘opt-out’ of the new scheme. Please be aware that it may not be possible to opt out of one scheme and not others, so you may have to opt out of all the schemes if you do not wish your data to be shared.

You can object to your personal information being shared with other healthcare providers but should be aware that this may, in some instances, affect your care as important information about your health might not be available to healthcare staff in other organisations. If this limits the treatment that you can receive then the practice staff will explain this to you at the time you object.

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.

The types of information we may hold about you are:

Personal or Identifiable – this is information containing details that identify individuals. The following are data items that are considered identifiable: name, address, NHS Number, full postcode, date of birth.

Special Categories – personal data revealing: racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, sex life or sexual orientation, and health, biometric or genetic data

Confidential Information - this term describes information or data about identified or identifiable individuals, which should be kept private or secret and includes deceased as well as living people. ‘Confidential’ includes both information ‘given in confidence’ and ‘that which is owed a duty of confidence’.

Anonymised – this is data about individuals in a form that does not identify individuals and where identification through its combination with other data is not likely to take place.

Aggregated – this is statistical data about several individuals that has been combined to show general trends or values without identifying individuals within the data.

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| Activity | Rationale |
| **Anticoagulation Monitoring** | **Purpose:** Personal Confidential data is shared with LumiraDX in order to provide an anticoagulation clinic to patients who are on anticoagulation medication. This will only affect patients who are within this criteria.  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   **Processor** : LumiraDX INRStar |
| **Call Handling** | **Purpose:** the practice has commissioned the services of a third party organisation to assist with the flow of telephone calls into the practice. They will have access to personal data in order to complete call handling in making appointments and answering minor queries. The organisation will be bound by the same duty of confidentiality that all NHS organisations do. All third party staff will undergo robust training and security checks as all NHS staff currently working at the practice do. No data will be stored, transferred or accessed outside of the NHS network.  Legal Basis: This is a contractual arrangement and the organisation is bound by the terms of the contract. Under UK GDPR Article 6 1 (b) contractual obligation. Article 6 1 (e) Public Task Article 9 2 (h) Health data  **Processor**: In Touch Services Now Group |
| **Care Quality Commission** | **Purpose** – The CQC is the regulator for the English Health and Social Care services to ensure that safe care is provided. They will inspect and produce reports back to the GP practice on a regular basis. The Law allows the CQC to access identifiable data.  More detail on how they ensure compliance with data protection law (including UK GDPR) and their privacy statement is [available on our website](http://links.govdelivery.com:80/track?type=click&enid=ZWFzPTEmbXNpZD0mYXVpZD0mbWFpbGluZ2lkPTIwMTgxMjIxLjk5Mzg4MDcxJm1lc3NhZ2VpZD1NREItUFJELUJVTC0yMDE4MTIyMS45OTM4ODA3MSZkYXRhYmFzZWlkPTEwMDEmc2VyaWFsPTE3MzQ2MzQxJmVtYWlsaWQ9aWFpbi5yZWRtaWxsQG5ocy5uZXQmdXNlcmlkPWlhaW4ucmVkbWlsbEBuaHMubmV0JnRhcmdldGlkPSZmbD0mbXZpZD0mZXh0cmE9JiYm&&&107&&&https://www.cqc.org.uk/about-us/our-policies/privacy-statement)**:** <https://www.cqc.org.uk/about-us/our-policies/privacy-statement>  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine   **Processor**s – Care Quality Commission |
| **CCTV** | **Purpose:** The practice has installed CCTV cameras to enhance the security of the buildings, staff and visitors to the surgery. The system will be monitored by the surgery staff, no images will be shared outside of the surgery without a legal reason.  Where there is evidence of a crime information may be shared with the Police in the detection and prevention of a crime.  **Legal Basis:** This system has been commission by the surgery under contract, with the minimum use of personal data, specifically images. No personal confidential or Special category data will be shared by using this system.  Where there is a need to share images for the detection or prevention of a crime the legal basis under UK GDPR would be Article 6 1 (e) legitimate reasons.  **Processor:** Lighthouse Medical Practice |
| **Commissioning and contractual purposes**  **Planning**  **Quality and Performance** | **Purpose –** Anonymous data is used by the Integrated Care Board (ICB) for planning, performance and commissioning purposes, as directed in the practices contract, to provide services as a public authority.  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   Patients may opt out of having their personal confidential data used for Planning or research. Please contact your surgery to apply a Type 1 Opt out or logon to <https://www.nhs.uk/your-nhs-data-matters/manage-your-choice/> to apply a National Data Opt Out  **Processor** – NHS Sussex |
