

Patient privacy notice – Glemsford Surgery

This Privacy Notice explains what personal information we collect from you, how we store this personal information, how long we retain it for and with whom and for which legal purpose we may share it.

**COVID-19 – Update until
31st March 2021**

The ICO recognises the unprecedented challenges the NHS and other health professionals are facing during the COVID-19 pandemic.

The ICO also recognise that 'Public bodies may require additional collection and sharing of personal data to protect against serious threats to public health.' The Government have also taken action in respect of this and on 20th March 2020 the Secretary of State for Health and Social Care issued a notice under Regulation 3(4) of the Health Service (Control of Patient Information) Regulations 2002 requiring organisations such as GP Practices to use your information to help GP Practices and other healthcare organisations to respond to and deal with the COVID-19 pandemic.

Please note that this notice has now been revised and extended by a further notice from 29th July 2020 until 31st March 2021.

In order to look after your healthcare needs during this difficult time, we may urgently need to share your personal information, including medical records, with clinical and non clinical staff who belong to organisations that are permitted to use your information and need to use it to help deal with the COVID-19 pandemic. This could (amongst other measures) consist of either treating you or a member of your family and enable us and other healthcare organisations to monitor the disease, assess risk and manage the spread of the disease. Additionally, the use of your information is now required to support NHS Test and Trace.

Please be assured that we will only share information and health data that is necessary to meet yours and public healthcare needs. The Secretary of State for Health and Social Care has also stated that these measures are temporary and will expire on 31st March 2021 unless a further extension is required. Any further extension will be will be provided in writing and we will communicate the same to you.

Please also note that the data protection and electronic communication laws do not stop us from sending public health messages to you, either by phone, text or email as these messages are not direct marketing.

It may also be necessary, where the latest technology allows us to do so, to use your information and health data to facilitate digital consultations and diagnoses and we will always do this with your security in mind.

Please be aware that we may use new providers or suppliers to help us quickly adapt during the outbreak and continue your care effectively. For example, we may use a new provider for video consultations. We may not be able to add these to our transparency materials right away, we apologise for this but please be assured all our processors are bound by contract to protect

to your data.

During COVID-19 we may ask you to send a photograph of you bruise / skin condition /symptom that you are concerned about whilst we conduct virtual consultations. This photograph will be used by the clinician to determine any medical treatment necessary and will be added to your medical record. Please note that, where this is sent from your personal email, we cannot guarantee its security we therefore we ask that you only include your NHS number and initial alongside your photograph in the email. The photograph should only be of the area requested and no other person should be visible in the shot. These images will be saved onto your medical record.

To help the NHS to respond to COVID-19, the shielded patient flag and additional information in Summary Care Records (SCR) is being included in SCR uploads by default, unless you have previously told the NHS that you do not wish your information to be shared. For more information click here <https://digital.nhs.uk/services/summary-care-record-application>.

Any requests for information, for example, Subject Access Requests, may be delayed due to urgent operational responses in dealing with the COVID-19 outbreak. We apologise for any inconvenience this may cause but we do remain committed to responding to your request and will respond as soon as we are able. Should our response to your request breach the statutory timescale and you remain unhappy with our response, you have the right to complain to the Information Commissioner's Office via <https://ico.org.uk/make-a-complaint/>

If you are concerned about how your information is being used, please contact our DPO using the contact details provided in this Privacy Notice.

<p>Who we are</p>	<p>Glemsford Surgery is part of West Suffolk NHS Foundation Trust (WSFT) and serves a predominantly rural population of around 5000 patients.</p> <p>The surgery is registered with the Information Commissioner's Office (ICO) as part of the West Suffolk NHS Foundation Trust to process personal and special categories of information under the General Data Protection Regulation 2016/679 and the registration number is Z6847094.</p>
<p>Why do we collect personal information?</p>	<p>The staff caring for you need to collect and maintain information about your health and treatment so that you can be given the best possible care. This personal information can be held in a variety of formats, including paper records, electronically on computer systems, photographs or in audio files.</p>
<p>What is our legal basis for processing your personal information?</p>	<p>Processing of patient information in connection with your health care is necessary for the purposes of health and social care.</p> <p>Processing of patient information for learning or planning services is deemed to be in the 'public interest'.</p> <p>The surgery does not require explicit consent of patients to process their personal data if the purpose falls within the legal bases detailed above.</p>

<p>What personal information do we need to collect about you and how do we obtain it?</p>	<p>Personal information about you is collected in a number of ways. This can be from referral details from a hospital, directly from you or your authorised representative.</p> <p>We will likely hold the following basic personal information about you: your name, address, telephone numbers, date of birth and emergency contacts. We might also hold your email address, marital status, occupation, ethnicity and preferred name or maiden name.</p> <p>In addition to the above, we may hold sensitive personal information about you which could include:</p> <ul style="list-style-type: none"> • Notes and reports about your health, treatment and care, including: <ul style="list-style-type: none"> - your medical conditions - results of investigations, such as x-rays and laboratory tests - future care you may need - personal information from people who care for and know you, such as relatives and health or social care professionals - other personal information such as smoking status and any learning disabilities • Your religion and ethnic origin • Whether or not you are subject to any protection orders regarding your health, wellbeing and human rights. <p>It is important for us to have a complete picture of you as this will assist staff to deliver appropriate treatment and care plans in accordance with your needs.</p>
<p>What do we do with your personal information?</p>	<p>Your records are used to directly manage and deliver healthcare to you to ensure that:</p> <ul style="list-style-type: none"> • The staff involved in your care have accurate and up to date information to assess and advise on the most appropriate care for you. • Staff have the information they need to be able to assess and improve the quality and type of care you receive. • Appropriate information is available if you see another healthcare professional, or are referred to a specialist or another part of the NHS, social care or health provider. <p>The personal information we collect about you may also be used to:</p> <ul style="list-style-type: none"> • remind you about your appointments and send you relevant correspondence; • review the care we provide to ensure it is of the highest standard and quality, e.g. through audit or service improvement;

