

Version	Date Published	Review Status
11	May 2018	Reviewed and amended July 22

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## Hilary Cottage Surgery Privacy Notice

### Your information, what you need to know

This privacy notice explains why the practice collects information about you and how that information may be used, how we keep it safe and confidential and what your rights are in relation to this.

### Why we collect information about you

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, and help us to protect your safety.

We collect and hold data for the sole purpose of providing healthcare services to our patients and running our organisation which includes monitoring the quality of care that we provide. In carrying out this role we may collect information about you which helps us respond to your queries or secure specialist services. We will keep your information in written form and/or in digital form. The records may include basic details about you, such as your name and address.

### Our Commitment to Data Privacy and Confidentiality Issues

As a GP practice, all of our GPs, staff and associated practitioners are committed to protecting your privacy and will only process data in accordance with the Data Protection Legislation. This includes the General Data Protection Regulation (EU) 2016/679 (GDPR), the Data Protection Act (DPA) 2018, the Law Enforcement Directive (Directive (EU) 2016/680) (LED) and any applicable national Laws implementing them as amended from time to time. The legislation requires us to process personal data only if there is a legitimate basis for doing so and that any processing must be fair and lawful.

In addition, consideration will also be given to all applicable Law concerning privacy, confidentiality, the processing and sharing of personal data including the Human Rights Act 1998, the Health and Social Care Act 2012 as amended by the Health and Social Care (Safety and Quality) Act 2015, the common law duty of confidentiality and the Privacy and Electronic Communications (EC Directive) Regulations.

### Data we collect about you

Records which this GP Practice will hold or share about you will include the following:

- Personal Data – means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

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- Special Categories of Personal Data – this term describes personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation.
- Confidential Patient Information – this term describes information or data relating to their health and other matters disclosed to another (e.g. patient to clinician) in circumstances where it is reasonable to expect that the information will be held in confidence. Including both information ‘given in confidence’ and ‘that which is owed a duty of confidence’. As described in the Confidentiality: NHS code of Practice: Department of Health guidance on confidentiality 2003.
- Pseudonymised - The process of distinguishing individuals in a dataset by using a unique identifier which does not reveal their ‘real world’ identity.
- Anonymised – Data in a form that does not identify individuals and where identification through its combination with other data is not likely to take place
- Aggregated - Statistical data about several individuals that has been combined to show general trends or values without identifying individuals within the data.

## How we use your information

Improvements in information technology are also making it possible for us to share data with other healthcare organisations for the purpose of providing you, your family and your community with better care. For example it is possible for healthcare professionals in other services to access your record with your permission when the practice is closed. This is explained further in the Local Information Sharing section in Appendix A.

Whenever you use a health or care service, such as attending Accident & Emergency or using Community Care services, important information about you is collected in a patient record for that service. Collecting this information helps to ensure you get the best possible care and treatment. The information collected about you when you use these services can also be used and provided to other organisations for purposes beyond your individual care, for instance to help with:

- improving the quality and standards of care provided by the service
- research into the development of new treatments and care pathways
- preventing illness and diseases
- monitoring safety
- planning services
- risk stratification
- population Health Management

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- safeguarding of children and vulnerable adults
- statutory disclosures

This may only take place when there is a clear legal basis to use this information. All these uses help to provide better health and care for you, your family and future generations. Confidential patient information about your health and care is only used like this where allowed by law or with consent.

Pseudonymised or anonymised data is generally used for research and planning so that you cannot be identified.

***A full list of details including the legal basis, any Data Processor involvement and the purposes for processing information can be found in Appendix A.***

### How long do we hold information for?

All records held by the Practice will be kept for the duration specified by national guidance from NHS Digital, [Health and Social Care Records Code of Practice](#). Once information that we hold has been identified for destruction it will be disposed of in the most appropriate way for the type of information it is. Personal confidential and commercially confidential information will be disposed of by approved and secure confidential waste procedures. We keep a record of retention schedules within our information asset registers, in line with the Records Management Code of Practice for Health and Social Care 2021.

### Individuals Rights under GDPR

Under GDPR 2016 the Law provides the following rights for individuals. The NHS uphold these rights in a number of ways.

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure (not an absolute right) only applies in certain circumstances
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling.

### Your right to opt out of data sharing and processing

The NHS Constitution states 'You have a right to request that your personal and confidential information is not used beyond your own care and treatment and to have your objections considered'. For further information please visit: [The NHS Constitution](#)

#### Type 1 Opt Out

This is an objection that prevents an individual's personal confidential information from being shared outside of their general practice except when it is being used for the purposes of their individual direct care, or in particular circumstances required by law, such as a public health emergency like an

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outbreak of a pandemic disease. If patients wish to apply a Type 1 Opt Out to their record they should make their wishes known to the Practice Manager.

#### **National data opt-out (NDNO)**

The national data opt-out was introduced on 25 May 2018, enabling patients to opt-out from the use of their data for research or planning purposes, in line with the recommendations of the National Data Guardian in her Review of Data Security, Consent and Opt-Outs.

