**THREEWAYS SURGERY**

**Privacy Notice**

**Protecting Your Confidentiality**

This Privacy Notice explains why your GP practice collect’s information about you, how that information may be used and how we keep it confidential.

# Reviews of and Changes to this Privacy Notice

# This Privacy Notice was last reviewed in May 2023.

# Why we need information about you

All Health and Social Care organisations that provide you with care are required by law to maintain records about you, your health and any treatment or care you have received. The information that makes up your record is also essential to help these organisations provide you with the best possible care.

This practice collects and holds data for the purpose of providing healthcare services to our patients and running our organisation, which includes monitoring the quality of care and planning the care that we provide.

To do this we may collect information about you which helps us

* respond to your queries
* provide you with the most appropriate care
* or arrange specialist services on your behalf

We may keep your information in written and/or in digital/electronic form. The records will include basic details about you, such as your name and address. They may also contain sensitive information about your health such as outcomes of assessments. All information about you is treated confidentially and only shared as described in this Privacy Notice.

# Details we collect about you

We hold different types of information about you:

**Basic personal information:**

* Contact details such as your address and next of kin
* Any record of contact the surgery has had with you, such as past appointments, clinic visits, emergency appointments, etc.

**Sensitive** **personal information also called Special Category data:**

* Information about allergies and adverse reactions
* Details about your treatment and care
* Results of investigations, such as laboratory tests, x-rays, etc.
* Record of medicines prescribed
* GP notes and reports
* Relevant information from other health and social care professionals, relatives or those who care for you
* Information about care and treatment that you may have had with other Health and Social Care providers, for example if your GP practice has referred you for treatment

# How we keep your information confidential and safe

We are committed to protecting your privacy, complying with the law and best practice.

Best Practice and law of specific interest to this Privacy Notice includes:

* Data Protection Act 2018 is the UK’s implementation of General Data Protection Regulation
* Human Rights Act 1998
* Common Law Duty of Confidentiality
* NHS Codes of Confidentiality and Information Security
* Children’s Act 2004 / Childrens and Families Act 2014
* Local Audit and Accountability Act 2014
* The Audit Commission Act 1998
* Records Management NHS Code of Practice for Health and Social Care 2016

And all other applicable legislation

We maintain our duty of confidentiality to you at all times.

We will only share your information where there is a legal basis, such as:-

* For your medical diagnosis and treatment
* To provide you with health or social care
* To manage and plan our local health and social care services
* Where it is required by law, for example the Children’s Act 2004 requires information to be shared in safeguarding cases
* Protection of vital interests, for example to protect someone's physical integrity of life
* With your consent, providing you have capacity to give this, or with consent from your authorised representative

Everyone working for our organisation is subject to the Common Law Duty of Confidentiality. Information provided in confidence will only be used for the purposes advised, unless there are other circumstances covered by the law.

The NHS Digital “Code of practice on confidential information” applies to all our staff and they are required to protect your information, inform you of how your information will be used, and allow you to decide if and how your information can be shared. All our staff are expected to make sure information is kept confidential and receive regular training how to do this. Our information systems are set up to prevent and track any misuse of information.

Your records are backed up securely in line with NHS standard procedures. We ensure that the information we hold is kept in secure locations, is protected by appropriate security and access is restricted to authorised personnel.

We also make sure any other organisations, for example suppliers that support us, are legally and contractually bound to the standards of confidentiality. Before they begin any work they have to provide evidence in the form of a Data Security Policy, that adequate security arrangements are in place to protect confidentiality.

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# How your information may be used

To ensure you receive the best possible care, your records are used to facilitate the care you receive. Information held about you may be used to help protect the health of the public and to

help us manage the NHS. NHS Digital can request personal confidential data from GP Practices without seeking patient consent for specific purposes as defined in the Health and Social Care Act 2015.

In some cases you can object to your personal information being shared with other healthcare providers but should be aware that this may, in some instances, affect your care as important information about your health might not be available to healthcare staff in other organisations. If this limits the treatment that you can receive then the practice staff will explain this to you at the time you object.

We will display prominent notices in the Practice and on our website before we make any change to the way we share data and if there is the opportunity to opt-out, should you wish not to benefit from a service. Please be aware that it may not be possible to opt out of one scheme and not others, so you may have to opt out of all the optional schemes.

# What else might information be used for?

## Child Health Information

We wish to make sure that your child has the opportunity to have immunisations and health checks when they are due. We share information about childhood immunisations, the 6-8 week new baby check and breast-feeding status with the NHS Trust who provide health visitors and school nurses, and with the Child Health Information Service (CHIS) in Buckinghamshire, who provide this on behalf of NHS England.