| **Coroner** | **Purpose –** Personal health records or information relating to a deceased patient may be shared with the coroner**.**  **Legal Basis –** UK GDPR Article 6(1)(c) - to comply with a legal obligation and article 9(2)(h) health data  **Processor –** The Coroner |
| **Destruction of data** | **Type of Data** - Confidential, Identifiable and special category  **Purpose-** To destroy personal and confidential data.  **Organisations-**  Shred-it  **Legal Basis -** *Article 6(1) (e) ‘…necessary for the performance of a task carried out in the public interest or in the exercise of official authority…’* |
| **Diabetes Clinical Support Services** | **Purpose**: To provide Diabetes patients, a review with a clinical pharmacist to support the management of their condition.  **Legal Basis**:  **Article 6(1)e** - “processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller”  **Article 9(2)h** - “processing is necessary for the purposes of preventive 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”  **Processor**: Interface Clinical Services Ltd |
| **Digital and Transformation Lead** | **Purpose:** The IT Consultant will assist with searches, data quality, income generation and reporting in Emis Web, patient communications, training, website support and other IT services that may be required.  **Legal Basis:**  Under UK GDPR Article 6 1(b) contractual obligation  Article 9 2 (h) Health data  **Processor:** James Hiatt |
| **Direct Care**  **NHS Trusts**  **Community Providers**  **Pharmacies**  **Enhanced care providers**  **Nursing Homes**  **Other Care Providers** | **Purpose –** Personal information is shared with other secondary care trusts and providers in order to provide you with individual direct care services. This could be hospitals or community providers for a range of services, including treatment, operations, physio, and community nursing, ambulance service.  **Legal Basis -** The processing of personal data in the delivery of direct care and for providers’ administrative purposes in this surgery and in support of direct care elsewhere is supported under the following:   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine   **Processors** – The practice uses carefully selected third party service providers (for example: Eastbourne DGH, Conquest Hospital, East Sussex Healthcare Trust, Sussex Community Foundation Trust, Urgent Treatment Centre, MSK, Integrated Diabetes Service, SDHC, Engage Consult, Pharmacies, Community Dermatology Service, Community Pharmacy Service,), NHS 111 |
| **GP Federation Services**  **GP Extended Access**  **Video Consultations**  **Asylum Seeker**  **Flu/COVID** | **Purpose –** Your medical record will be shared with the South Downs Health Care in order that they can provide direct care services to the patient population. This could be in the form of video consultations, Minor injuries clinics, GP extended access clinics. The Federation will be acting on behalf of the GP practice.  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   **Processor** – South Downs Health Care |
| **General Practice Data for Planning and Research (GPDPR)** | **Purpose:** Patients personal confidential data will be extracted and shared with NHS England in order to support vital health and care planning and research. Further information can be found [here](https://digital.nhs.uk/data-and-information/data-collections-and-data-sets/data-collections/general-practice-data-for-planning-and-research/transparency-notice#about-the-general-practice-data-for-planning-and-research-data-collection)  Patients may opt out of having their personal confidential data used for Planning or research. Please contact your surgery to apply a Type 1 Opt out or logon to <https://www.nhs.uk/your-nhs-data-matters/manage-your-choice/> to apply a National Data Opt Out  **Legal Basis :** The legal basis for this activity can be found at this link : [General Practice Data for Planning and Research: NHS Digital Transparency Notice - NHS Digital](https://digital.nhs.uk/data-and-information/data-collections-and-data-sets/data-collections/general-practice-data-for-planning-and-research/transparency-notice#our-legal-basis-for-collecting-analysing-and-sharing-patient-data)  **Processor:** NHS England |