The national data opt-out replaces the previous 'type 2' opt-out, which required NHS Digital not to share a patient's confidential patient information for purposes beyond their individual care. Any patient that had a type 2 opt-out recorded on or before 11 October 2018 has had it automatically converted to a national data opt-out. Those aged 13 or over were sent a letter giving them more information and a leaflet explaining the national data opt-out. For more information go to [National data opt out programme](#)

To find out more or to register your choice to opt out, please visit [www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters).

On this web page you will:

- See what is meant by confidential patient information
- Find examples of when confidential patient information is used for individual care and examples of when it is used for purposes beyond individual care
- Find out more about the benefits of sharing data
- Understand more about who uses the data
- Find out how your data is protected
- Be able to access the system to view, set or change your opt-out setting
- Find the contact telephone number if you want to know any more or to set/change your opt-out by phone
- See the situations where the opt-out will not apply

#### **Right of Access to your information (Subject Access Request)**

Under Data Protection Legislation everybody has the right of access to, or request a copy of, information we hold that can identify you, this includes your medical record, there are some safeguards regarding what you will have access and you may find information has been redacted or removed for the following reasons;

- It may be deemed to risk causing harm to the patient or others
- The information within the record may relate to third parties who are entitled to their confidentiality, or who have not given their permission for the information to be shared.

Patients do not need to give a reason to see your data, and requests can be made verbally or in writing. Although we may ask the patient to complete a form in order that we can ensure that they have the correct information required.

Where multiple copies of the same information is requested the surgery may charge a reasonable fee for the extra copies.

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Patients will need to provide proof of identity to receive this information. We will not share information relating to you with other individuals without your explicit instruction or without sight of a legal document.

Patients may also request to have online access to their data, they may do this via the [NHS APP](#), or via the practices system. If you would like to access your GP record online click here [practice website](#).

### COVID Passport access

Patients may access their Covid passport via the [link](#), the practice cannot provide this document as it is not held in the practice record. If you have any issues gaining access to your Covid Passport or letter you should call: 119

### Changes to your details

It is important that you tell us if any of your details such as your name, address and telephone number has changed or if any other contact details are incorrect including third party emergency contact details. You have the responsibility to inform us of any changes so that our records are kept accurate and up to date at all times and to ensure that no information is shared in error.

### Mobile telephone number

If you provide us with your mobile phone number, we may use this to send you text reminders about your appointments or other health screening information. Please let us know if you do not wish to receive text reminders on your mobile. We may also use your mobile number to set up a video consultation should you be unable to attend the practice. It is within our legal duty as a public authority to keep our patients updated with important information.

### Email address

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

### Mailing to Patients

We use a printing company called Docmail to send bulk mailing to our patients. Data sent is encrypted and the Company puts it in a format to print a letter, posts via Royal mail and then deletes the information we send. A further information sheet is available on request.

### Telephone Recording

Hilary Cottage Surgery has a telephone system that has the ability to record calls on an on demand basis to protect patients and staff and other health workers. At present we do not record telephone calls, however we retain the right to record telephone calls for the benefit and safety of patients and staff, quality monitoring, compliance and security purposes.

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## 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.

We are registered as a data controller under the Data Protection Act 1998. Our registration number is **Z5628259**. 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)

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

## Data Protection Officer

Should you have any data protection questions or concerns, please contact our Data Protection Officer via the surgery at: [hilarycottage.secretary@nhs.net](mailto:hilarycottage.secretary@nhs.net)

## What is the right to know?

The Freedom of Information Act 2000 (FOIA) gives people a general right of access to information held by or on behalf of public authorities, promoting a culture of openness and accountability across the public sector. You can request any non-personal information that the GP Practice holds, that does not fall under an exemption. You may not ask for information that is covered by the Data Protection Legislation under FOIA. However you can request this under a right of access request – see section above ‘Access to your information’.

## Complaints

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

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: <https://ico.org.uk/global/contact-us>

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## Further Information

- **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.
- **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 programs 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.  
<https://digital.nhs.uk/about-nhs-digital/our-work/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information/understanding-the-health-and-care-information-we-collect>

## Reviews of and Changes to our Privacy Notice

We will keep our Privacy Notice under regular review. This notice was last reviewed in July 2022.