**Clinical audit**

Information may be used for clinical audit to monitor the quality of the service provided. Some of this information may be held centrally and used for statistical purposes. Where we do this we take strict measures to ensure that individual patients cannot be identified and the information is anonymised.

**Department for Work and Pensions**

Our practice is legally required to provide anonymised data on patients who have been issued with a fit note under the Fit for Work scheme. The purpose is to provide the Department for Work and Pensions with information from fit notes to improve the monitoring of public health and commissioning and quality of health services.

## National Registries

National Registries (such as the Learning Disabilities Register) have statutory permission under Section 251 of the NHS Act 2006 to collect and hold information about you.

## Individual Funding Requests (IFR)

An ‘Individual Funding Request’ is an application made with your consent, but on your behalf, by a clinician to fund care which falls outside the range of services and treatments which are routinely funded. Requests are considered by an Individual Funding Request Panel which considers evidence of clinical and cost effectiveness, as well as equity for the whole population. A detailed response, including the criteria considered in arriving at the decision, will be provided to the patient or carer and their clinician.

## Invoice Validation

Invoice validation is an important process for the NHS to manage its budget and flow of money within the NHS. Section 251 of the NHS Act 2006 provides a statutory legal basis to process data for invoice validation purposes. Where required, your NHS number to check for authorisation for any costs relating to your care funded either within Buckinghamshire or nationally (through “specialist commissioning” from NHS England).

## UK Cabinet Office

The use of data by the UK Cabinet Office for data matching is carried out with statutory authority under Part 6 of the Local Audit and Accountability Act 2014. It does not require the consent of the individuals concerned under Data Protection legislation.

The Audit Commission Act 1998 defines data matching as the comparison of sets of data to determine how far they match. The purpose of data matching is to identify inconsistencies that may indicate fraud.

Data matching by the Cabinet Office is subject to a Code of Practice. View further information on the Cabinet Office’s legal powers and the reasons why it matches particular information.

<https://www.gov.uk/government/publications/code-of-data-matching-practice-for-national-fraud-initiative>

## Supporting Locally Commissioned Services and Quality Premiums PCN groups / BOB ICS support GP practices by auditing anonymised data to monitor locally commissioned services, measure prevalence and support data quality. The data does not include identifiable information and is used to support patient care and ensure providers are correctly paid for the services they provide.

## Supporting Medicines Management

PCN groups / BOB ICS support local GP practices with prescribing queries. Commissioning Group pharmacists work with GP practices to provide advice on medicines and prescribing queries, and review prescribing of medicines to ensure safety and cost-effectiveness. The Clinical Commissioning Group medicines management team can order medications on behalf of the practice to support your care.

## Safeguarding

To ensure that adult and children’s safeguarding matters are managed appropriately, access to identifiable information will be shared in some limited circumstances where it’s legally required for the safety of the individuals concerned.

## Planning future health and social care services (Risk Stratification)

Risk stratification is a process for identifying and supporting patients who are most likely to need hospital or other healthcare services in the future. Section 251 of the NHS Act 2006 provides a statutory legal basis to process data for risk stratification purposes.

Risk stratification tools used in the NHS help determine a person’s risk of suffering a particular condition and enable us to focus on preventing ill health and not just the treatment of sickness. Unidentifiable, anonymised information about patients is collected from a number of NHS organisations and then analysed to create a risk score. Data is securely managed throughout the whole process to ensure that identities are kept confidential. Further information on risk stratification is available from: <https://www.england.nhs.uk/ourwork/tsd/ig/risk-stratification/>

If you do not wish information about you to be included in the risk stratification programme, please let your GP Practice know. Please be aware that this may limit the ability of healthcare professionals to identify if you have or are at risk of developing certain serious health conditions.

## Clinical Research

Sometimes your information may be requested to be used for research purposes – the practice will always seek your consent before releasing information for this purpose.

## Summary Care Record (SCR)

[Summary Care Records (SCR) - information for patients - NHS Digital](https://digital.nhs.uk/services/summary-care-records-scr/summary-care-records-scr-information-for-patients)

The NHS in England uses a national electronic record called the Summary Care Record (SCR) to improve the safety and quality of your care. The Summary Care Record only contains basic information from your GP record and is not the full patient record. SCR provides authorised healthcare staff with faster, secure access to essential information about you in an emergency or when you need unplanned care wherever you are, where such information would otherwise be unavailable.

