



Vine House Health Centre **Patient Privacy Notice**

How we use your personal information

1. Being transparent and providing accessible information to patients about how we will use your personal information is a key element of the GDPR Regulations.
2. The following notice reminds you of your rights in respect of the above legislation and how your GP Practice will use your information for lawful purposes in order to deliver your care and the effective management of the local NHS system.
3. This notice reflects how we use information for:
 - The management of patient records;
 - Communication concerning your clinical, social and supported care;
 - Ensuring the quality of your care and the best clinical outcomes are achieved through clinical audit and retrospective review;
 - Participation in health and social care research; and
 - The management and clinical planning of services to ensure that appropriate care is in place.

Data Controller

4. As your registered GP practice, we are the data controller for any personal data that we hold about you.

What information do we collect and use?

5. We are committed to protecting your privacy and will only use information collected lawfully in accordance with: -
 - The General Data Protection Regulations Legislation (GDPR)
 - Human Rights Act 1998
 - Common Law Duty of Confidentiality
 - Health and Social Care Act 2012
 - NHS Codes of Confidentiality and Information Security
6. Personal data must be processed fairly and lawfully, whether is it received directly from you or from a third party in relation to your care. 'Personal data' means any information relating to an identifiable person who can be directly or indirectly identified from the data. This includes, but is not limited to name, date of birth, full postcode, address, next of kin and NHS Number; and 'Special category / sensitive personal data' such as medical history including details of appointments and contact with you, medication, emergency appointments and admissions, clinical notes, treatments, results of investigations, supportive care arrangements, social care status, race, ethnic origin, genetics and sexual orientation.

7. We will collect the following types of information from you or about you from a third party (provider organisation) engaged in the delivery of your care:
- Details about you, such as your address, 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
 - Your records will be retained in accordance with the Records Management Code of Practice for Health and Social Care 2016
8. Your healthcare records contain information about your health and any treatment or care you have received previously (e.g. from an acute hospital, GP surgery, community care provider, mental health care provider, walk-in centre, social services). These records may be electronic, a paper record or a mixture of both. We use a combination of technologies and working practices to ensure that we keep your information secure and confidential.

Why do we collect this information?

9. The NHS Act 2006 and the Health and Social Care Act 2012 invests statutory functions on GP Practices to promote and provide the health service in England, improve quality of services, reduce inequalities, conduct research, review performance of services and deliver education and training. To do this we will need to process your information in accordance with current data protection legislation to:
- Protect your vital interests;
 - Pursue our legitimate interests as a provider of medical care, particularly where the individual is a child or a vulnerable adult;
 - Perform tasks in the public's interest;
 - Deliver preventative medicine, medical diagnosis, medical research; and
 - Manage the health and social care system and services.

How do we use this information?

10. To ensure that you receive the best possible care, your records will be used to facilitate the care you receive. Information held about you may be used to protect the health of the public and to help us manage the NHS. Information may also be used for clinical audit to monitor the quality of the service provided. In addition, your information will be used to identify whether you are at risk of a future unplanned hospital admission and/or require support to effectively manage a long term condition.

How is the information collected?

11. Your information will be collected either electronically using secure NHS Mail or a secure electronic transfer over an NHS encrypted network connection. In addition physical information will be sent to your practice. This information will be retained within your GP's electronic patient record or within your physical medical records.

Who will we share your information with?

12. In order to deliver and coordinate your health and social care, we may share information with the following organisations:

- NHS Trusts / Foundation Trusts
- GP's
- NHS Commissioning Support Units
- Independent Contractors such as dentists, opticians, pharmacists
- Private Sector Providers
- Voluntary Sector Providers
- Ambulance Trusts
- Clinical Commissioning Groups
- Social Care Services
- NHS Digital
- Local Authorities
- Education Services
- Fire and Rescue Services
- Police & Judicial Services
- Anyone you have given your consent to, to view or receive your record, or part of your record. **Please note, if you give another person or organisation consent to access your record we will need to contact you to verify your consent before we release that record. It is important that you are clear and understand how much and what aspects of, your record you give consent to be disclosed.**

In addition the practice will use carefully selected third party service providers. When we use a third party service provider to process data on our behalf then we will always have an appropriate agreement in place to ensure that they keep the data secure, that they do not use or share information other than in accordance with our instructions and that they are operating appropriately. An example of functions that may be carried out by third parties is:

- Companies that provide IT services & support, including our core clinical systems; systems which manage patient facing services (such as our website and service accessible through the same); data hosting service providers; systems which facilitate appointment bookings or electronic prescription services; document management services etc.