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**Appendix A – The Practice will share your information with these organisations where there is a legal basis to do so.**

Activity	Rationale
Commissioning and contractual purposes Invoice Validation and Planning Quality and Performance	<p><b>Purpose</b> – Anonymous data is used by the ICB for planning, performance and commissioning purposes, as directed in the practices contract, to provide services as a public authority.</p> <p><b>Legal Basis</b> – UK GDPR 6 1(b) Contractual obligation as set out in the Health and Social Care Act for Quality and Safety 2015</p> <p>Patients may opt out of having their personal confidential data used for Planning or research. Please contact your surgery to apply a Type 1 Opt out or logon to <a href="https://www.nhs.uk/your-nhs-data-matters/manage-your-choice/">https://www.nhs.uk/your-nhs-data-matters/manage-your-choice/</a> to apply a National Data Opt Out</p> <p><b>Processor</b> – Gloucestershire Integrated Care Board (ICB)</p>
JUYI – Joining Up Your Information	<p><b>Purpose</b> – JUYI is the secure online system for sharing information in Gloucestershire, giving local health and social care professionals directly involved in your care instant access to your health and social care records.</p> <p>Sharing your electronic records with the people who look after you gives them the most up-to-date information about you and makes your care safer and more efficient and cost effective.</p> <p>For information about the county’s JUYI shared care record and fair processing notice see: <a href="https://www.juyigloucestershire.org/how-we-use-your-information/">https://www.juyigloucestershire.org/how-we-use-your-information/</a></p> <p><b>Legal Basis</b> – Direct Care under UK GDPR:</p> <ul style="list-style-type: none"> <li>• Article 6(1)(e) ‘...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...’; and</li> <li>• Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine</li> </ul>
Summary Care Record Including Additional Information	<p><b>Purpose</b> - The NHS in England uses a national electronic record called the Summary Care Record (SCR) to support patient care. It contains key information from your GP record. Your SCR provides authorised healthcare staff with faster, secure access to essential information about you in an emergency or when you need unplanned care, where such information would otherwise be unavailable.</p> <p>During the height of the pandemic changes were made to the Summary Care Record (SCR) to make additional patient information</p>



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	<p>available to all appropriate clinicians when and where they needed it, to support direct patients care, leading to improvements in both care and outcomes.</p> <p>These changes to the SCR will remain in place, unless you decide otherwise. Regardless of your past decisions about your Summary Care Record preferences, you will still have the same options that you currently have in place to opt out of having a Summary Care Record, including the opportunity to opt-back in to having a Summary Care Record or opt back in to allow sharing of Additional Information.</p> <p>You can exercise these choices by doing the following:</p> <ol style="list-style-type: none"> <li>1. <b>Choose to have a Summary Care Record with all information shared.</b> This means that any authorised, registered and regulated health and care professionals will be able to see a detailed Summary Care Record, including Core and Additional Information, if they need to provide you with direct care.</li> <li>2. <b>Choose to have a Summary Care Record with Core information only.</b> This means that any authorised, registered and regulated health and care professionals will be able to see limited information about allergies and medications in your Summary Care Record if they need to provide you with direct care.</li> <li>3. <b>Choose to opt-out of having a Summary Care Record altogether.</b> This means that you do not want any information shared with other authorised, registered and regulated health and care professionals involved in your direct care. You will not be able to change this preference at the time if you require direct care away from your GP practice. This means that no authorised, registered and regulated health and care professionals will be able to see information held in your GP records if they need to provide you with direct care, including in an emergency.</li> </ol> <p>To make these changes, you should inform your GP practice or complete this <a href="#">form</a> and return it to your GP practice.</p> <p><b>Legal Basis</b> – Direct Care under UK GDPR :</p> <p>In order for your Personal Data to be shared or processed, an appropriate 'legal basis' needs to be in place and recorded. The legal bases for direct care via SCR is the same as the legal bases for the care you would receive from your own GP, or another healthcare provider:</p> <ul style="list-style-type: none"> <li>• for the processing of personal data: Article 6.1 (e) of the UK GDPR: 'processing is necessary for the performance of a task</li> </ul>
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	<p>carried out in the public interest or in the exercise of official authority vested in the controller'.</p> <ul style="list-style-type: none"> <li>for the processing of 'Special Category Data' (which includes your medical information): Article 9.2 (h) of the UK GDPR: '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 and services'.</li> </ul> <p>Patients have the right to opt out of having their information shared with the SCR by completion of the form which can be downloaded <a href="#">here</a> and returned to the practice. Please note that by opting out of having your information shared with the Summary Care Record could result in a delay to care that may be required in an emergency.</p> <p>Because the legal bases used for your care via SCR are the same as used in other direct care situations, the legal rights you have over this data under UK GDPR will also be the same- these are listed elsewhere in our privacy notice.</p> <p><u><a href="#">Find out more about SCR.</a></u></p> <p><b>Processor</b> – NHS England and NHS Digital</p>
Research	<p><b>Purpose</b> – We may share personal confidential or anonymous information with research companies. Where you have opted out of having your identifiable information shared for this purpose your information will be removed.</p> <p>Where personal confidential data is shared your consent will need to be sought.</p> <p>Where you have opted out of having your identifiable information shared for this Planning or Research your information will not be shared.</p> <p><b>Legal Basis</b> – consent is not required to share anonymous data that does not identify a patient.</p> <p>Where identifiable data is required for research, patient consent will be needed, unless there is a legitimate reason under law to do so or there is support under the Health Service (Control of Patient Information Regulations) 2002 ('section 251 support') applying via the Confidentiality Advisory Group in England and Wales</p> <p><b>Processor</b> – Primary Care Research Network (PCRN)</p>