| **General Practice Extraction Service (GPES)**   1. **At risk patients data collection Version 3** 2. **CVDPREVENT Audit** 3. **Physical Health Checks for people with Severe Mental Illness** | **Purpose –** GP practices are required to provide data extraction of their patients personal confidential information for various purposes to NHS England. The objective of this data collection is on an ongoing basis to identify patients registered at General Practices who fit within a certain criteria, in order to monitor and either provide direct care, or prevent serious harm to those patients. Below is a list of the purposes for the data extraction, by using the link you can find out the detail behind each data extraction and how your information will be used to inform this essential work:   1. [At risk patients including severely clinically vulnerable](https://digital.nhs.uk/about-nhs-digital/corporate-information-and-documents/directions-and-data-provision-notices/data-provision-notices-dpns/covid-19-at-risk-patients-data-provision-notice) 2. [NHS England has directed NHS England to collect and analyse data in connection with Cardiovascular Disease Prevention Audit](https://digital.nhs.uk/about-nhs-digital/corporate-information-and-documents/directions-and-data-provision-notices/data-provision-notices-dpns/cardiovascular-disease-prevention-audit) 3. [GPES Physical Health Checks for people with Severe Mental Illness (PHSMI) data collection](https://digital.nhs.uk/about-nhs-digital/corporate-information-and-documents/directions-and-data-provision-notices/data-provision-notices-dpns/physical-health-checks-severe-mental-illness?_cldee=cm9iZXJ0LmhhY2tpbmdAbmhzLm5ldA%3d%3d&recipientid=lead-1b4643b1db2feb11bf6f000d3a86b8d5-6b1a1b731c7d46d2b60ec64c42de1be7&esid=b5b9d61e-ab29-eb11-a813-000d3a87467d).   **Legal Basis -** All GP Practices in England are legally required to share data with NHS England for this purpose under section 259(1)(a) and (5) of theThe Health and Social Care Act 2012  Further detailed legal basis can be found in each link.  Any objections to this data collection should be made directly to NHS England. [enquiries@nhsdigital.nhs.uk](mailto:enquiries@nhsdigital.nhs.uk)  **Processor –** NHS England |
| **Individual Funding Requests** | **Purpose –** We may need to process your personal information where we are required to fund specific treatment for you for a particular condition that is not already covered in our standard NHS contract.    The clinical professional who first identifies that you may need the treatment will explain to you the information that is needed to be collected and processed to assess your needs and commission your care; they will gain your explicit consent to share this. You have the right to withdraw your consent at any time but this may affect the decision to provide individual funding.  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   **Data processor** – NHS Sussex ICB |
| **Learning Disability Mortality Programme**  **LeDer** | **Purpose:** The Learning Disability Mortality Review (LeDeR) programme was commissioned by NHS England to investigate the death of patients with learning difficulties and Autism to assist with processes to improve the standard and quality of care for people living with a learning disability and Autism. Records of deceased patients who meet with this criteria will be shared with NHS England.  **Legal Basis:**  It has approval from the Secretary of State under section 251 of the NHS Act 2006 to process patient identifiable information who fit within a certain criteria.  **Processor :** ICB, NHS England |
| **Mailing service** | **Purpose**: The practice uses a mailing service to assist with the sending of patient letters. A minimum of information is shared with the mailing service for this purpose; including patient identifiable data and health data. All data shared is deleted from the data base after 28 days of the letter being produced.  **Legal Basis:** the practice uses their position as a public authority to contract a third party for this purpose. Data is not processed for any other purpose by this third party.  GDPR Article 6 1 (e) Public task and Article 9 2 (h) Health data  **Processor :** CFH Docmail Ltd |
| **Medical Examiner Service**  **East Sussex Healthcare NHS Trust** | **Purpose**: Purpose: Medical records associated with deceased patients are outside scope of the UK GDPR. However, next of kin details are within the scope of the UK GDPR. We will share specified deceased patient records and next of kin details with the Medical Examiners within East Sussex Healthcare NHS Trust.  **Legal Basis**:  Article 6(1)(c) – necessary under a legal obligation to which the controller is subject”; and  Article 9(2)(h)– “processing is necessary for the purposes of preventive 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”  **Processor**: Medical Examiners service – East Sussex Healthcare NHS Trust. |
| **Medical reports**  **Subject Access Requests** | **Purpose –** Your medical record may be shared in order that:  Solicitors/persons acting on your behalf can conduct certain actions as instructed by you.  Insurance companies seeking a medical reports where you have applied for services offered by then can have a copy to your medical history for a specific purpose.  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   **Processor –** Solicitors and insurance organisations |
| **Medication/Prescribing** | **Purpose:** Prescriptions containing personal identifiable and health data will be shared with organisations who provide medicines management including chemists/pharmacies, in order to provide patients with essential medication regime management, medicines and or treatment as their health needs dictate. This process is achieved either by face to face contact with the patient or electronically.Pharmacists may be employed to review medication**,** Patients may be referred to pharmacists to assist with diagnosis and care for minor treatment,patients may have specified a nominated pharmacy they may wish their repeat or acute prescriptions to be ordered and sent directly to the pharmacy making a more efficient process. Arrangements can also be made with the pharmacy to deliver care and medication  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   **Processor** – Pharmacy of choice |
