

s17 Disclosures to Children’s Services – Privacy Notice

<p>1. Data Controller:</p>	<p>Canterbury Medical Practice Patricbourne Rd, Bridge, Canterbury CT4 5BL</p>
<p>2. Data Protection Officer:</p>	<p>Dr Mark Jones Contact via: ccccg.cmp@nhs.net</p>
<p>3. How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ <i>Implied (e.g. direct care)</i> ○ <i>Explicit (e.g. 2^o uses)</i> • COPI Regulations 2002 (e.g. Reg 5 - “s251”) • “overriding public interest” (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Consent (explicit) (Obtained by local authority)</p> <p>This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.</p>
<p>4. Purpose of the processing and the lawful basis for the processing</p>	<p>The provision of information from GP records concerning children and families in order to safeguard and promote the welfare of who are “in need”</p> <p>The information provided will be both personal and sensitive data</p> <p>Lawful basis: Article 6(1)(e) – Official Authority <i>‘...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...’.</i></p> <p>Article 9(2)(b) - Social Protection Law <i>“processing is necessary for the purposes of carrying out the obligations and exercising ... the data subject in the field of employment and social security and social protection law”</i></p>
<p>5. Is this: <i>Access to your GP record</i></p> <ul style="list-style-type: none"> • <i>Extraction of information from your GP record</i> • <i>Access to data held about you by another data controller</i> 	<p><i>Extraction of information from the GP record</i></p>
<p>6. The recipient(s), or categories of recipients, of your personal data</p>	<p>Children’s Services – local authority (e.g. Kent County Council)</p>
<p>7. Retention period of the data (or criteria used to determine the retention period)</p>	<p>Data retained in line with local authority policies on storing identifiable data https://www.kent.police.uk/policy/privacy,-cookies-and-legal-notice/</p>

<p>8. The existence of each of your rights</p> <ul style="list-style-type: none"> - The right to object - The right to access and correct 	<p>Article 6(1)(e) gives the data subject the right to object i.e you have the right to object to some or all the information being processed under Article 21. Please contact the Data Controller or the practice.</p> <p>You should be aware that this is a right to raise an objection, that is not the same as having an absolute right to have your wishes granted in every circumstance</p> <p>You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law.</p> <p>The source of the information shared in this way is your electronic GP record, and you have rights directly related to that (see EMIS Health – EMIS Web).</p>
<p>9. The right to lodge a complaint with a supervisory authority</p>	<p>You have the right to complain to the Information Commissioner’s Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>
<p><i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i></p>	<p>No</p>
<p><i>Further information</i></p>	<p>Relevant legislation: s17 Childrens Act 1989 https://www.legislation.gov.uk/ukpga/1989/41/section/17</p> <p>Explicit consent from parents is required before disclosure of information under s17 can be made to social services.</p> <p>Further information about GP records and confidentiality can be found on our website under Data Protection: http://www.canterburymedicalpractice.nhs.uk/</p>