	<ul style="list-style-type: none"> • support the funding of your care, e.g. with commissioning organisations; • prepare statistics on NHS performance to meet the needs of the population or for the Department of Health and other regulatory bodies; • form part of a population health record that is accessible by other organisations connected to your care; • allow out of hours or extended hours GPs to look at your health record when you are going to an appointment; • send prescriptions to community pharmacies; • provide samples to couriers for delivery to pathology; • share reports with the Coroner • produce medical reports on request from third parties such as DVLA or your employer; • move your medical records as needed, e.g if you register elsewhere; • Summary Care Record (SCR) if you have consented; • help to train and educate healthcare professionals; • report and investigate complaints, claims and untoward incidents; • report events to the appropriate authorities when we are required to do so by law; • review your suitability for research study or clinical trial; • contact you with regards to patient satisfaction surveys relating to services you have used within our hospital so as to further improve our services to patients <p>Where possible, we will always look to anonymise your personal information so as to protect your confidentiality, unless there is a legal basis that permits us to use it and we will only use or share the minimum information necessary.</p>
<p style="text-align: center;">Profiling</p>	<p>We will be making use of the profiling element of our population health system to identify patients for potential care options or interventions. Profiling of your information will take place that informs us to consider care options that would benefit you.</p> <p>There won't be any automated decision making processes; any decisions about you are made by a clinician.</p> <p>You will retain the choice and control about whether to take options provided to you, such as referral to another healthcare provider.</p>

<p>Who do we share your personal information with and why?</p>	<p>We may need to share relevant personal information with other NHS organisations. For example, we may share your information for healthcare purposes with health organisations such as NHS England, Public Health England, other NHS trusts, ambulance services, primary care agencies, etc. We will also share information with other parts of the NHS and those contracted to provide services to the NHS in order to support your healthcare needs.</p> <p>We may need to share information from your health records with other non-NHS organisations from which you are also receiving care, such as Social Services or private care homes. However, we will not disclose any health information to third parties without your explicit consent unless there are circumstances, such as when the health or safety of others is at risk or where current legislation permits or requires it.</p> <p>There are occasions where the surgery is required by law to share information provided to us with other bodies responsible for auditing or administering public funds, in order to prevent and detect fraud.</p> <p>There may also be situations where we are under a duty to share your information, due to a legal requirement. This includes, but is not limited to, disclosure under a court order, sharing with the Care Quality Commission for inspection purposes, the police for the prevention or detection of crime or where there is an overriding public interest to prevent abuse or serious harm to others and other public bodies.</p> <p>For any request to transfer your data internationally outside the UK/EU, we will make sure that an adequate level of protection is satisfied before the transfer.</p> <p>The surgery is required to protect your personal information, inform you of how your personal information will be used, and allow you to decide if and how your personal information can be shared. Personal information you provide to the surgery in confidence will only be used for the purposes explained to you and to which you have consented. Unless there are exceptional circumstances, such as when the health or safety of others is at risk, where the law requires it or there is an overriding public interest to do so. Where there is cause to do this, the surgery will always do its best to notify you of this sharing.</p>
<p>How we maintain your records</p>	<p>Your personal information is held in both paper and electronic form for specified periods of time as set out in the NHS Records Management Code of Practice for Health and Social Care.</p> <p>We hold and process your information in accordance with the General Data Protection Regulation 2016. In addition, everyone working for the NHS must comply with the Common Law Duty of Confidentiality and any appropriate national and professional standards.</p> <p>We have a duty to:</p> <ul style="list-style-type: none"> • maintain full and accurate records of the care we provide to you; • keep records about you confidential and secure; • provide information in a format that is accessible to you.

	<p>Some services in the surgery provide the option to communicate with patients via email. Please be aware that we cannot guarantee the security of this information whilst in transit, and by requesting this service you are accepting this risk.</p>
<p>Children and Young People</p>	<p>Young people from age 13 (and sometimes younger) are allowed to make decisions about how their health information is shared. A parent or guardian may apply for access to young people's health information. If a young person does not consent, this access may be declined. If a young person does not have the capacity to understand, access may be granted to adults because it is in the best interest of the patient. Young people can ask to keep certain parts of their health information confidential.</p> <p>If the young person is making decisions about their information that puts them at risk we may notify adults with parental rights.</p>
<p>What are your rights?</p>	<p>If we need to use your personal information for any reasons beyond those stated above, we will discuss this with you and ask for your <u>explicit</u> consent. The General Data Protection Regulation gives you certain rights, including the right to:</p> <ul style="list-style-type: none"> • Request access to the personal data we hold about you, e.g. in health records. • Request the correction of inaccurate or incomplete information recorded in our health records, subject to certain safeguards. • Withdraw consent to the sharing of your health records. Any consent form you will be asked to sign will give you the option to 'refuse' consent and will explain how you can 'withdraw' any given consent at a later time. The consent form will also warn you about the possible consequences of such refusal/withdrawal. Visit http://www.nhs.uk/your-nhs-data-matters to opt out. • Request your personal information to be transferred to other providers on certain occasions. • We will always try to keep your information confidential and only share information when absolutely necessary. <p>If you have recorded a preference with the National Data Opt Out team to opt out of sharing your information for research or planning purposes, this decision will be respected.</p> <p>If you wish to raise a complaint on how we have handled your personal data, you can contact our Data Protection Officer who will investigate your concerns.</p>
<p>Data Protection Officer</p>	<p>Sarah Preston Info.gov@wsh.nhs.uk</p>