| **Medicines Management Team**  **Medicines Optimisation** | **Purpose** – your medical record is shared with the medicines management team pharmacists, in order that your medication can be kept up to date and any necessary changes to medication can be implemented.  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   **Processor** – First Databank, NHS Sussex ICS, Bespoke |
| **Messaging Service** | **Purpose –** Personal identifiable information shared with the messaging service in order that messages including; appointment reminders; results; campaign messages related to specific patients health needs; and direct messages to patients, can be transferred to the patient in a safe way.  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   **Provider -** AccuRX - NHSAPP, Mjog, Engage consult. |
| **MDT meetings** | **Purpose** – For some long term conditions, the practice participates in meetings with staff from other agencies involved in providing care, to help plan the best way to provide care to patients with these conditions. Personal data will be shared with other agencies in order that mutual care packages can be decided.  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   **Processor –**  ASC Eastbourne  St Wilfrid’s  Crisis Response (East Sussex Healthcare NHS Trust)  District Nursing Team (East Sussex Healthcare NHS Trust)  Southdown.org  Arlington Road surgery |
| **Non-commissioned, private healthcare providers (e.g. BUPA, Virgin Care, etc.)** | **Purpose –** Personal information shared with private health care providers in order to deliver direct care to patients at the patient’s request. Consent from the patient will be required to share data with Private Providers.  **Legal Basis –** Articles 6(1)(a) and 9(2)(a) Consented and under contract between the patient and the provider  **Provider** – Legal & General, Scottish Widows, AIG, Aviva, Zurich, Trust MSS, Inuvi, Speed Medical, Royal London, Premex, Medical Pros, UKIM, Premier Medical, On Time Reports, UNUM, Capita, Vitality, Aegon, Medi2data |
| **Patient Record data base** | **Purpose –** Your medical record will be processed in order that a data base can be maintained, this is managed in a secure way and there are robust processes in place to ensure your medical record is kept accurate, and up to date. Your record will follow you as you change surgeries throughout your life.  Closed records will be archived by NHS England  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   **Processor** – EMIS & PCSE |
| **Payments** | **Purpose -** Contract holding GPs in the UK receive payments from their respective governments on a tiered basis. Most of the income is derived from baseline capitation payments made according to the number of patients registered with the practice on quarterly payment days. These amounts paid per patient per quarter varies according to the age, sex and other demographic details for each patient. There are also graduated payments made according to the practice’s achievement of certain agreed national quality targets known as the Quality and Outcomes Framework (QOF), for instance the proportion of diabetic patients who have had an annual review. Practices can also receive payments for participating in agreed national or local enhanced services, for instance opening early in the morning or late at night or at the weekends. Practices can also receive payments for certain national initiatives such as immunisation programs and practices may also receive incomes relating to a variety of non-patient related elements such as premises. Finally there are short term initiatives and projects that practices can take part in. Practices or GPs may also receive income for participating in the education of medical students, junior doctors and GPs themselves as well as research. In order to make patient based payments basic and relevant necessary data about you needs to be sent to the various payment services. The release of this data is required by English laws.  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine   **Data Processors** – NHS England, ICB, Public Health |
| **Police** | **Purpose –** Personal confidential information may be shared with the Police authority for certain purposes. The level of sharing and purpose for sharing may vary. Where there is a legal basis for this information to be shared consent will not always be required.  The Police will require the correct documentation in order to make a request. This could be but not limited to, DS 2, Court order, s137, the prevention and detection of a crime. Or where the information is necessary to protect a person or community.  **Legal Basis –** UKGDPR   * Article 6(1)(c) – to comply with a legal obligation; and * Article 9(2)(j) – ‘for reasons of substantial public interest’   **Processor –** Police Constabulary |