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<p>COVID-19 Research and Planning</p>	<p><b>Purpose</b> – To understand the risks to public health, trends and prevent the spread of infections such as Covid-19 the government has enabled a number of initiatives which include research and planning during the Covid-19 pandemic which may include the collection of personal confidential data has been necessary. This is to assist with the diagnosis, testing, self-isolating, fitness to work, treatment medical, social interventions and recovery from Covid-19.</p> <p><b>Legal Basis</b> - Notice under Regulation 3(4) of the Health Service (Control of Patient Information) Regulations 2002 (COPI), which were made under sections 60 (now section 251 of the NHS Act 2006) and 64 of the Health and Social Care Act 2001.</p> <p><a href="#">Coronavirus (COVID-19): notice under regulation 3(4) of the Health Service (Control of Patient Information) Regulations 2002, which were made under sections 60 (now section 251 of the NHS Act 2006) and 64 of the Health and Social Care Act 2001 – Biobank - GOV.UK (www.gov.uk)</a></p> <p><a href="#">Coronavirus (COVID-19): notification to organisations to share information - GOV.UK (www.gov.uk)</a></p> <p><b>Provider</b> – BioBank, NHS Digital, NHS England, other organisations included in the roll out of vaccinations, treatment and care of patients suffering with Covid-19</p>
<p>Individual Funding Requests</p>	<p><b>Purpose</b> – We may need to process your personal information where we are required to fund specific treatment for you for a particular condition that is not already covered in our standard NHS contract.</p> <p><b>Legal Basis</b> - The clinical professional who first identifies that you may need the treatment will explain to you the information that is needed to be collected and processed in order to assess your needs and commission your care; they will gain your explicit consent to share this. You have the right to withdraw your consent at any time. Under UK GDPR Article 6 1 (e) Public Task and Article 9 2 (h) health data apply</p> <p><b>Data Processor</b> – Hilary Cottage Surgery Practice Secretary</p>
<p>Child Health Information Service</p>	<p><b>Purpose</b> - 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 health visitors and school nurses.</p> <p><b>Legal Basis</b> – Direct Care</p>

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	<p><b>Data Processor</b> – SCW CSU, on behalf of NHS England</p>
Safeguarding Adults & Children	<p><b>Purpose</b> – We will share personal confidential information with the safeguarding team where there is a need to assess and evaluate any safeguarding concerns and to protect safety.</p> <p>Consent may not be required to share information for this purpose.</p> <p><b>Legal Basis</b> – in some case consent will be required otherwise</p> <ul style="list-style-type: none"> <li>• Article 6(1)(e) ‘...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...’; and</li> <li>• Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine</li> </ul> <p><b>Data Processor:</b> Gloucestershire County Council Safeguarding Adults Board (GSAB)</p>
Risk Stratification – Preventative Care	<p><b>Purpose</b> - ‘Risk stratification for case finding’ is a process for identifying and managing patients who have or may be at-risk of health conditions (such as diabetes) or who are most likely to need healthcare services (such as people with frailty). 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 before it develops.</p> <p>Information about you is collected from a number of sources including NHS Trusts, GP Federations and your GP Practice. A risk score is then arrived at through an analysis of your de-identified information. This can help us identify and offer you additional services to improve your health.</p> <p>If you do not wish information about you to be included in any risk stratification programmes, please let us know. We can add a code to your records that will stop your information from being used for this purpose. 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.</p> <p>Type of Data – Identifiable/Pseudonymised/Anonymised/Aggregate Data</p> <p><b>Legal Basis</b> GDPR Art. 6(1) (e) and Art.9 (2) (h). The use of identifiable data by ICBs and GPs for risk stratification has been approved by the Secretary of State, through the Confidentiality Advisory Group of the Health Research Authority (approval reference (CAG 7-04)(a)/2013)) and this</p>