13. Your information will only be shared if it is appropriate for the provision of your care or required to satisfy our statutory function and legal obligations.

14. Your information will not be transferred outside of the European Union without explicit consent.

Extended Access

15. We provide extended access services to our patients which means you can access medical services outside of our normal working hours. In order to provide you with this service, we have formal arrangements in place with the Clinical Commissioning Group and with other practices whereby certain key "hub" practices offer this service on our behalf for you as a patient to access outside of our opening hours. This means, those key "hub" practices will have to have access to

your medical record to be able to offer you the service. Please note to ensure that those practices comply with the law and to protect the use of your information, we have very robust data sharing agreements and other clear arrangements in place to ensure your data is always protected and used for those purposes only.

The key Hub practices are as follows:

Abbots Wood, Sheepcot Medical, Garston, Tudor, Pathfinder, Consulting rooms, Attenborough, Manor View, Chorleywood, New Road, Gade, Colne, Baldwins Lane, Bridgewater Surgeries, Suthergrey, Upton Road, Callowland, and Cassio.

Who do we receive information from?

16. Whilst we might share your information with the above organisations, we may also receive information from them to ensure that your medical records are kept up to date and so that your GP can provide the appropriate care.
17. In addition we receive data from NHS Digital (as directed by the Department of Health) such as the uptake of flu vaccinations and disease prevalence in order to assist us to improve “out of hospital care”.

How do we maintain the confidentiality of your records?

18. We are committed to protecting your privacy and will only use information that has been collected lawfully. Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential. We maintain our duty of confidentiality by conducting annual training and awareness, ensuring access to personal data is limited to the appropriate staff and information is only shared with organisations and individuals that have a legitimate and legal basis for access.
19. Information is not held for longer than is necessary. We will hold your information in accordance with the Records Management Code of Practice for Health and Social Care 2016.

Do I need to give my consent?

20. The GDPR sets a high standard for consent. Consent means offering people genuine choice and control over how their data is used. When consent is used properly, it helps you build trust and enhance your reputation.
21. However, consent is only one potential lawful basis for processing information. Therefore, your GP practice may not need to seek your explicit consent for every instance of processing and sharing your information, on the condition that the processing is carried out in accordance with this notice. Your GP Practice will contact you if they are required to share your information for any other purpose which is not mentioned within this notice. Your consent will be documented within your electronic patient record.

What will happen if I withhold my consent or raise an objection?

22. You have the right to write to withdraw your consent to any time for any particular instance of processing, provided consent is the legal basis for the processing. Please contact your GP Practice for further information and to raise your objection.

Health Risk Screening / Risk Stratification

23. Health Risk Screening or Risk Stratification is a process that helps your GP to determine whether you are at risk of an unplanned admission or deterioration in health. By using selected information such as age, gender, NHS number, diagnosis, existing long term condition(s), medication history, patterns of hospital attendances, admissions and periods of access to community care your GP will be able to judge if you are likely to need more support and care from time to time, or if the right services are in place to support the local population's needs.
24. To summarise Risk Stratification is used in the NHS to:
- Help decide if a patient is at a greater risk of suffering from a particular condition;
 - Prevent an emergency admission;
 - Identify if a patient needs medical help to prevent a health condition from getting worse; and/or
 - Review and amend provision of current health and social care services.
25. Your GP may use computer based algorithms or calculations to identify their registered patients who are at most risk, with support from the local Commissioning Support Unit and/or a third party accredited Risk Stratification provider.
26. Your GP will routinely conduct the risk stratification process outside of your GP appointment. This process is conducted electronically and without human intervention. The resulting report is then reviewed by a multidisciplinary team of staff within the Practice. This may result in contact being made with you if alterations to the provision of your care are identified.
27. A Section 251 Agreement is where the Secretary of State for Health and Social Care has granted permission for personal data to be used for the purposes of risk stratification, in acknowledgement that it would overburden the NHS to conduct manual reviews of all patient registers held by individual providers. You have the right to object to your information being used in this way. However, you should be aware that your objection may have a negative impact on the timely and proactive provision of your direct care. Please contact the Practice Manager to discuss how disclosure of your personal data can be limited.
28. The National Data opt-out service is available from May 25th 2018. Patients can decide if they want to share their personally identifiable data to be used for planning and research purposes. Please see information in the Practice for more details or refer to www.digital.nhs.uk