| **Population Health Management** | **Purpose –** Health and care services work together as ‘Integrated Care Systems’ (ICS) and are sharing data in order to:   * Understand the health and care needs of the care system’s population, including health inequalities * Provide support to where it will have the most impact * Identify early actions to keep people well, not only focusing on people in direct contact with services, but looking to join up care across different partners.   **Type of Data –** Identifiable/Pseudonymised/Anonymised/Aggregate Data. NB only organisations that provide your care will see your identifiable data.  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine   **Data Processors -** APEX, SCW Commissioning Service |
| **Primary Care Network (PCN)** | **Purpose –** Your medical record will be shared with the Arlington Road Medical Practice, Park Practice and Seaside Medical Centre in order that they can provide direct care services to the patient population.  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   **Processor** – Arlington Road Medical Practice, Park Practice and Seaside Medical Centre |
| **Professional Training** | **Purpose –** We are a training surgery. Our clinical team are required to be exposed to on the job, clinical experience, as well as continual professional development. On occasion you may be asked if you are happy to be seen by one of our GP registrars, pharmacists or other clinical team to assist with their training as a clinical professional. You may also be asked if you would be happy to have a consultation recorded for training purposes. These recordings will be shared and discussed with training GPs at the surgery, and also with moderators at the RCGP and HEE.  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   Recordings remain the control of the GP practice and they will delete all recordings from the secure site once they are no longer required.  **Processor** – RCGP, HEE, iConnect, Fourteen Fish |
| **Public Health**  **Screening programmes (identifiable)**  **Notifiable disease information (identifiable)**  **Smoking cessation (anonymous)**  **Sexual health (anonymous)**  **Vaccination Programmes** | Purpose – Personal identifiable and anonymous data is shared.  The NHS provides national screening programmes so that certain diseases can be detected at an early stage. These currently apply to bowel cancer, breast cancer, aortic aneurysms and diabetic retinal screening service to name a few. The law allows us to share your contact information, and certain aspects of information relating to the screening with Public Health England so that you can be appropriately invited to the relevant screening programme.  More information can be found at: https://www.gov.uk/topic/population-screeningprogrammes [Or insert relevant link] or speak to the practice.  Patients may not opt out of having their personal information shared for Public Health reasons.  Patients may opt out of being screened at the time of receiving an invitation.  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   **Data Processors** – Public Health, East Sussex County Council, One You |
| **Remote consultation**  **Including – Video Consultation**  **Clinical photography** | **Purpose** – Personal information including images may be processed, stored and with the patients consent shared, in order to provide the patient with urgent medical advice.  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   Patients may be videoed or asked to provide photographs with consent. There are restrictions on what the practice can accept photographs of. No photographs of the full face, no intimate areas, no pictures of patients who cannot consent to the process. No pictures of children.  **Processor –** Engage Consult, AccuRX |
| **Research** | **Purpose –** We may share anonymous patient information with research companies for the purpose of exploring new ways of providing healthcare and treatment for patients with certain conditions. This data will not be used for any other purpose.  Where personal confidential data is shared your consent will be required.  Where you have opted out of having your identifiable information shared for this Planning or Research your information will not be shared.  **Legal Basis –**   * Articles 6(1)(a) and 9(1)(h) – explicit consent; or * Article 6(1)(c) (where we are *legally obligated* to share your personal data) for your standard personal data and Article 9(2)(j) (scientific research) for your health data.   Where identifiable data is required for research, patient consent will be needed, unless there is a legitimate reason under law to do so or there is support under the Health Service (Control of Patient Information Regulations) 2002 (‘section 251 support’) applying via the Confidentiality Advisory Group in England and Wales.  Sharing of aggregated non identifiable data is permitted.  **Processor –** |
| **Safeguarding Adults** | **Purpose –** We will share personal confidential information with the safeguarding team where there is a need to assess and evaluate any safeguarding concerns and to protect the safety of individuals.  Consent is not required to share information for this purpose.  **Legal Basis** – Direct Care under UK GDPR:   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine   **Data Processor** – HSCC, Adult Social Care, NHS Sussex Designated Nurses and GP’s |
