

Torphins Medical Practice – Privacy Notice

The General Data Protection Regulation applied in the UK from 25 May 2018 and is the biggest change to data protection law in a generation according to the ICO.

- The aim is to set the guidelines for the collection, processing, storage and protection of personal and sensitive data.
- To give individuals the rights to access and correct their personal data and prevent it from being used for purposes that they don't want it to be.

The Privacy Notice explains why the GP practice collects information about you and how that information may be used.

Dr Neil Campbell and Dr Gwen Thomson are the Data Controllers and Dawn Bruce, Practice Manager is the Data Protection Officer. Contact details are:

Torphins Medical Practice
St Marnan Road
Torphins
AB31 4JQ

Tel: 013398 89420

Email: torphins.administrator@nhs.net

We are also required to have a NHS Data Protection Office and their details are as follows:

Miss Roohi Bains
Acting Information Governance Manager
Information Governance
Aberdeen Royal Infirmary
Rosehill House
Aberdeen Royal Infirmary
Tel No: 01224 551943
Email: roohi.bains@nhs.net

What personal information do we hold

- Details about you, such as your name, address, contact details, your family, what you do, your employers, carers and any legal representative.
- Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments, etc

- Notes and reports about your health
- Details about your treatment and care
- Results of investigations such as laboratory tests, x-rays, etc
- Relevant information from other health professionals, relatives or those who care for you
- Health care professionals, who provide you with care, maintain records about your health and any treatment or care you have received previously (e.g. NHS, GP Surgery, Walk-in Clinic, etc.) These records are used to help to provide you with the best possible healthcare.
- NHS health care records may be electronic, on paper or a mixture of both, and we use a combination of working practices and technology to ensure that your information is kept confidential and secure.

Identifying patients who might be at risk of certain diseases

- Your medical records will be searched by a computer programme so that we can identify patients who might be at high risk from certain diseases such as heart disease or unplanned admissions to hospital.
- This means we can offer patients additional care or support as early as possible.
- This process will involve linking information from your GP record with information from other health or social care services you have used.
- Information which identifies you will only be seen by this practice.

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. Information may be used within the GP practice for clinical audit to monitor the quality of the service provided.

Some of this information will be held centrally and used for statistical purposes. Where we do this, we take strict measures to ensure that individual patients cannot be identified. Sometimes your information may be requested to be used for research purposes – the surgery will always gain your consent before releasing the information for this purpose.

How is your personal data collected?

We use different methods to collect data from and about you including through direct interactions, for example, you may give us your identity, by filling in forms or by corresponding with us by phone, post, email or otherwise.

Who we share information with:

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 specialist, 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.

If your care requires treatment outside the practice, we will exchange with those providing such care and treatment whatever information may be necessary to provide safe, high quality care.

Once you have seen the care provider, they will normally send us details of the care they have provided you with, so that we can understand your health better.

Your consent to this sharing of data, within the practice and with those outside the practice is assumed and is allowed by the Law; however we will gladly discuss this with you.

The Practice team (clinicians, administration and reception staff) only access the information they need to allow them to perform their function and fulfil their roles.

You have the right to object to our sharing your data in these circumstances but we have an overriding responsibility to do what is in your best interests.

How do we maintain the confidentiality of your records?

We are committed to protecting your privacy and will only use information collected lawfully in accordance with:

- Data Protection Act 1998 and General Data Protection Regulation 2016
- Human Rights Act 1998
- Common Law Duty of Confidentiality
- Health and Social Care Act 2012
- NHS Codes of Confidentiality, Information Security and Records Management
- Information: To share or not to share review

Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential. We have a practice confidential policy which our staff sign.

We will only ever use or pass on information about you if others involved in your care have a genuine need for it. We will not disclose your information to any third party without your permission unless there are exceptional circumstances (i.e. life or death situations), where the law requires information to be passed on and / or in accordance with the new information sharing principle following Dame Fiona Caldicott's information sharing review (information to share/not to share) where "The duty to share information can be as important as the duty to protect patient confidentiality". This means that health and social care professionals should have the confidence to share information in the best interests of their patients within the framework set out by the Caldicott principles. They should be supported by the policies of their employers, regulators and professional bodies.

Disclosures of your personal data

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

Changes to the privacy notice and your duty to inform us of change

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 such as date of birth is incorrect in order for this to be amended. You have a responsibility to inform us of any changes so our records are accurate and up to date for you.

Data Security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, and other third parties who have a need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

Data Retention

We will only retain your personal data for as long as necessary and while you are a patient here at the practice. Your records are requested by Practitioner Services and both your scanned documents and paper records are sent to them either for retention or forwarded to your new practice.

Your legal rights

You have the right to access the data that is being shared and have any inaccuracies corrected. However there is no right to have accurate medical records deleted except when ordered by a court of law. We retain your personal data in line with both national guidance and law, which can be found here:

<https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016>

Access to personal information

You have the right to request access to view or to obtain copies of what information the surgery holds about you. This is called a subject access request.

. The practice has one month to comply with the request:

- Your request must be made in writing to the GP – for information from the hospital you should write direct to them
- There may be a charge to have a printed copy of the information held about you
- We are required to respond to you within 30 days
- You will need to give adequate information (for example full name, address, date of birth and details of your request) so that your identity can be verified and your records located.

Objections / Complaints

Should you have concerns about how your information is managed at the GP, please contact the GP Practice Manager. If you are still unhappy following a review by the GP practice, you can then complain to the Information Commissioners Office (ICO) via their website (www.ico.gov.uk) or telephone 0303 123 1113

If you are happy for your data to be extracted and used for the purposes described in this privacy notice then you do not need to do anything. If you have any concerns about how your data is shared then please contact the practice.