

## Privacy Notice on Direct Care - Emergencies

There are occasions when intervention is necessary in order to save or protect a patient's life or to prevent them from serious immediate harm, for instance during a collapse or diabetic coma or serious injury or accident. In many of these circumstances the patient may be unconscious or too ill to communicate. In these circumstances we have an overriding duty to try to protect and treat the patient. If necessary we will share your information and possibly sensitive confidential information with other emergency healthcare services, the police or fire brigade, so that you can receive the best treatment.

The law acknowledges this and provides supporting legal justifications.

Individuals have the right to make pre-determined decisions about the type and extent of care they will receive should they fall ill in the future. These are known as "Advance Directives". If lodged in your records these will normally be honoured despite the observations in the first paragraph.

We are required by law to provide you with the following information about how we handle your information and our legal obligations to share data.

<b>Data Controller</b>	<b>Pickhurst Surgery</b>
<b>Data Protection Officer</b>	Danielle Gibbons, GP Data Protection Officer <a href="mailto:gdpdo@selondonics.nhs.uk">gdpdo@selondonics.nhs.uk</a>
<b>Purpose of processing</b>	Direct Care is care delivered to the individual alone, most of which is provided in the surgery. After a patient agrees to a referral for direct care elsewhere, such as a referral to a specialist in a hospital, necessary and relevant information about the patient, their circumstances and their problem will need to be shared with the other healthcare workers, such as specialists, therapists, technicians etc. The information that is shared is to enable the other healthcare workers to provide the most appropriate advice, investigations, treatments, therapies and or care.
<b>Lawful Basis for processing</b>	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 and 9 conditions of the GDPR:  <i>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...'</i>

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	We will also recognise your rights established under UK case law collectively known as the “Common Law Duty of Confidentiality”*
<b>Recipient or categories of recipients of your personal data</b>	<p>The data will be shared with Health and care professionals and support staff in this surgery and at hospitals, diagnostic and treatment centres who contribute to your personal care.</p> <ul style="list-style-type: none"> <li>• Hospitals</li> <li>• Ambulance Service</li> <li>• NHS 111</li> <li>• Out of Hours Service</li> </ul>
<b>Your right to object</b>	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. You should be aware that this is a right to raise an objection. However, that is not the same as having an absolute right to have your wishes granted in every circumstance
<b>Your right to access and correction</b>	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.
<b>Retention period</b>	<p>The data will be retained in line with the law and national guidance. <a href="https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016">https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</a></p> <p>or speak to the practice.</p>
<b>Your right to complain</b>	<p>Use of personal data is overseen by the Information Commissioners Office, often known as the ICO.</p> <p>You have to complain or raise concerns with the ICO and they can be contacted via their website:</p> <p><a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a></p> <p>Or you can also call their helpline</p> <p>Tel: 0303 123 1113 (local rate) 01625 545 745 (national rate)</p>