

HAWTHORN MEDICAL PRACTICE

PRIVACY NOTICE

How we use your personal information

This fair processing notice explains why Hawthorn Medical Practice collects information about you and how that information may be used.

The 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 Trust, GP Surgery, Walk-in clinic, etc.).

These records help to provide you with the best possible healthcare. NHS health 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.

Records which this Practice holds about you may include the following information;

- Details about you, such as your address, carer, legal representative, emergency contact details
- 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

We also may use, or share, your information for the following purposes:

- Looking after the health of the general public;
- Making sure that our services can meet patient needs in the future;
- Auditing accounts;
- Preparing statistics on NHS performance and activity (where steps will be taken to ensure you cannot be identified);
- Investigating concerns, complaints or legal claims;
- Helping staff to review the care they provide to make sure it is of the highest standards;
- Training and educating staff;
- Research approved by the Local Research Ethics Committee. (If anything to do with the research would involve you personally, you will be contacted to provide consent);

Disclosure of Information to Other Health and Social Professionals

We work with a number of other NHS and partner agencies to provide healthcare services to you. Below is a list of organisations that we may share your information with:

Our partner organisations

- other NHS hospitals;
- relevant GP Practices;
- dentists, opticians and pharmacies;
- Private Sector Providers (private hospitals, care homes, hospices, contractors providing services to the NHS).
- Voluntary Sector Providers who are directly involved in your care;
- Ambulance Trusts;
- Specialist Trusts;

- Health & Social Care Information Centre (HSCIC);
- Clinical Commissioning Groups;
- NHS 111;
- out of Hours medical service;
- NHS walk in centres;
- NHS England;

We may also share your information, with your consent, and subject to strict sharing protocols, about how it will be used, with:

- Local Authority departments, including social care and health (formerly social services), education and housing and public health;
- Police and fire services

Computer System

This Practice operates a Clinical Computer System on which NHS Staff record information securely. This information can then be shared with other clinicians so that everyone caring for you is fully informed about your medical history, including allergies and medication.

Shared Care Records

To support your care, and improve the sharing of relevant information to our partner organisations when they are involved in looking after you, you have the option to agree to sharing your records where necessary. It is, of course, advisable for continuity of care and to ensure vital information is known to those treating you, to agree to this sharing of records.

The general principle is that information is passed to these systems unless you request this does not happen, but that system users should ask for your permission before viewing your record.

How we keep your information confidential and secure

We are committed to protecting your privacy and will only use information collected lawfully in accordance with the Data Protection Act 1998, Article 8 of the Human Rights Act, the Common Law Duty of Confidentiality, and the NHS Codes of Confidentiality and Security.

Everyone working in, or for, the NHS must use personal information in a secure and confidential way. We will only ever use or pass on your information if there is a genuine need to do so. We will not disclose information about you to third parties without your permission unless there are exceptional circumstances, such as when the law requires.

To protect your confidentiality, we will not normally disclose any medical information about you over the telephone, or by fax, unless we are sure that we are talking to you. This means that we will not disclose information to your family, friends, and colleagues about any medical matters at all, unless we know that we have your consent to do so.

Anyone who receives information from us is also under a legal duty to keep it confidential and secure.

All persons in the Practice sign a confidentiality agreement that explicitly makes clear their duties in relation to personal health information and the consequences of breaching that duty.

Please be aware that your information will be accessed by non-clinical practice staff in order to perform tasks enabling the functioning of the Practice. These are, but not limited to:

- Typing referral letters to hospital consultants or allied health professionals;
- Opening letters from hospitals and consultants;
- Scanning clinical letters, radiology reports and any other documents not available in electronic format;

- Photocopying or printing documents for referral to consultants;
- Handling, printing, photocopying and postage of medico legal and life assurance reports and of associated documents.

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
- 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

Access to personal information

You have a right under the Data Protection Act 1998 to request access to view or to obtain copies of what information the surgery holds about you and to have it amended should it be inaccurate. In order to request this, you need to do the following:

- Your request must be made in writing to the GP – for information from the hospital you should write direct to them
- We are required to respond to you within 28 days
- You will need to give adequate information (for example full name, address, date of birth, NHS number and details of your request) so that your identity can be verified and your records located

Who else may ask to access your information?