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	<p>approval has been extended to the end of September 2020 <a href="#">NHS England Risk Stratification</a> which gives us a statutory legal basis under Section 251 of the NHS Act 2006 to process data for risk stratification purposes which sets aside the duty of confidentiality. We are committed to conducting risk stratification effectively, in ways that are consistent with the laws that protect your confidentiality.</p> <p><b>Data Processors</b> – Gloucestershire Integrated Care Board (ICB)/ South West and Central Commissioning Support Unit</p>
Population Health Management	<p><b>Purpose</b> – Health and care services work together as ‘Integrated Care Systems’ (ICS) and are sharing data in order to:</p> <ol style="list-style-type: none"> <li>1. Understand the health and care needs of the care system’s population, including health inequalities;</li> <li>2. Provide support to where it will have the most impact</li> <li>3. Identify early actions to keep people well, not only focusing on people in direct contact with services, but looking to join up care across different partners.</li> </ol> <p>(NB this links to the Risk Stratification activity identified above)</p> <p>Type of Data – Identifiable/Pseudonymised/Anonymised/Aggregate Data. NB only organisations that provide your care will see your identifiable data.</p> <p><b>Legal Basis</b> - Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) as stated below</p> <p><b>Data Processors</b> - Gloucestershire Integrated Care Board (ICB) / South West and Central Commissioning Support Unit</p>
Public Health Screening programmes (identifiable) Notifiable disease information (identifiable) Smoking cessation (anonymous) Sexual health (anonymous)	<p><b>Purpose</b> – Personal identifiable and anonymous data is shared. The NHS provides national screening programmes so that certain diseases can be detected at an early stage. These currently apply to bowel cancer, breast cancer, aortic aneurysms and diabetic retinal screening service. The law allows us to share your contact information with Public Health England so that you can be invited to the relevant screening programme.</p> <p><b>Legal Basis</b> - Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’, 6 1 (f) Legitimate interests</p> <p>And Article 9(2)(h) as stated below</p> <p><b>Data Processors</b> – Public Health England/ Primary Care Support</p>

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	England (PCSE)
Direct Care NHS Trusts Community Providers Pharmacies Nursing Homes Enhanced Care Providers Other Care Providers	<p><b>Purpose</b> – Personal information is shared with other secondary care trusts in order to provide you with direct care services. This could be hospitals or community providers for a range of services, including treatment, operations, physio, and community nursing, ambulance service.</p> <p><b>Legal Basis</b> - The processing of personal data in the delivery of direct care and for providers’ administrative purposes in this surgery and in support of direct care elsewhere is supported under Article 6 1 (e) direct care and 9 2 (h) to provide health or social care.</p> <p><b>Processors</b> – Gloucestershire Hospitals NHS Foundation Trust; Gloucestershire Health &amp; Care NHS Foundation Trust; South Western Ambulance Service NHS Foundation Trust; Great Western Hospital NHS Foundation Trust and other care providers.</p>
Care Quality Commission	<p><b>Purpose</b> – The CQC is the regulator for the English Health and Social Care services to ensure that safe care is provided. They will inspect and produce reports back to the GP practice on a regular basis. The Law allows the CQC to access identifiable data.</p> <p>More detail on how they ensure compliance with data protection law (including GDPR) and their privacy statement is <u><a href="https://www.cqc.org.uk/about-us/our-policies/privacy-statement">available on our website: https://www.cqc.org.uk/about-us/our-policies/privacy-statement</a></u></p> <p><b>Legal Basis</b> - Article 6(1)(c) “processing is necessary for compliance with a legal obligation to which the controller is subject.” And Article 9(2) (h) as stated below</p> <p><b>Processors</b> – Care Quality Commission</p>
Payments, Invoice validation	<p><b>Purpose</b> - Contract holding GPs in the UK receive payments from their respective governments on a tiered basis. Most of the income is derived from baseline capitation payments made according to the number of patients registered with the practice on quarterly payment days. These amount paid per patient per quarter varies according to the age, sex and other demographic details for each patient. There are also graduated payments made according to the practice’s achievement of certain agreed national quality targets known as the Quality and Outcomes Framework (QUOF), for instance the proportion of diabetic patients who have had an annual review. Practices can also receive payments for participating in agreed national or local enhanced services, for instance opening early in the morning or late at night or at the weekends. Practices can also receive payments for certain national initiatives such as immunisation programs and practices may also receive incomes relating to a variety of non patient</p>

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	<p>related elements such as premises. Finally there are short term initiatives and projects that practices can take part in. Practices or GPs may also receive income for participating in the education of medical students, junior doctors and GPs themselves as well as research. In order to make patient based payments basic and relevant necessary data about you needs to be sent to the various payment services. The release of this data is required by English laws.</p> <p><b>Legal Basis</b> - Article 6(1)(c) “processing is necessary for compliance with a legal obligation to which the controller is subject.” And Article 9(2)(h) ‘as stated below</p> <p><b>Data Processors</b> – NHS England, Gloucestershire Integrated Care Board (ICB) , Public Health England</p>
Patient Record data base	<p><b>Purpose</b> – Your medical record will be processed in order that a data base can be maintained, this is managed in a secure way and there are robust processes in place to ensure your medical record is kept accurate, and up to date. Your record will follow you as you change surgeries throughout your life.</p> <p>Closed records will be archived by NHS England</p> <p><b>Legal Basis</b> - Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h)</p> <p><b>Processor</b> –TPP SystemOne and PCSE</p>
Medical Reports/ Subject Access Requests	<p><b>Purpose</b> – Your medical record may be shared in order that:</p> <ul style="list-style-type: none"> <li>- Solicitors/persons acting on your behalf can conduct certain actions as instructed by you.</li> <li>- Insurance companies seeking a medical reports where you have applied for services offered by then can have a copy to your medical history for a specific purpose.</li> </ul> <p><b>Legal Basis</b> – under GDPR Article 6 1 (a) and 9 2 (a) explicit consent will be required before a GP can share your record for either for these purposes.</p> <p><b>Processor</b> – iGPR, Solicitors, Insurance Organisations</p>
Medicines Management Medicines Optimisation OptimiseRX	<p><b>Purpose</b> – your medical record is shared with the medicines management team pharmacists, in order that your medication can be kept up to date and any changes can be implemented.</p> <p>ICBs operate pharmacist and prescribing advice services to support</p>

