

Privacy Notice – AccuRx Ambient Scribe

NEWTONS PRACTICE

Plain English explanation

Purpose:

We are using a tool called Accurx Ambient Scribe to help us take notes during your appointment. This AI-powered tool listens to our conversation and creates a written summary in real-time allowing us to focus more on you instead of spending time typing.

With your permission we record the conversation, and the audio is deleted immediately once it's transcribed into text. We then use the text to create notes, letters and summaries about your care which we always review before adding to your medical records.

This tool helps us save time so we can dedicate more of it to providing you with the best possible care.

Legal Basis: Article 6 (1)e

It is necessary for the performance of a task carried out in the public interest or under official authority vested in the controller

Article 9 (2)h

Processing is necessary for the purposes of preventive 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;

Processor: AccuRx

We are required by Articles in the General Data Protection Regulations to provide you with the information in the following 9 subsections.

1) Data Controller contact details	Newtons Practice The Health Centre, Heath Road, Haywards Heath W. Sussex RH16 3BB
2) Data Protection Officer contact details	The Practice Data Protection Officer role is covered by the NHS South, Central and West (NHS SCW) Information Governance team who can be contacted via the Surgery.
3) Purpose of the processing	<p>We are using a tool called Accurx Ambient Scribe to help us take notes during your appointment. This AI-powered tool listens to our conversation and creates a written summary in real-time allowing us to focus more on you instead of spending time typing.</p> <p>With your permission we record the conversation, and the audio is deleted immediately once it's transcribed into text. We then use the text to create notes, letters and summaries about your care which we always review before adding to your medical records.</p> <p>This tool helps us save time so we can dedicate more of it to providing you with the best possible care.</p>
4) Lawful basis for processing	<p>The legal basis for this processing is</p> <p>Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’</p> <p>And</p> <p>Article 9(2)(h) ‘necessary for the purposes of preventative or occupational</p>

	<p>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...”</p> <p>We will recognise your rights under UK Law collectively known as the “Common Law Duty of Confidentiality”*</p>
5) Recipient or categories of recipients of the shared data	<p>The data will be shared for processing with AccuRX and Tandem Health AB</p> <p>Recordings are not retained, only the AI-generated outputs (EG notes and letters letters) are temporarily held (for 30 days) to allow clinical review and editing before being committed to the patient record.</p> <p>Data processed includes patient demographics including name, NHS number, date of birth, contact information, and consultation content. The tool captures both the clinician and patient talking and uses AI to distinguish and generate outputs. Data is sourced directly from the patients themselves during consultations and demographic data is obtained from the Personal Demographic Service (PDS) and/or the Electronic Medical Record used for fetching patient demographic information to ensure that clinical notes are saved to correct patient record. This is obtained as part of the secure integrations that Accurx has with these systems.</p>
6) Rights to object	<p>You have the right to object to this processing where it might result in a decision being made about you. That right may be based either on implied consent under the Common Law of Confidentiality, Article 22 of GDPR or as a condition of a Section 251 approval under the HSCA. It can apply to some or all of the information being shared with the recipients. Your right to object is in relation to your personal circumstances. Contact the Data Controller or the practice.</p>
7) Right to access and correct	<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>
8) Retention period	<p>The data will be retained in line with the law and national guidance. https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016 or speak to the practice.</p>
9) Right to Complain.	<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>

* “Common Law Duty of Confidentiality”, common law is not written out in one document like an Act of Parliament. It is a form of law based on previous court cases decided by judges; hence, it is also referred to as 'judge-made' or case law. The law is applied by reference to those previous cases, so common law is also said to be based on precedent.

The general position is that if information is given in circumstances where it is expected that a duty of confidence applies, that information cannot normally be disclosed without the information provider's consent.

In practice, this means that all patient information, whether held on paper, computer, visually or audio recorded, or held in the memory of the professional, must not normally be disclosed without the consent of the patient. It is irrelevant how old the patient is or what the state of their mental health is; the duty still applies.

Three circumstances making disclosure of confidential information lawful are:

- where the individual to whom the information relates has consented;
- where disclosure is in the public interest; and
- where there is a legal duty to do so, for example a court order.