- The Law Courts can insist that we disclose medical records to them;
- Solicitors often ask for medical reports. These will always be accompanied by your signed consent for us to disclose information. We will not normally release details about other people that are contained in your records (eg wife, children, parents etc) unless we also have their consent;
- Limited information is shared with Public Health England to help them organise national programmes for Public Health such as childhood immunisations;
- Social Services and the Benefits Agency and others may require medical reports on you from time to time. These will often be accompanied by your signed consent to disclose information. Failure to co-operate with these agencies can lead to loss of benefit or other support. However, if we have not received your signed consent we will not normally disclose information about you;
- Life assurance companies frequently ask for medical reports on prospective clients. These are always accompanied by your signed consent form. We must disclose all relevant medical conditions unless you ask us not to do so. In that case, we would have to inform the insurance company that you have instructed us not to make a full disclosure to them. You have the right, should you request it, to see reports to insurance companies or employers before they are sent.

Sharing your information without consent

We will normally ask you for your consent, but there are times when we may be required by law to share your information without your consent, for example:

- where there is a serious risk of harm or abuse to you or other people;

- where a serious crime, such as assault, is being investigated or where it could be prevented;
- notification of new births;
- where we encounter infectious diseases that may endanger the safety of others, such as meningitis or measles (but not HIV/AIDS);
- where a formal court order has been issued;
- where there is a legal requirement

Medicines Management

The Practice may conduct Medicines Management Reviews of medications prescribed to its patients. This service performs a review of prescribed medications to ensure patients receive the most appropriate, up to date and cost effective treatments. This service is provided to Practices within Lincolnshire through the Clinical Commissioning Group

How the NHS & Care Services Use Your Information

Whenever you use a health or care service, such as A & E or using Community Care Services, important information is collected in a patient record for that service. Your information may be used to help us in:

- determining the general health needs of the population
- ensuring that our services meet future patient needs
- teaching and training healthcare professionals
- investigating complaints, legal claims
- conducting health research and development
- preparing statistics on NHS performance

This may only be used when there is a clear legal basis to use this information. All these uses help to provide better health and care for everyone. Confidential patient information about your health and care is only used where allowed by law.

Most of the time, anonymised data is used for planning and research so you cannot be identified in which case your confidential patient information is not needed.

You have a choice whether you want your confidential patient information to be used. If you are happy with this use of information you do not need to do anything, however you can register your choice to opt out. If you do choose to opt out your confidential patient information will still be used to support your individual care.

To find out more or to register your choice to opt out, please visit www.nhs.uk/your-nhs-data-matters where you will find a full explanation.

Objections / Complaints

Should you have any concerns about how your information is managed by us, please contact the Practice Manager.

If you are still unhappy following a review by the Practice, you can then complain to the Information Commissioners Office (ICO) via their website (www.ico.gov.uk).

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.

Cookies

A cookie is a small file, typically of letters and numbers, downloaded on to a device (like your computer or smart phone) when you access certain websites.

Cookies allow a website to recognise a user's device.

Some cookies help websites to remember choices you make (e.g. which language you prefer if you use the Google Translate feature). Analytical cookies are to help us measure the number of visitors to a website. The two types we use are 'Session' and 'Persistent' cookies. Some cookies are temporary and disappear when you close your web browser, others may remain on your computer for a set period of time.

We do not knowingly collect or intend to collect any personal information about you using cookies. We do not share your personal information with anyone.

What can I do to manage cookies on my devices?

Most web browsers allow some control of most cookies through the browser settings. To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, visit www.allaboutcookies.org.

To opt out of being tracked by Google Analytics across all websites visit <http://tools.google.com/dlpage/gaoptout>.

If you are concerned about cookies and would like to ask further questions please do not hesitate to write to our website developers – support@gpsurgery.net

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 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.

Notification

The Data Protection Act 1998 requires organisations to register a notification with the Information Commissioner to describe the purposes for which they process personal and sensitive information. This information is publicly available on the Information Commissioners Office website www.ico.org.uk

The Practice is registered with the Information Commissioners Office (ICO).

Who is the Data Controller?

The Data Controller, responsible for keeping your information secure and confidential is: Hawthorn Medical Practice.

Complaints

Should you have any concerns about how your information is managed by the Practice please contact the Practice Manager.

If you are still unhappy following a review by the Practice you can then complain to the Information Commissioners Office (ICO). www.ico.org.uk, casework@ico.org.uk, telephone: 0303 123 1113 (local rate) or 01625 545 745

Privacy notice formulated January 2018

Updated June 2018 to reflect National Data Opt-out