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	<p>local GP practices with prescribing queries, which may require identifiable information to be shared. These pharmacists work with your usual GP to provide advice on medicines and prescribing queries, and review prescribing of medicines to ensure that it is appropriate for your needs, safe and cost-effective.</p> <p><b>Legal Basis</b> - Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h)</p> <p><b>Processors/Recipients</b> – Gloucestershire Integrated Care Board (ICB) and Gloucestershire Hospitals NHS Foundation Trust/ FDB</p>
Text Messaging Service	<p><b>Purpose</b> – Personal identifiable information shared with the texting service in order that text messages including appointment reminders, campaign messages related to specific patients health needs and direct messages to patients.</p> <p><b>Legal Basis</b> – GDPR Article 6 1 (b) Contract, Article 6 1 (e) Public task, Article 9 2 (h)</p> <p><b>Processor</b> –ACCURX</p>
Remote consultation Including – Video Consultation, Online Consultation & Clinical photography	<p><b>Purpose</b> – Personal information including images may be processed, stored and with the patients consent shared, in order to provide the patient with urgent medical advice.</p> <p><b>Legal Basis</b> – Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) Health data as stated below</p> <p><b>Processor</b> – AccuRX, Silicon Practice Footfall, TPP SystmOne</p>
MDT meetings	<p><b>Purpose</b> – For some long term conditions, such as diabetes, the practice participates in meetings with staff from other agencies involved in providing care, to help plan the best way to provide care to patients with these conditions. Personal data will be shared with other agencies in order that mutual care packages can be decided.</p> <p><b>Legal Basis</b> – Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) Health data as stated below</p> <p><b>Processor</b> – Direct Care Providers</p>
Primary Care Network (PCN) - Extended Hours Access- --	<p><b>Purpose</b> – Your medical record will be shared with the practices in the South Cotswold Primary Care Network in order that they can provide direct care services to the patient population. This could be in the form of video consultations, Minor injuries clinics, GP extended and</p>



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<ul style="list-style-type: none"> <li>- GP Improved Access Clinics</li> <li>- Enhanced Same Day Minor Injuries services at Cirencester Hospital</li> <li>- Frailty Team</li> </ul>	<p>improved access clinics</p> <p><b>Legal Basis</b> - Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) as stated below</p> <p><b>Processor</b> – South Cotswold Primary Care Network (Phoenix Health Group / Cirencester Health Group/ Upper Thames Medical Group /Rendcomb Surgery / Hilary Cottage Surgery)</p>
Smoking cessation	<p><b>Purpose</b> – personal information is shared in order for the smoking cessation service to be provided.</p> <p><b>Legal Basis</b> – Consented</p> <p><b>Processor</b> – Gloucestershire County Council Healthy Lifestyles</p>
Social Prescribers	<p><b>Purpose</b> – Access to the clinical software appointment booking system is currently provided to social prescribers to enable them to book patients to determine their social care needs.</p> <p>Only those patients who wish to be party to this service will have their data shared.</p> <p><b>Legal Basis</b> – Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) Health data as stated below</p> <p>Processor: Gloucestershire Rural County Council (GRCC)</p>
Mental Health provider	<p><b>Purpose</b> – For the provision of mental health services</p> <p><b>Legal Basis</b> – Direct Care</p> <p><b>Processor</b> – 2gether NHS Foundation Trust</p>
Clinical Audit (including Primary Care Data Extraction Process (PCDES))	<p><b>Purpose</b> – Information will be used by the ICB for clinical audit to monitor the quality of the service provided to patients with long terms conditions. When required, information will be held centrally and used for statistical purposes (e.g. the National Diabetes Audit). When this happens, strict measures are taken to ensure that individual patients cannot be identified from the data.</p> <p><b>Legal Basis</b> – Article 9(2)(h) ‘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 or treatment or the management of health or social care systems and services...’</p> <p><b>Processor</b> – Gloucestershire Integrated Care Board (ICB)/ Sollis</p>
Department for Work and Pensions	<p><b>Purpose</b> – Our practice is legally required to provide limited data to the Department for Work and Pensions for the management of the</p>

