

Version	Date Published	Review Status
1.0	Jan 2016	New

Changes from the previous version are marked with a line in the margin

Hilary Cottage Surgery Privacy Notice

How we use your personal information

Our Privacy notice explains why the practice collects information about you and how that information may be used.

Under the Data Protection Act 1998 we must ensure that your personal confidential data (PCD) is handled in ways that are transparent and that you would reasonably expect. The Health and Social Care Act 2012 has altered the way that personal confidential data are processed. Consequently, you must be aware and understand these changes and that you have the opportunity to object and understand how to exercise that right.

Health care professionals who provide you with care are required by law to maintain records about your health and any treatment or care you have received within any NHS organisation. These records help to provide you with the best possible healthcare. NHS health records may be processed electronically, on paper or a mixture of both and through established working procedures and best practice coupled with technology we ensure your personal data is kept confidential and secure. Records held by us may include the following:

- Your personal data, such as address and next of kin;
- Your history with us, such as appointments, vaccinations, clinic visits, emergency appointments, etc.;
- Notes and reports about your health;
- Details about your treatment and care;
- Results of investigations and referrals such as blood tests, x-rays, etc; and
- Relevant information from other health professionals, relatives or those who care for you.

We obtain and hold data for the sole purpose of providing healthcare services to our patients and we will ensure that the information is kept confidential. We can disclose your personal information if:

- It is required by law;
- You consent – either implicitly or for the sake of your own care or explicitly for other purposes; and
- It is justified in the public interest

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 practice for clinical audit purposes to monitor the quality of the service provided.

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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.

This practice may supply personal health data to comply with its legal obligations from time to time, as directed by the Secretary of State for Health, or other Statutory Authority. Under the powers of the Health and Social Care Act 2012 (HSCA) the Health and Social Care Information Centre (HSCIC) can request Personal Confidential Data (PCD) from GP Practices without seeking the patient's consent. Anonymised data on the use of fit notes is being provided to the HSCIC on behalf of Department of Health, and the Department for Work and Pensions. This will enable the Department for Work and Pensions to undertake research analysis to inform policy relating to employment and sickness absence, including evaluation of Fit for Work.

A patient can object to their personal information being shared with other health care providers but if this limits the treatment that you can receive then the doctor will explain this to you at the time.

Should you have any concerns about how your information is managed, wish to opt out of any of the data collection schemes, or change your mind to reverse a previous decision, then please contact the practice to discuss.

Risk Stratification

Risk stratification is a process for identifying and managing patients who are at a higher risk of emergency hospital admission. Typically this is because patients have a long term condition such as COPD or cancer. NHS England and the CCG encourage GPs to use risk stratification tools as part of their local strategies for supporting patients with long-term conditions and to help prevent avoidable admissions.

Information about you is collected from a number of sources including NHS Trusts and from this GP Practice. A risk score is then arrived at through an analysis of your anonymous information using computer programmes. Your information is only provided back to your GP or member of your care team in an identifiable form. Risk stratification enables your GP to focus on the prevention of ill health and not just the treatment of sickness. If necessary your GP may be able to offer you additional services.

Please note that you have the right to opt out of Risk Stratification.

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 the Data Protection Act 1998 (which is overseen by the

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Information Commissioner's Office), Human Rights Act, the Common Law Duty of Confidentiality, and the NHS Codes of Confidentiality and Security.

All staff receive appropriate and on-going training to ensure they are aware of their personal responsibilities and have contractual obligations to uphold confidentiality, enforceable through disciplinary procedures. We maintain our duty of confidentiality to you at all times. 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), or where the law requires information to be passed on.

Who are our partner organisations?

We may also have to share your information, subject to strict agreements on how it will be used. The following are examples of the types of organisations that we are likely to share information with. In some cases you will be asked for explicit consent for this happen.

- NHS and specialist hospitals, Trusts
- Independent Contractors such as dentists, opticians, pharmacists
- Private and Voluntary Sector Providers
- Ambulance Trusts
- Clinical Commissioning Groups and NHS England
- Social Care Services and Local Authorities
- Education Services
- Police, Fire and Rescue Services
- Other 'data processors' during specific project work e.g. Diabetes UK

Access to personal information held about you

You have a right under the Data Protection Act 1998 to access/view information the Practice holds about you, and to have it amended or removed should it be inaccurate. This is known as 'the right of subject access'. If we do hold information about you we will:

- give you a description of it;
- tell you why we are holding it;
- tell you who it could be disclosed to; and
- let you have a copy of the information in an intelligible form.

If you would like to make a 'subject access request', please contact reception.

*There may be a charge for this service.

Any changes to this notice will be published on the practice website and in a prominent area in the waiting room.

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[How we use your personal information leaflet](#)

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We are registered as a data controller under the Data Protection Act 1998. The registration can be viewed online in the public register at:

[http://ico.org.uk/what we cover/register of data controllers](http://ico.org.uk/what_we_cover/register_of_data_controllers)

Further information

Further information about the way in which the NHS uses personal information and your rights in that respect can be found on the following websites:

- **The NHS Care Record Guarantee:**
<http://systems.hscic.gov.uk/infogov/links/nhscrg.pdf>
- **The NHS Constitution:** <https://www.gov.uk/government/publications/the-nhs-constitution-for-england>
- **The Health and Social Care Information Centre's (HSCIC)**
 - Information about their responsibility for collecting data from across the health and social care system can be found at: <http://www.hscic.gov.uk/collectingdata>
 - Guide to Confidentiality gives more information on the rules around information sharing : <http://www.hscic.gov.uk/configuideorg>
 - Information page about collections: www.hscic.gov.uk/article/4963/What-we-collect
 - Information pages for the public: www.hscic.gov.uk/article/3388/How-we-look-after-information
 - Information on the anonymised data collection on the use of fit notes: www.gov.uk/dwp/fit-note-data
- An independent review of how information about patients is shared across the health and care system led by Dame Fiona Caldicott was conducted in 2012. The report, Information: To share or not to share? The Information Governance Review, be found at: <https://www.gov.uk/government/publications/the-information-governance-review>
- **The NHS Commissioning Board** – NHS England – Better Data, Informed Commissioning, Driving Improved Outcomes: Clinical Data Sets provides further information about the data flowing within the NHS to support commissioning. <http://www.england.nhs.uk/wp-content/uploads/2012/12/clinical-datasets.pdf>
- **The Information Commissioner's Office (ICO)** is the Regulator for the Data Protection Act 1998 and offer independent advice and guidance on the law and personal data, including your rights and how to access your personal information. For further information please visit the Information Commissioner's Office website at www.ico.org.uk/for-the-public

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