

General Data Protection Regulation

What is GDPR?

General Data Protection Regulations (GDPR) is a piece of legislation that superseded the Data Protection Act 1998 on Friday 25th May 2018 and covers anywhere in the world in which data about EU Citizens is processed.

GDPR is similar to the Data Protection Act (DPA) 1998, which the practice already complies with, but strengthens many of the DPA's principles. The main changes are:

- Practices must comply with subject access requests.
- Where we need your consent to process data, this consent must be freely given, specific, informed and unambiguous.
- There are new, special protections for patient data.
- The Information Commissioner's Office must be notified within 72 hours of a data breach.
- Higher fines for data breaches – up to 20 million euros.

What does this mean for you?

The GDPR sets out the key principles about processing personal data for staff and patients;

- Data must be processed lawfully, fairly and transparently.
- It must be collected for specific, explicit and legitimate purposes.
- It must be limited to what is necessary for the purposes for which it is processed.
- Information must be accurate and kept up to date.
- Data must be held securely.
- It can only be retained for as long as is necessary for the reasons it was collected.

There are also stronger rights for patients regarding the information that practices hold about them. These include;

- Being informed about how their data is used.
- Patients to have access to their own data.
- Patients can ask to have incorrect information changed.
- Restrict how their data is used.
- Move their patient data from one health organisation to another.
- The right to object their patient information being processed (in certain circumstances).

We will use your data to:

- Book/cancel appointments
- Appointment reminders
- Direct contact to discuss treatment and appointments

- Referrals to hospitals/specialists with your consent

What is 'Patient Data'?

Patient data is information that relates to a single person, such as his/her diagnosis, name, age, earlier medical history etc.

What is 'Consent'?

Consent is permission from a patient and is defined as "any freely given specific and informed indication of their wishes by which the data subject signifies their agreement to personal data relating to them being processed."

The changes in GDPR mean that we must get explicit permission from patients when using their data in order to protect your right to privacy. We may ask you to provide consent to do certain things, like contact you or record certain information about you for your clinical records.

Individuals also have the right to withdraw their consent at any time.

More details can be found by [visiting the ICO website](#).

Fair Processing Notice

Under the new General Data Protection Regulation 2016 (GDPR) and the Data Protection Act 2018 the trust is required to inform its patients and staff of their rights. The Data Protection Act 2018 has been written to support the protection of your personal data in preparation of the UK leaving the European Union. Your rights will not be affected by these changes.

Why was the change needed?

The European Union (EU) General Data Protection Regulation (GDPR) has been years in the making. Over the last 25 years, technology has changed our lives in ways nobody could have imagined so a review of the rules was needed. In 2016, the EU adopted the GDPR, one of its greatest achievements in recent years. It replaces the 1995 Data Protection Directive which was adopted at a time when the internet was in its early stages.

Therefore data protection was out of date and needed modernisation to:

- reinforce your rights in the digital age
- give back control to you over how your information is to be used and by whom
- improve the free flow of information in the digital market
- simplify the regulatory environment for business

What is a Fair Processing Notice

A Fair Processing Notice (FPN) or Privacy Notice provides accessible information to you about how the trust will use your personal data.

COVID-19 Contingency Sharing

Primary care staff across each borough will be able to access your full medical record without consent during the COVID-19 pandemic but will only do so when this is necessary to provide you with care. They will be required to use a smartcard which confirms their identity, and which limits their access and actions to those appropriate for their role. They will all have been trained to understand their professional and legal responsibilities in providing you with care. Staff will ask permission before accessing your medical record.