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	<p>social care system and fraud prevention.</p> <p><b>Legal Basis</b> – Article 9(2)(b) ‘necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection..’</p> <p><b>Processor</b> – Department for Work &amp; Pensions</p>
Improving Diabetes Care	<p><b>Purpose</b> – Information that does not identify individual patients is used to enable focussed discussions to take place at practice-led local diabetes review meetings between health care professionals. This enables the professionals to improve the management and support of these patients.</p> <p><b>Legal Basis</b> – Anonymised information</p> <p><b>Processor</b> – Gloucestershire Clinical Commissioning Group</p>
National Fraud Initiative - Cabinet Office	<p><b>Purpose</b> – The use of data by the Cabinet Office for data matching is carried out with statutory authority. It does not require the consent of the individuals concerned under Data Protection legislation. Data matching by the Cabinet Office is subject to a Code of Practice. For further information see: <a href="https://www.gov.uk/government/publications/code-of-data-matching-practice-for-national-fraud-initiative">https://www.gov.uk/government/publications/code-of-data-matching-practice-for-national-fraud-initiative</a></p> <p><b>Legal Basis</b> – Part 6 of the Local Audit and Accountability Act 2014</p> <p><b>Processor</b> – UK Government</p>
National Registries	<p><b>Purpose</b> – National Registries (such as the Learning Disabilities Register) have statutory permission under Section 251 of the NHS Act 2006, to collect and hold service user identifiable information without the need to seek informed consent from each individual service user.</p> <p><b>Legal Basis</b> – Section 251 of the NHS Act 2006</p> <p><b>Processor</b> – Gloucestershire County Council / Public Health England</p>
Medication / Prescribing	<p><b>Purpose</b> : Prescriptions containing personal identifiable and health data will be shared with chemists/pharmacies, in order to provide patients with essential medication or treatment as their health needs dictate. This process is achieved either by face to face contact with the patient or electronically. Where patients have specified a nominated pharmacy they may wish their repeat or acute prescriptions to be ordered and sent directly to the pharmacy making a more efficient process. Arrangements can also be made with the pharmacy to deliver medication</p> <p><b>Legal Basis</b> : Article 6(1)(e); “necessary... in the exercise of official</p>

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	<p>authority vested in the controller' And Article 9(2)(h) as stated below</p> <p>Patients will be required to nominate a preferred pharmacy.</p> <p><b>Processor</b> – Patients Pharmacy of choice</p>
Supporting Locally Commissioned Services	<p><b>Purpose</b> – ICBs 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.</p> <p><b>Legal Basis</b> – Anonymised Data</p> <p><b>Processor</b> – Gloucestershire Integrated Care Board (ICB)</p>
Police	<p><b>Purpose</b> – Personal confidential information may be shared with the Police authority for certain purposes. The level of sharing and purpose for sharing may vary. Where there is a legal basis for this information to be shared consent will not always be required.</p> <p><b>Legal Basis</b> – GDPR –6 1 (c) Legal Obligation. Article 6 1 (f) legitimate interest and 9(2) (c) Vital Interests; 9(2) (f) Legal claims or judicial acts; 9(2) (g) Reasons of substantial public interest (with a basis in law)</p> <p><b>Processors/Recipients</b> – Police</p>
Coroners	<p><b>Purpose</b> – Personal health records or information relating to a deceased patient may be shared with the coroner or medical examiner upon request.</p> <p><b>Legal Basis</b> – UK GDPR Article 6 1 (c) Legal Obligation 9 2 (h) Health data. Coroners and Justice Act 2009</p> <p><b>Processors/Recipients</b> – Coroner, Medical Examiners</p>
Private Healthcare Providers	<p><b>Purpose</b> – Personal information shared with private health care providers in order to deliver direct care to patients at the patient's request. Consent from the patient will be required to share data with Private Providers.</p> <p><b>Legal Basis</b> – Consented and under contract between the patient and the provider.</p> <p><b>Processor</b> – BMI, Nuffield Health and other private healthcare providers as requested by the patient</p>

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<p>General Practice Extraction Service (GPES)</p>	<p><b>Purpose</b> – GP practices are required to provide data extraction of their patients personal confidential information for various purposes to NHS Digital. The objective of this data collection is on an ongoing basis to identify patients registered at General Practices who fit within a certain criteria, in order to monitor and either provide direct care, or prevent serious harm to those patients. Below is a list of the purposes for the data extraction, by using the link you can find out the detail behind each data extraction and how your information will be used to inform this essential work:</p> <p><a href="#">Data Provision Notices (DPNs) - NHS Digital</a></p> <p><b>Legal Basis</b> - All GP Practices in England are legally required to share data with NHS Digital for this purpose under section 259(1)(a) and (5) of the 2012 Act</p> <p>Further detailed legal basis can be found in each link.</p> <p>Any objections to this data collection should be made directly to NHS Digital. <a href="mailto:enquiries@nhsdigital.nhs.uk">enquiries@nhsdigital.nhs.uk</a></p> <p><b>Processor</b> – NHS Digital or NHS X</p>
<p>Anticoagulation Monitoring</p>	<p><b>Purpose:</b> Personal Confidential data is shared with LumiraDX in order to provide an anticoagulation clinic to patients who are on anticoagulation medication. This will only affect patients who are within this criteria.</p> <p><b>Legal Basis:</b> The legal basis for this activity under UK GDPR is Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) Health data as stated below</p> <p><b>Processor</b> : LumiraDX INRStar</p>
<p>ACR Testing (Urine albumin to creatinine ratio testing)</p>	<p><b>Purpose:</b> to ensure appropriate adherence with the urinary albumin test for people living with conditions that make them at risk of chronic kidney disease. We work with Health.IO to contact patients and provide home ACR test kits. Patients will be contacted by the Practice and be able to opt out of this service.</p> <p><b>Legal Basis</b> : Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) as stated below</p> <p><b>Processor:</b> Healthy.IO</p>