Anonymised Information

29. Sometimes we may provide information about you in an anonymised form. If we do so, then none of the information we provide to any other party will identify you as an individual and cannot be traced back to you.
30. Population health management and Risk Stratification carried out by the Clinical Commissioning Group Herts Valleys CCG (HVCCG)
HVCCG extracts medical information about you for population health management and risk stratification purposes, the information we pass to them via our computer systems cannot identify you to them. This information only refers to you by way of a code that only your practice can identify (it is pseudo-anonymised). This therefore protects you from anyone who may have access to this information at the Clinical Commissioning Group from ever identifying you as a result of

seeing the medical information and we will never give them the information that would enable them to do this.

There are good reasons why the Clinical Commissioning Group may require this pseudo-anonymised information, these are as follows:

- To assist in analysing current health services and proposals for developing future services.
- To develop risk stratification models to help GP's to identify and support patients with long term conditions and to help to prevent un-planned hospital admissions or reduce the risk of certain diseases developing, such as diabetes.
- Using risk stratification to help the CCG to understand the health needs of the local population in order to plan and commission the right services.

NHS Arden and Greater East Midlands Commissioning Support Unit (AGEM) are commissioned by the CCG to carry out this process. The risk stratification tool that AGEM use for this process is called Gemima.

What if I do not want information about me to be included (opt out)?

If you do not wish your data to be included in this process (even though it is in a format which does not directly identify you) you can choose to opt-out. In this case, please inform the Receptionist who will apply an opt-out code to your record to ensure that your information is not included.

Sharing of Electronic Patient Records within the NHS

31. Electronic patient records are kept in most places where you receive healthcare. Our local electronic systems such as EMIS, enables your record to be shared with organisations involved in your direct care, such as:

- GP practices
- Community services such as district nurses, rehabilitation services, telehealth and out of hospital services.
- Child health services that undertake routine treatment or health screening
- Urgent care organisations, minor injury units or out of hours services
- Community hospitals
- Palliative care hospitals
- Care Homes
- Mental Health Trusts
- Hospitals
- Social Care organisations
- Pharmacies

These organisations may require your information to assist them in the provision of your direct healthcare needs. It, therefore, may be important for them to be able to access your information in order to ensure they may properly deliver their services to you.

32. In addition, NHS England have implemented the Summary Care Record which contains information about medication you are taking, allergies you suffer from and any bad reactions to medication that you have had in the past.
33. Your electronic health record contains lots of information about you. In most cases, particularly for patients with complex conditions and care arrangements, the shared record plays a vital role in delivering the best care and a coordinated response, taking into account all aspects of a person's physical and mental health. Many patients are understandably not able to provide a full account of their care, or may not be in a position to do so. The shared record means patients do not have to repeat their medical history at every care setting.
34. Your record will be automatically setup to be shared with the organisations listed above, however you have the right to ask your GP to disable this function or restrict access to specific elements of your record. This will mean that the information recorded by your GP will not be visible at any other care setting.
35. Your summary care record is an electronic record of your healthcare history (and other relevant personal information) held on a national healthcare records database provided and facilitated by NHS England. This record may be shared with other healthcare professionals and additions to this record may also be made by relevant healthcare professionals and organisations involved in your direct healthcare.

You may have the right to demand that this record is not shared with anyone who is not involved in the provision of your direct healthcare. If you wish to enquire further as to your rights in respect of not sharing information on this record then please contact our Data Protection Manager.

To find out more about the wider use of confidential personal information and to register your choice to opt out if you do not want your data to be used in this way, please visit www.nhs.uk/my-data-choice

36. You can also reinstate your consent at any time by giving your permission to override your previous dissent.

Invoice Validation

37. If you have received treatment within the NHS, the local Commissioning Support Unit (CSU) may require access to your personal information to determine which Clinical Commissioning Group is responsible for payment for the treatment or procedures you have received. Information such as your name, address, date of treatment and associated treatment code may be passed onto the CSU to enable them to process the bill. These details are held in a secure environment and kept confidential. This information is only used to validate invoices in accordance with the current Section 251 Agreement and will not be shared for any further commissioning purposes.