The core information of the Summary Care Record comprises your allergies, adverse reactions and medications. An SCR with additional information can also include reason for medication, vaccinations, significant diagnoses / problems, significant procedures, anticipatory care information and end of life care information. Additional information can only be added to your SCR with your agreement.

You can choose to Opt-Out of the Summary Care Record by completing an Opt-Out form available from your GP Practice. Please be aware that if you choose to opt-out of the Summary Care Record (SCR), staff caring for you outside of this practice may not be aware of your current medications, allergies you suffer from and any bad reactions to medicines you have had.

## Buckinghamshire’s My Care Record (MCR) and the Thames Valley and Surrey Local Health and Care Record (LHCR)

If you require attention from a health or social care professional, such as an Emergency Department, Minor Illness and Injury Unit, 111, Out Of Hours location, or specialised health and social care team, those treating you are better able to give appropriate care if information from your GP patient record is available to them. Within Buckinghamshire this practice participates in our Shared Care Record called “My Care Record” delivered in partnership with Graphnet Health Limited. Not all care is delivered within our county borders either because of convenience for you or access to specialist care. The Thames Valley and Surrey LHCR also in partnership with Graphnet Health Limited, ensures that your data is available wherever you receive care and equally importantly this practice can see that data when we plan or deliver care for you. Both Bucks MCR and the Thames Valley and Surrey LHCR are used to address any variances in care and ensure that local needs are met but without compromising your privacy.

Records and their access are audited by nominated privacy officers, on a regular basis to ensure compliance.

## Local information sharing – Specialist service teams

This Practice works with specialist health and social care service teams such as the diabetes and Locality Integrated and Community Nurse Teams, to provide safe and joined up services in Buckinghamshire. The shared My Care Record provides authorised health and social care staff with controlled access to relevant information, which helps them to make informed, timely decisions about your care and treatment and for new information to be instantly updated in your record.

## Improved Access

Groups of Buckinghamshire GP practices are now offering routine appointments between 8am and 8pm, five days a week and 9am – 1pm at weekends. Improved access services also include ensuring access is available during peak times of demand, including bank holidays and across the Easter, Christmas and New Year periods. The appointments offered can be face to face consultation, a telephone consultation and in some areas a video consultation. Your full GP data will be shared to ensure you get the same quality and safety as if you saw your own GP. However, if you have opted out of sharing your record these appointments will not be available to you. Details of the participating practices in your area are available at:

[bobicb.nhs.uk](https://www.bucksoxonberksw.icb.nhs.uk/) [FedBucks](https://www.fedbucks.co.uk/)

FedBucks are the provider of the Out of Hours service for Buckinghamshire.  This service is only accessed through 111 via a telephone call or 111 on line.

# Record Keeping

We will approach the longer term management of our patient records in line with the [Records Management NHS Code of Practice for Health and Social Care](http://webarchive.nationalarchives.gov.uk/20160729133355/http:/systems.hscic.gov.uk/infogov/iga/rmcop16718.pdf). This sets out the required standards of practice for managing the records that staff working within or under contract to NHS organisations in England must follow; and it is based on current legal requirements and professional best practice. Currently the NHS is required to keep GP records for 10 years after a patient has died, exceptions to these rules are detailed in the code of practice.

# Who are our partner organisations?

All organisations that we work with are subject to strict data sharing agreements which set out how data will be used; which form part of their contractual obligations. The sorts of organisations we work with are as follows:-.

* NHS Trusts (for example Buckinghamshire Healthcare Trust)
* GP Federations (which are groups of GP practices working together for your care)
* Out of Hours GP providers (for when your GP practice is closed)
* Independent contractors such as dentists, opticians, pharmacists – working to an NHS contract
* Private sector or voluntary sector providers – providing services on behalf of the practice
* Ambulance services
* Clinical commissioning groups / PCN’s
* Social Care providers
* Local authorities
* Education services
* Fire and Rescue Services
* Police

We will never share your information outside of health and social care partner organisations without establishing the legal basis to do so, unless there are exceptional circumstances such as when the health or safety of others is at risk, where the law requires it.

Our guiding principle is that we are holding your records in strictest confidence; we are required by law to report certain information to the appropriate authorities. This is only provided after formal permission has been given by a qualified health professional. There are occasions when we must pass on information, such as notification of new births, where we encounter infectious diseases which may endanger the safety of others, such as meningitis or measles (but not HIV/AIDS), and where a formal court order has been issued.

# Your right to ask us not to share your personal information (Opt-Out)

If you are happy for your data to be shared and used for the purposes described in this Privacy Notice then you do not need to do anything.

