

Longton Health Centre – Privacy and Fair Processing Leaflet

In compliance with the principals of the General Data Protection Regulation (GDPR), which become law of 25th May 2018, Longton Health Centre makes the following declaration;
As controllers of personal patient and staff data, we pledge to be open and transparent about how data are used and that the data are handled in line with individuals' reasonable expectations. We pledge to process the data we hold fairly, lawfully and transparently.

Disclosures required by law

In order to comply with its legal obligations, this practice may send data to NHS Digital when directed by the Secretary of State for Health under the Health and Social Care Act 2012.

Disclosure for Clinical Audits

This practice contributes to national clinical audits and will send the data which are required by NHS Digital when the law allows. This may include demographic data, such as date of birth, and information about your health which is recorded in coded form, for example, the clinical code for diabetes or high blood pressure.

Disclosures for medical research or health management purposes

This practice contributes to medical research and may send relevant information to medical research databases such as the Clinical Practice Research Datalink and QI Research or others – when the law allows.

Patient & Staff data processing

We will process patient data under the lawful basis under Article 6 (1)(e) and 9(2)(h) for the provision of direct patient care. Examples of where this may happen are;

- Referrals via our Digital dictation module - <https://www.lexacom.co.uk/privacy-policy/>
- to or liaison with other healthcare providers via our referral service - <https://digital.nhs.uk/services/nhs-e-referral-service> and <https://digital.nhs.uk/services/nhsmail>
- This will involve the use of your Summary Care Record. For more information see: <https://digital.nhs.uk/summary-care-records>
- Contacting patients via post, telephone, mobile, email or website (including text messages regarding appointments newsletters & health information)
- <https://digital.nhs.uk/services/nhsmail> or <https://www.mjog.com/messenger/> or <http://www.docmail.co.uk/corporate/index.html> or <http://www.mysurgerywebsite.co.uk/disclaimer.htm> or https://www.cisco.com/c/en_uk/about/legal/privacy-full.html#cookies
- Using technology to aid clinical workflow and decision making - <https://www.emishealth.com/home> or <https://lumiradxcaresolutions.com/legal/>

We will process staff data under the lawful basis under Article 6 (1)(b) for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract. We may also provide staff information to occupational health providers under Article 9(2)(h) for the purposes of preventative or occupational medicine, for the assessment of the working capacity of the employee.

We may record telephone calls or CCTV under the lawful basis under Article 6(1)(e) for the performance of a task carried out in the public interest (e.g. prevention or detection of crime).

If you have any questions or concerns that you would like to raise with the practice, or would like further information on our privacy statement or data mapping you can contact us using the following details;

Practice contact address	Longton Health Centre, Liverpool Road, Longton, PR4 5HA
Telephone	01772 214500
Email	GPCCG.longtonhc@nhs.net
Web Site	www.longtonhealthcentre.co.uk
Data Protection Officer	TBA
Information Governance	Dr Farndell
www.ico.org.uk	Where local resolution cannot be found, staff and patients have the right to lodge a complaint with the Information Commissioners Office (ICO).

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/data-and-information>
- or for general enquires telephone NHS Digital 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 or need end of life care.
- 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:
- <https://www.midlandsandlancashirecsu.nhs.uk>
- <https://www.midlandsandlancashirecsu.nhs.uk/products/aristotle-business-intelligence/>
- <https://www.emishealth.com/home>
- <http://www.epaccs.com/sharing-through-epaccs/how-to-share-a-patient-through-epaccs/>
- <https://www.cprd.com/intro.asp>
- <https://www.primarycare.nhs.uk/aboutus.aspx>

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:
- **Safeguarding Children**
 - <http://www.lancshiresafeguarding.org.uk/contact-us.aspx>
- **Safeguarding adults**
 - <http://www.lancshiresafeguarding.org.uk/lancashire-safeguarding-adults/contact-us.aspx>
- **North West Ambulance**
 - <http://www.nwas.nhs.uk/>
- **Out of Hours Provider**
 - <http://www.gtdhealthcare.co.uk/>
- **NHS111**
 - <https://www.nhs.uk/NHSEngland/AboutNHSservices/Emergencyandurgentcareservices/Pages/NHS-111.aspx/>