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Professional Training	<p><b>Purpose</b> – We are a training surgery. Our clinical team are required to be exposed to on the job, clinical experience, as well as continual professional development. On occasion you may be asked if you are happy to be seen by one of our GP registrars, pharmacists or other clinical team to assist with their training as a clinical professional. You may also be asked if you would be happy to have a consultation recorded for training purposes. These recordings will be shared and discussed with training GPs at the surgery, and also with moderators at the RCGP and HEE.</p> <p><b>Legal Basis</b> – 6 1 (a) consent, patients will be asked if they wish to take part in training sessions.</p> <p><b>9 2 (a)</b> - explicit consent will be required when making recordings of consultations</p> <p>Recordings remain the control of the GP practice and they will delete all recordings from the secure site once they are no longer required.</p> <p><b>Processor</b> – RCGP, HEE, iConnect, Fourteen Fish</p>
Telephony	<p><b>Purpose</b> – The practice use an internet based telephony system that has the ability to record calls. Calls are not routinely recorded or stored Patients will be advised if a call is recorded and will have the right to decline recordings of calls as is their individual right. The telephone system has been commissioned to assist with the high volume and management of calls into the surgery, which in turn will enable a better service to patients.</p> <p><b>Legal Basis</b> – While there is a robust contract in place with the processor, the surgery has undertaken this service to assist with the direct care of patients in a more efficient way.</p> <p>Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) Health data as stated below</p> <p><b>Provider</b> – RHM Telecom – Gamma Horizon</p>
Learning Disability Mortality Programme LeDer	<p><b>Purpose</b> : The Learning Disability Mortality Review (LeDeR) programme was commissioned by NHS England to investigate the death of patients with learning difficulties and Autism to assist with processes to improve the standard and quality of care for people living with a learning disability and Autism. Records of deceased patients who meet with this criteria will be shared with NHS</p>

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	<p>England.</p> <p><b>Legal Basis:</b> It has approval from the Secretary of State under section 251 of the NHS Act 2006 to process patient identifiable information who fit within a certain criteria.</p> <p><b>Processor :</b> Gloucestershire Integrated Care Board (ICB), NHS England</p>
Technical Solution Pseudonymisation	<p><b>Purpose:</b> Personal confidential and special category data in the form of medical record, is extracted under contract for the purpose of pseudonymisation. This will allow no patient to be identified within the data set that is created. SCWCSU has been commissioned to provide a data processing service for the GPs, no other processing will be undertaken under this contract.</p> <p><b>Legal Basis:</b> Under GDPR the legitimate purpose for this activity is under contract to provide assistance. Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) Health data as stated below</p> <p><b>Processor:</b> SCW CSU</p>
Shared Care Record	<p><b>Purpose:</b> In order for the practice to have access to a shared record, the Integrated Care Service has commissioned a number of systems including GP Connect, which is managed by NHS Digital, to enable a shared care record, which will assist in patient information to be used for a number of care related services. These may include Population Health Management, Direct Care, and analytics to assist with planning services for the use of the local health population.</p> <p>Authorised Clinicians such as GPs, NHS 111 Clinicians, Care Home Nurses (if you are in a Care Home), Secondary Care Trusts, Social Care Clinicians are able to access the GP records of the patients they are treating via a secure NHS Digital service called GP connect.</p> <p>The NHS 111 service (and other services determined locally e.g. Other GP practices in a Primary Care Network) will be able to book appointments for patients at GP practices and other local services.</p> <p>Where data is used for secondary uses no personal identifiable data will be used. Where personal confidential data is used for Research explicit consent will be required.</p> <p><b>Legal Basis:</b> Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) Health data as</p>

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	<p>stated below</p> <p>Because the legal bases used for your care using GP Connect are the same as used in other direct care situations, the legal rights you have over this data under UK GDPR will also be the same- these are listed elsewhere in our privacy notice.</p> <p><a href="#">Find out more about GP Connect.</a></p> <p><b>Processor: NHS Digital, ICS member providers</b></p>
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### Lawful basis for processing:

The processing of personal data in the delivery of direct care and for providers' administrative purposes in this surgery and in support of direct care elsewhere is supported under the following Article 6 and 9 conditions of the GDPR:

- Article 6(1)(e) '...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...'; and
- Article 9(2)(h) '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 or treatment or the management of health or social care systems and services...'