| **Safeguarding Children** | **Purpose –** We will share children’s personal information where there is a need to assess and evaluate any safeguarding concerns and to protect the safety of children.  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   Consent may not be required to share this information.  **Data Processor** – SPOA, NHS Sussex Designated Nurses and GP’s |
| **Shared Care Record** | **Purpose:** In order for the practice to have access to a shared record, the Integrated Care Service has commissioned a number of systems including [GP connect](https://digital.nhs.uk/data-and-information/keeping-data-safe-and-benefitting-the-public/gdpr/gdpr-register/gp-connect), which is managed by NHS England, to enable a shared care record, which will assist in patient information to be used for a number of care related services. These may include Population Health Management, Direct Care, and analytics to assist with planning services for the use of the local health population.  Where data is used for secondary uses no personal identifiable data will be used.  Where personal confidential data is used for Research explicit consent will be required.  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   **Processor:** NHS England |
| **Shared care record (Local)** | **Purpose:** Health and Social care services are developing shared systems to share data efficiently and quickly.  It is important for anyone treating you to be able to access your shared record so that they have all the information they need to care for you. This will be during your routine appointments and in urgent situations such as going to A&E, calling 111 or going to an Out of hours appointment.  It is also quicker for staff to access a shared record than to try to contact other staff by phone or email.  Only authorised staff can access the systems and the information they see is carefully checked so that it relates to their job.  Systems do not share all your data, just data which services have agreed is necessary to include.  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   **Processor:** NHS Sussex ICS |
| **Smoking cessation** | **Purpose –** personal information is shared in order for the smoking cessation service to be provided.  Only those patients who wish to be party to this service will have their data shared  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   **Processor –** One You |
| **Social Prescribers** | **Purpose** – Access to medical records is provided to social prescribers to undertake a full service to patients dependent on their health social care needs.  Only those patients who wish to be party to this service will have their data shared  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   **Processor -** Southdown |
| **Speech-to-text technology** | **Purpose:** The practice intends to use TORTUS AI to process and transcribe clinical conversations, either between clinicians and patients or as part of a dictating process to record their findings/management plan during, before or following patient conversations.  **Legal Basis:**  **Article 6(1)e** “processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller”  **Article 9(2)h** “processing is necessary for the purposes of preventive 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”  **Processor**: Tortus AI |
| **Storage of medical records** | **Type of Data** - Confidential, Identifiable and special category  **Purpose-** To store patients paper medical records  **Organisations-**  Notespace  **Legal Basis -** *Article 6(1) (e) ‘…necessary for the performance of a task carried out in the public interest or in the exercise of official authority…’* |
| **Summary Care Record including additional information** | **Purpose –**The NHS in 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.  **Legal Basis** –   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   Patients have the right to opt out of having their information shared with the SCR by completion of the form which can be downloaded [here](https://digital.nhs.uk/services/summary-care-records-scr/scr-patient-consent-preference-form) and returned to the practice. Please note that by opting out of having your information shared with the Summary Care Record could result in a delay to care that may be required in an emergency.  **Processor –** NHS England |
| **Telephony** | **Purpose –** The practice use an internet based telephony system that records telephone calls, for their own purpose and to assist with patient consultations. The telephone system has been commissioned to assist with the high volume and management of calls into the surgery, which in turn will enable a better service to patients.  **Legal Basis –** While there is a robust contract in place with the processor, the surgery has undertaken this service to assist with the direct care of patients in a more efficient way.   * 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 * Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine’   **Provider –** LouisComm, Gamma Horizon |