Purpose of the processing	<ul style="list-style-type: none"> • To give direct health or social care to individual patients. • 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. • To check and review the quality of care. (This is called audit and clinical governance).
Lawful basis for processing	<ul style="list-style-type: none"> • These purposes are supported under the following sections of the GDPR: <ul style="list-style-type: none"> ○ Article 6(1)(e) ‘...necessary for the performance of a task carried out in the public interest or in the exercise of official authority ○ 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...’ • Healthcare staff will also respect and comply with their obligations under the common law duty of confidence.
Recipient or categories of recipients of the processed data	<p>The data will be shared with:</p> <ul style="list-style-type: none"> • 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, for example <ul style="list-style-type: none"> ○ Lancashire teaching hospital - https://www.lancsteachinghospitals.nhs.uk/ ○ North west Ambulance- http://www.nwas.nhs.uk ○ Out of hours - http://www.gtdhealthcare.co.uk/ ○ NHS111 https://www.nhs.uk/NHSEngland/AboutNHSservices/Emergencyandurgentcareservices/Pages/NHS-111.aspx/
Rights to object	<ul style="list-style-type: none"> • You have the right to object to information being shared between those who are providing you with direct care. • This may affect the care you receive – please speak to the practice. • You are not able to object to your name, address and other demographic information being sent to NHS Digital. • This is necessary if you wish to be registered to receive NHS care. • You are not able to object when information is legitimately shared for safeguarding reasons. • In appropriate circumstances it is a legal and professional requirement to share information for safeguarding reasons. This is to protect people from harm. • The information will be shared with the local safeguarding service • Safeguarding Children <ul style="list-style-type: none"> ○ http://www.lancshiresafeguarding.org.uk/contact-us.aspx • Safeguarding adults <ul style="list-style-type: none"> ○ http://www.lancshiresafeguarding.org.uk/lancashire-safeguarding-adults/contact-us.aspx
Data we get from other organisations	<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>

How your information is used for medical research and to measure the quality of care

Medical research

Longton Health Centre shares information from medical records:

- to support medical research when the law allows us to do so, for example to learn more about why people get ill and what treatments might work best;
- we will also use your medical records to carry out research within the practice.
- **This is important because:**
- the use of information from GP medical records is very useful in developing new treatments and medicines;
- medical researchers use information from medical records to help answer important questions about illnesses and disease so that improvements can be made to the care and treatment patients receive.
- We share information with the following medical research organizations with your explicit consent or when the law allows: Clinical Practice Research Datalink.
- You have the right to object to your identifiable information being used or shared for medical research purposes. Please speak to the practice if you wish to object

Checking the quality of care - national clinical audits

- Longton Health Centre contributes to national clinical audits so that healthcare can be checked and reviewed.
- Information from medical records can help doctors and other healthcare workers measure and check the quality of care which is provided to you.
- The results of the checks or audits can show where hospitals are doing well and where they need to improve.
- The results of the checks or audits are used to recommend improvements to patient care.
- Data are sent to NHS Digital a national body with legal responsibilities to collect data.
- The data will include information about you, such as your NHS Number and date of birth and information about your health which is recorded in coded form - for example the code for diabetes or high blood pressure.
- We will only share your information for national clinical audits or checking purposes when the law allows.

For more information about national clinical audits see the Healthcare Quality Improvements Partnership website: <https://www.hqip.org.uk/> or phone 020 7997 7370.

You have the right to object to your identifiable information being shared for national clinical audits. Please register your objection at

<https://digital.nhs.uk/national-data-opt-out>

<p>Purpose of the processing</p>	<p>Medical research and to check the quality of care which is given to patients (this is called national clinical audit).</p>
<p>Lawful basis for processing</p>	<p>The following sections of the GDPR mean that we can use medical records for research and to check the quality of care (national clinical audits)</p> <p>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’.</p> <p>For medical research: there are two possible Article 9 conditions.</p> <p>Article 9(2)(a) – ‘the data subject has given explicit consent...’</p> <p>Article 9(2)(j) – ‘processing is necessary for... scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member States law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and interests of the data subject’.</p> <p>To check the quality of care (clinical audit):</p> <p>Article 9(2)(h) – ‘processing is necessary for the purpose of preventative...medicine...the provision of health or social care or treatment or the management of health or social care systems and services...’</p>
<p>Recipient or categories of recipients of the processed data</p>	<p>For medical research the data will be shared with Clinical Practice Research Datalink and QI Research</p> <p>For national clinical audits which check the quality of care the data will be shared with NHS Digital.</p>
<p>Rights to object and the national data opt-out</p>	<p>You have a right to object under the GDPR and the right to ‘opt-out’ under the national data opt-out model. The national data opt-out model provides an easy way for you to opt-out of: information that identifies you being used or shared for medical research purposes and quality checking or audit purposes.</p> <p>Please register your objection at. https://digital.nhs.uk/national-data-opt-out</p>

How your information is shared so that this practice can meet legal requirements

The law requires Longton Health Centre to share information from your medical records in certain circumstances information is shared so that the NHS or Public Health England can, for example:

- plan and manage services;
- check that the care being provided is safe;
- prevent infectious diseases from spreading.

We will share information with NHS Digital, the Care Quality Commission and local health protection team (or Public Health England) when the law requires us to do so. Please see below for more information.

We must also share your information if a court of law orders us to do so.

