

## Privacy Notice for General Practice Patients

### Who We Are

Roseheath Surgery employs more than 5 staff and runs at The Halewood Centre, Roseheath Drive, Halewood, L26 9UH

Our practice is registered with the Information Commissioner's Office (ICO) to process personal and special categories of information under the General Data Protection Regulations & Data Protection Act 2018 and our registration number is Z669448X

For further information please refer to the Practice Information, Team or 'About Us' page on our website

<https://www.roseheathsurgery.nhs.uk/>

### Why We Collect Personal Information About You

The healthcare professionals employed by the Practice require personal information in order to provide healthcare services; this includes but is not limited to details related to your living situation and anything may have an impact on your health. Details that allow for the proper maintenance of contact details are required.

These details will typically be used for direct care but may be utilised to improve healthcare services. This information needs to be collected, held and maintained as accurately as possible in order to provide you with the best care possible.

This personal information may be held in a variety of formats, including paper records, electronically, on computer systems or within video and audio files.

In some cases the information may be collected for other reasons, you will be informed if this is the case.

## What Personal Information We Collect About You and How We Obtain It

Personal information about you is collected in a number of ways. This can be referral details from our staff, other 3<sup>rd</sup> parties or hospitals, directly from you or your authorised representative.

We will likely hold the following basic personal information about you: your name, address (including correspondence), telephone numbers, date of birth, next of kin contacts, etc. We might also hold your email address, marital status, occupation, overseas status, place of birth and preferred name or maiden name.

In addition to the above, we may hold sensitive personal information about you which could include:

- Notes and reports about your health, treatment and care, including:
  - 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 professional 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 (safeguarding status)

It is important for us to have a complete picture of you as this will assist staff to delivery appropriate treatment and care plans in accordance with your needs. Details not related to this allow us to contact you about your care when appropriate.

## What our Legal Basis Is For Processing Personal Information

We adhere to the legal bases for processing as laid out by the General Data Protection Regulations 2016. There are different legal bases that are employed depending on the circumstances and the data processed however we most commonly rely on the following:

### For personal data:

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.

### For personal data including special category (health) data:

Article 9.2(h) Processing is 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 systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3.

The relevant legislation can be found at:

<https://gdpr-info.eu/> - GDPR

<http://www.legislation.gov.uk/ukpga/2018/12/contents> - Data Protection Act 2018

### **What We Do With Your Personal Information**

Your records are used to directly, manage and deliver healthcare to you to ensure that:

- Staff members involved in your care have accurate and up to date information. This is in order for them to assess and advise on the most appropriate care for you.
- Staff members 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 as specialist, social care, another part of the NHS or healthcare provider.

### **What We May Do With Your Personal Information**

#### **Who We Share Your Personal Information With and Why**

The personal information we collect about you may also be used to:

- Remind you about your appointment 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.
- Support the funding of your care, e.g. With commissioning organisations.
- Prepare statistics on the NHS performance to meet the needs of the population or for the Department of Health and other regulatory bodies
- 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 trials.

- 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.

Unless a legal basis allows otherwise we will, where possible, always look to anonymise/pseudonymise your personal information so as to protect patient confidentiality. We will only use/share the minimum information necessary.

### **Who Are Our Partner Organisations**

We may also have to share your information, subject to strict agreements on how it will be used, with the following organisations:

- NHS Trusts / Foundation Trusts
- GP's
- NHS Commissioning Support Units
- Independent Contractors such as dentists, opticians, pharmacist
- Private Sector Providers e.g. Carer's organisations
- Voluntary Sector Provider's e.g. Macmillan
- Ambulance Trusts
- Clinical Commissioning Group
- Social Care Services
- Health & Social Care Information Centre (HSCIC)
- Local Authorities
- Education Services
- Fire & Rescue Services
- Police and Judicial Services
- Other 'data processors' which you will be informed of

You will be informed who your data will be shared with and in some cases asked for explicit consent for this to happen when this is required.

We may also use external companies to process personal information, such as for achieving purposes. These companies are bound by contractual agreements to ensure information is kept confidential and secure.

### **How We Maintain You're Records**

Your Personal information is held in both paper and electronic forms for specified periods of time as set out in the NHS Records Management Code of Practice for Health and Social Care and National Archives.

We hold and process your information in accordance with the Data Protection Act 2018 as amended by the GDPR 2016. In addition, those working for the NHS must comply with the Common Law Duty of Confidentiality this also includes various national and professional standards and requirements.

We have a duty to:

- 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.

Use of Email – some services in the Practice provide the option to communicate with patients via email. Please be aware that the Practice cannot guarantee the security of this information whilst in transit, and by requesting this service you are accepting this risk.