# If you require more information about our data sharing policies please as reception for the full privacy notice.

# Data Retention

We manage patient records in line with the [Records Management NHS Code of Practice for Health and Social Care](http://webarchive.nationalarchives.gov.uk/20160729133355/http:/systems.hscic.gov.uk/infogov/iga/rmcop16718.pdf) which sets the required standards of practice in the management of records for those who work within or under contract to NHS organisations in England, based on current legal requirements and professional best practice. If you transfer to another GP and we are asked to transfer your records we will do this to ensure your care is continued. Currently the NHS is required to keep GP records for 10 years after a patient has died. Exceptions to these rules are detailed in the code of practice.

# Third party processors

In order to deliver the best possible service, the practice will share data (where required) with other NHS bodies such as other GP practices and hospitals. In addition the practice will use carefully selected third party service providers. When we use a third party service provider to process data on our behalf then 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 appropriately. Examples of functions that may be carried out by third parties includes:

* Companies that provide IT services & support, including our core clinical systems; systems which manage patient facing services (such as our website and service accessible through the same); data hosting service providers; systems which facilitate appointment bookings or electronic prescription services; document management services etc.
* Delivery services (for example if we were to arrange for delivery of any medicines to you).
* Payment providers (if for example you were paying for a prescription or a service such as travel vaccinations).

Further details regarding specific third party processors can be supplied on request.

# Your right to withdraw consent for us to share your personal information (Opt-Out)

If you are happy for your data to be extracted and used for the purposes described in this privacy notice then you do not need to do anything. If you do not want your information to be used for any purpose beyond providing your care you can choose to opt-out. We will respect your decision if you do not wish your information to be used for any purpose other than your care but in some circumstances we may still be legally required to disclose your data.

There are several forms of opt- outs available at different levels:

**Type 1 opt-out.**  If you do not want personal confidential information that identifies you to be shared outside your GP practice you can register a ‘Type 1 opt-out’ with your GP practice. This prevents your personal confidential information from being used except for your direct health care needs and in particular circumstances required by law, such as a public health emergency like an outbreak of a pandemic disease. If you do not want your information to be used for any purpose beyond providing your care you can choose to opt-out. If you wish to do so, please let us know so we can code your record appropriately to stop your records from being shared outside of your GP Practice.

**National data opt-out**

The national data opt-out is a service that allows you to opt-out of your confidential patient information being used by NHS Digital for research and planning.

Whenever you use a health or care service, such as attending Accident and Emergency or using Community Care services, important information about you is collected to help to ensure you get the best possible care and treatment.

If you do not want your confidential patient information to be used in this way or would like to find out more please visit [www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters) or call: 0300 303 5678.

# Access to your information

Under the Data Protection Act 2018 everybody has the right to see, or have a copy, of data we hold that can identify you, with some exceptions. You do not need to give a reason to see your data. Under special circumstances, some information may be withheld. We may charge a reasonable fee for the administration of the request in certain instances (e.g. where a duplicate copy is requested).

If you wish to have a copy of the information we hold about you, please speak to reception.

If you would like to access your GP record online please speak to reception.

Data Protection Officer  
Should you have any data protection questions or concerns, please contact our Data Protection Officer at: laurataw@nhs.net

# Notification

The Data Protection Act 2018 requires organisations to register a notification with the Information Commissioner to describe the purposes for which they process personal and sensitive information.

We are registered as a data controller and our registration can be viewed online in the public register at: <http://ico.org.uk/what_we_cover/register_of_data_controllers>

Any changes to this notice will be published on our website and in a prominent area at the Practice.

# Complaints

If you have concerns or are unhappy about any of our services, please contact our complaints manager, Claire Carter.

For independent advice about data protection, privacy and data-sharing issues, you can contact:

The Information Commissioner

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Phone: **0303 123 1113**  Website: [www.ico.gov.uk](http://www.ico.gov.uk)

# Further Information

Further information about the way in which the NHS uses personal information and your rights in that respect can be found here:

## The NHS Care Record Guarantee

The NHS Care Record Guarantee for England sets out the rules that govern how patient information is used in the NHS, what control the patient can have over this, the rights individuals have to request copies of their data and how data is protected under the Data Protection Act 2018.

<http://systems.digital.nhs.uk/infogov/links/nhscrg.pdf>

## The NHS Constitution

The NHS Constitution establishes the principles and values of the NHS in England. It sets out the rights patients, the public and staff are entitled to. These rights cover how patients access health services, the quality of care you’ll receive, the treatments and programmes available to you, confidentiality, information and your right to complain if things go wrong.

<https://www.gov.uk/government/publications/the-nhs-constitution-for-england>

## NHS Digital

NHS Digital collects health information from the records health and social care providers keep about the care and treatment they give, to promote health or support improvements in the delivery of care services in England.

<http://content.digital.nhs.uk/article/4963/What-we-collect>

# Reviews of and Changes to our Privacy Notice

We will keep our Privacy Notice under regular review. This notice was last reviewed in September 2019.