NHS Digital

- NHS Digital is a national body which has legal responsibilities to collect information about health and social care services.
- It collects information from across the NHS in England and provides reports on how the NHS is performing. These reports help to plan and improve services to patients.
- This practice must comply with the law and will send data to NHS Digital, for example, when it is told to do so by the Secretary of State for Health or NHS England under the Health and Social Care Act 2012.
- More information about NHS Digital and how it uses information can be found at: <https://digital.nhs.uk/home>

Care Quality Commission (CQC)

- The CQC regulates health and social care services to ensure that safe care is provided.
- The law says that we must report certain serious events to the CQC, for example, when patient safety has been put at risk.
- For more information about the CQC see: <http://www.cqc.org.uk/>

Public Health

- The law requires us to share data for public health reasons, for example to prevent the spread of infectious diseases or other diseases which threaten the health of the population.
- We will report the relevant information to local health protection team or Public Health England.
- For more information about Public Health England and disease reporting see: <https://www.gov.uk/guidance/notifiable-diseases-and-causative-organisms-how-to-report>

<p>Lawful basis for processing</p>	<p>The following sections of the GDPR mean that we can share information when the law tells us to.</p> <p>Article 6(1)(c) – ‘processing is necessary for compliance with a legal obligation to which the controller is subject...’</p> <p>Article 9(2)(h) – ‘processing is necessary for the purpose of preventative...medicine...the provision of health or social care or treatment or the management of health or social care systems and services...’</p>
<p>Recipient or categories of recipients of the processed data</p>	<ul style="list-style-type: none"> • The data will be shared with NHS Digital. • The data will be shared with the Care Quality Commission. The data will be shared with our local health protection team or Public Health England. • The data will be shared with the court if ordered.
<p>Rights to object and the national data opt-out</p>	<p>There are very limited rights to object when the law requires information to be shared but government policy allows some rights of objection as set out below.</p> <p>NHS Digital</p> <ul style="list-style-type: none"> • You have the right to object to information being shared with NHS Digital for reasons other than your own direct care. • This is called a ‘Type 1’ objection – you can ask your practice to apply this code to your record. • Please note: The ‘Type 1’ objection, however, will no longer be available after 2020. • This means you will not be able to object to your data being shared with NHS Digital when it is legally required under the Health and Social Care Act 2012. <p>The national data opt-out model provides you with an easy way of opting-out of identifiable data being used for health service planning and research purposes, including when it is shared by NHS Digital for these reasons.</p> <p>To opt-out or to find out more about your opt-out choices please go to NHS Digital’s website: https://digital.nhs.uk/national-data-opt-out</p> <p>Public health</p> <ul style="list-style-type: none"> • Legally information must be shared under public health legislation. This means that you are unable to object. <p>Care Quality Commission</p> <ul style="list-style-type: none"> • Legally information must be shared when the Care Quality Commission needs it for their regulatory functions. This means that you are unable to object. <p>Court order</p> <ul style="list-style-type: none"> • Your information must be shared if it ordered by a court. This means that you are unable to object.

National screening programmes

- The NHS provides national screening programmes so that certain diseases can be detected at an early stage.
- These screening programmes include bowel cancer, breast cancer, cervical cancer, aortic aneurysms and a diabetic eye screening service.
- The law allows us to share your contact information with Public Health England so that you can be invited to the relevant screening programme.

More information can be found at: <https://www.gov.uk/topic/population-screening-programmes> or speak to the practice.

<p>Purpose of the processing</p>	<ul style="list-style-type: none"> • The NHS provides several national health screening programmes to detect diseases or conditions early such as cervical and breast cancer, aortic aneurysm and diabetes. • The information is shared so that the correct people are invited for screening. This means those who are most at risk can be offered treatment.
<p>Lawful basis for processing</p>	<p>The following sections of the GDPR allow us to contact patients for screening.</p> <p>Article 6(1)(e) – ‘processing is necessary...in the exercise of official authority vested in the controller...’</p> <p>Article 9(2)(h) – ‘processing is necessary for the purpose of preventative...medicine...the provision of health or social care or treatment or the management of health or social care systems and services...’</p>
<p>Recipient or categories of recipients of the processed data</p>	<p>The data will be shared with the following screening programmes:</p> <p>Screening tests for you and your baby Abdominal Aortic Aneurysm(AAA) Bowel cancer screening Cervical screening Diabetic Eye Screening</p>
<p>Rights to object</p>	<p>For national screening programmes: you can opt so that you no longer receive an invitation to a screening programme.</p> <p>See: https://www.gov.uk/government/publications/opting-out-of-the-nhs-population-screening-programmes</p> <p>Or speak to your practice.</p>

Data Controller	Wendy McNeice – PM/BP
Information Governance lead	Dr Clinton Farndell
Data Protection Officer	TBA
Right to access and correct	<ul style="list-style-type: none"> 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 the practice website – www.longtonhealthcentre.co.uk 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.
Retention period	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: https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016 or speak to the practice.
Right to complain	You have the right to complain to the Information Commissioner’s Office. If you wish to complain follow this link https://ico.org.uk/global/contact-us/ or call the helpline 0303 123 1113