If you do NOT want your information to be used for any purpose beyond providing your care there are several forms of opt-outs available at different levels:

[Care information choices - NHS Digital](https://digital.nhs.uk/data-and-information/data-tools-and-services/data-services/general-practice-data-hub/care-information-choices)

**Type 1 opt-out.** If you do not want personal confidential information that identifies you to be shared outside your GP practice you can register a ‘Type 1 opt-out’ with your GP practice. This prevents your personal confidential information from being used except for your direct health care needs and in particular circumstances required by law, such as a public health emergency like an outbreak of a pandemic disease. If you do not want your information to be used for any purpose beyond providing your care you can choose to opt-out. If you wish to do so, please let us know so we can code your record appropriately to stop your records from being shared outside of your GP Practice. Please understand that if you opt-out then we cannot guarantee that care professionals will have the information they require to deliver you the best and safest care.

**National data opt-out**

The national data opt-out is a service that allows you to opt-out of your confidential patient information being used by for research and planning.  Whenever you use a health or care service, such as attending Accident and Emergency or using Community Care services, important information about you is collected to help to ensure you get the best possible care and treatment.  If you do not want your confidential patient information to be used in this way or would like to find out more please visit [www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters) or call: 0300 303 5678.

# Your access to your information

Under Data Protection legislation everybody has the right to see, or have a copy of, data we hold that can identify you and to have it amended or removed should it be inaccurate. You do not need to give a reason to see your data. Under special circumstances, some information may be withheld. We may charge a reasonable fee for the administration of the request in certain instances (e.g. where a duplicate copy is requested).

[How to get your medical records - NHS (www.nhs.uk)](https://www.nhs.uk/using-the-nhs/about-the-nhs/how-to-get-your-medical-records/)

If you wish to see or have a copy of the information we hold about you please contact the practice via email.

# Change of Details

It is important that you tell the person treating you if any of your details such as your name or address have changed or if any of your details are incorrect in order for this to be amended. Please inform us of any changes so our records for you are accurate and up to date.

# Mobile telephone number and text messaging

If you provide us with your mobile phone number we will use this to send you reminders about your appointments, responses to your online queries, health screening questions and information about the services we provide. **Please let us know if you do not wish to receive reminders on your mobile.**

# Email address

Where you have provided us with your email address we will use this to send you information relating to your health, responses to your online queries and information about the services we provide**. If you do not wish to receive communications by email please let us know.**

# Notification

Data Protection legislation requires organisations to register a notification with the Information Commissioner to describe the purposes for which they process personal and sensitive information.

This practice is registered as a data controller with the Information Commissioners Office (ICO). A ‘data controller’ determines the purposes and means of processing personal data. Our registration can be viewed online in the public register at: [Information Commissioner's Office (ICO)](https://ico.org.uk/)

## Data Protection Officer

Should you have any data protection questions or concerns, please contact our Data Protection Officer by email at the practice.

# Complaints

If you have concerns or are unhappy about any of our services, please contact the Practice.

For independent advice about data protection, privacy and data-sharing issues, you can contact:

|  |  |
| --- | --- |
| The Information Commissioner  Wycliffe House  Water Lane  Wilmslow  Cheshire  SK9 5AF | Phone: **0303 123 1113**  Website: [www.ico.gov.uk](http://www.ico.gov.uk) |

# Further Information

Further information about the way in which the NHS uses personal information and your rights is published by NHS Digital:

## The NHS Care Record Guarantee

The NHS Care Record Guarantee for England sets out the rules that govern how patient information is used in the NHS, what control the patient can have over this, the rights individuals have to request copies of their data and how data is protected under Data Protection Legislation.

[NHS\_Care\_Record\_Guarantee.pdf (cht.nhs.uk)](https://www.cht.nhs.uk/fileadmin/site_setup/contentUploads/Patient_Vistors/Your_health_record/NHS_Care_Record_Guarantee.pdf)

## The NHS Constitution

The NHS Constitution establishes the principles and values of the NHS in England. It sets out the rights patients, the public and staff are entitled to. These rights cover how patients access health services, the quality of care you’ll receive, the treatments and programmes available to you, confidentiality, information and your right to complain if things go wrong.

<https://www.gov.uk/government/publications/the-nhs-constitution-for-england>

## NHS Digital

NHS Digital collects health information from the records health and social care providers keep about the care and treatment they give, to promote health or support improvements in the delivery of care services in England.

<http://content.digital.nhs.uk/article/4963/What-we-collect>