Further information can be found in our Data Security and Protection Policy/Information Governance policy, which are available at:

<https://www.roseheathsurgery.nhs.uk/>

## What Your Rights Are

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 explicit consent. The General Data Protection Regulation gives you certain rights, including the right to:

- Request access to the personal data we hold about you, e.g. in health records. The way in which you can access your own health records is further explained in our
- Request the correction of inaccurate or incomplete information recorded in our health records, subject to certain safeguards. This is also explained in our “Access to Health Record Policy and Disclosure of Personal Data Procedure”
- Object to the use of your personal information: In certain circumstances you may also have the right to ‘object’ to the processing (i.e. sharing) of your information. Where the Practice processes personal data about you on the basis of being required to do so for the performance of a task in the public interest/exercise of official authority, you have a right to object to the processing. You must have an objection on grounds relating to your particular situation. If you raise an objection, we will no longer process the personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests. Rights and freedoms or the processing is for the establishment, exercise or defence of legal claims.

- Refuse/withdraw consent to the sharing of your health records: Under the Data Protection Act 2018/General Data Protection Regulations, we are authorised to process, i.e. share, your health records 'for the management of healthcare systems and services'. Your consent will only be required if we intend to share your health records beyond these purposes, as explained above (e.g. research). 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.
- Request your personal information to be transferred to other providers on certain occasions.

### **Notice on Recording**

In certain instances the Practice may record phone calls or video consultations.

Phone Call Recording – Call recording occurs either in relation to patient care or may be stored to provide an accurate and objective record for the protection of staff and patients alike as it may be used in cases of legal defence or prosecution.

Video Communication – Changes in the provision of healthcare outside of the usual methods this is delivered has been instituted in many NHS organisation. For this purpose video consultations may sometimes be recorded to provide an accurate record of the healthcare provided.

While the recording of these consultations proceeds under the Legal Basis' noted elsewhere in this privacy notice, service users may be asked for their consent to continue with a recorded consultation. Please be aware that this consent does not form the Legal Basis for which this data is processed but is requested to allow service users to opt-out of care provided in this manner.

### **How Long We Keep Your Information For**

All records held by the Practice will be kept for the duration specified by national guidance from the Department of Health.

#### Records Management Code of Practice for Health and Social Care 2016

We will keep a copy of your information in our Practice for as long as you are registered with our Practice and if you leave the practice we will ensure that a copy of anything we hold is passed on to your new GP. Your record status will be marked as 'inactive' in our clinical system but it will not be deleted.

Confidential information is securely destroyed in accordance with this code of practice.

### **National Data Opt-Out Programme**

Aston Healthcare is one of many organisations working in the health and care system to improve care for patients and the public. The information collected about you whenever you use a health or care service can be provided to other approved organisations, where there is a legal basis, to help with planning services, improving quality and standards of care provided, monitoring safety, research into developing new treatments and preventing illness.

All these uses help to provide better health care for you, your family and future generations. Confidential personal information about your health and care is only used in this way where allowed by law and would never be used for insurance or marketing purposes without your explicit consent.

Most of the time, anonymised data is used for research and planning so that you cannot be identified in which case your confidential patient information isn't needed.

You have a choice about whether you want your confidential patient information to be used in this way. If you are happy with this use of information you do not need to do anything. If you do choose to opt-out your confidential patient information will still be used to support your individual care.

You can find out more about the wider use of confidential personal information and to register your choice to opt-out by visiting <https://www.nhs.uk/your-nhs-data-matters/>

### **Data Protection Officer**

Mid-Mersey Digital Alliance (Information Governance Team)  
[IG@midmerseyda.nhs.uk](mailto:IG@midmerseyda.nhs.uk)

Alexandra Business Park, Court Building, Prescott Road, St Helens, WA10 3TP

### **Practice Information Governance Lead**

Please contact the Practice Information Governance: Erika Howell

Roseheath Surgery, The Halewood Centre, Roseheath Drive, Halewood, L26 9UH

### **Practice Caldicott Guardian**

Please contact the Practice Caldicott Guardian: Erika Howell

Roseheath Surgery, The Halewood Centre, Roseheath Drive, Halewood, L26 9UH

### **Information Commissioner's Office**

The Information Commissioner's Office (ICO) is the body that regulates the Practice under Data Protection and Freedom of Information legislation. If you wish to appeal a decision or make a complaint regarding our handling on data please contact the via:

Information Commissioner's Office – <https://ico-org.uk>

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate number)

Fax: 01625 524 510

Email: [casework@ico-org.uk](mailto:casework@ico-org.uk)