Change of Details

38. 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.

Your Right of Access to Your Records

39. The General Data Protection Regulations allows you to find out what information is held about you including information held within your medical records, either in electronic or physical format. This is known as the “right of subject access”. If you would like to have access to all or part of your records, you can make a request in writing to the organisation that you believe holds your information. This can be your GP, or a provider that is or has delivered your treatment and care. You should however be aware that some details within your health records may be exempt from disclosure, however this will in the interests of your wellbeing or to protect the identity of a third party.

If you would like access to your GP record please complete a “Subject Access Request” form available at Reception. We have one month to reply to you and give you the information that you require. We would ask that you make it clear to us what and how much information you require.

Online Access

40. You may ask us if you wish to have online access to your medical record. However, there will be certain protocols that we have to follow in order to give you online access, including written consent and production of documents that prove your identity.

Please note that when we give you online access, the responsibility is yours to make sure that you keep your information safe and secure if you do not wish any third party to gain access.

Correction

41. We want to make sure that your personal information is accurate and up to date. You may ask us to correct any information you think is inaccurate. It is very important that you make sure you tell us if your contact details including your mobile phone number has changed.

Removal

42. You have the right to ask for your information to be removed however, if we require this information to assist us in providing you with appropriate medical services and diagnosis for your healthcare, then removal may not be possible.

Legal justification for collecting and using your information

43. The law says we need a legal basis to handle your personal and healthcare information.

Contract: We have a contract with NHS England to deliver healthcare services to you. This contract provides that we are under a legal obligation to ensure that we deliver medical and healthcare services to the public.

Consent: Sometimes we also rely on the fact that you give us consent to use your personal and healthcare information so that we can take care of your healthcare needs.

Please note that you have the right to withdraw consent at any time if you no longer wish to receive services from us.

Necessary care: Providing you with the appropriate healthcare, where necessary. The Law refers to this as ‘protecting your vital interests’ where you may be in a position not to be able to consent.

Law: Sometimes the Law obliges us to provide your information to an organisation (see above).

Special Categories

44. The law states that personal information about your health falls into a special category of information because it is very sensitive. Reasons that may entitle us to use and process your information may be as follows:

Public interest: Where we may need to handle your personal information when it is considered to be in the public interest. For example, when there is an outbreak of a specific disease and we need to contact you for treatment, or we need to pass your information to relevant organisations to ensure you receive advice and/or treatment;

Consent: When you have given us consent;

Vital interest: If you are incapable of giving consent, and we have to use your information to protect your vital interests (e.g. if you have had an accident and you need emergency treatment);

Defending a claim: If we need your information to defend a legal claim against us by you, or by another party;

Providing you with medical care: Where we need your information to provide you with medical and healthcare services

Complaints

45. In the event that you feel your GP Practice has not complied with the current data protection legislation, either in responding to your request or in our general processing of your personal information, you should raise your concerns in the first instance in writing to the Practice Manager at:

Vine House Health Centre
87-89 High Street
Abbots Langley
Herts WD5 0AL

If you remain dissatisfied with our response you can contact the Information Commissioner's Office at Wycliffe House, Water Lane, Wimslow, Cheshire SK9 5AF – Enquiry Line: 01625 545700 or online at www.ico.gov.uk

Our Website

46. The only website this Privacy Notice applies to is the Surgery's website. If you use a link to any other website from the Surgery's website then you will need to read their respective privacy notice. We take no responsibility (legal or otherwise) for the content of other websites.

Text messaging and contacting you

47. Because we are obliged to protect any confidential information we hold about you and we take this very seriously, it is imperative that you let us know immediately if you change any of your contact details.

We may contact you using SMS texting to your mobile phone in the event that we need to notify you about appointments and other services that we provide to you involving your direct care, therefore you must ensure that we have your up to date details. This is to ensure we are sure we are actually contacting you and not another person.

Where to find out Privacy Notice

48. You may find a copy of this Privacy Notice at the surgery reception, on our website (www.vinehouse.org) or a copy may be provided on request.

Under 16s

49. There is a separate Privacy Notice for patients under the age of 16 a copy of which can be found at the surgery reception, on our website (www.vinehouse.org) or a copy may be provided on request

Date: 24.01.22

Review Date: January 2023