

# **Ash Grove Medical Centre**

## **Patient Privacy Notice**

## What we do with your information – patient privacy notice

Ash Grove Medical Practice of England Lane, Knottingley WF11 0JA (“**the Practice**”) collects and uses personal data about you in order to provide your healthcare. Our aim is to maintain full and accurate records of the care we provide for you and keep this information confidential and secure.

This notice explains:

- The types of information we collect about you
- The purposes for which we use that information
- Who we may share your information with
- How long we keep information about you for
- Where the information about you is stored
- The rights you have under data protection legislation
- Contact details if you have any queries or concerns about what is said in this notice

### Terms used

This notice refers to your “**Care Team**”. Your Care Team is made up of the health and social care staff directly who provide or support your care. This includes doctors, nurses and social workers as well as members of staff who provide administrative or technical support like receptionists, porters and laboratory technicians.

This notice talks about “**personal data**”. Personal data is any information relating to a living individual who can be identified from the information.

There are strict rules that apply to “**special personal data**”. This is personal data about:

- your health (including mental health);
- genetic data and biometric data where processed to uniquely identify an individual;
- your sex life;
- your sexual orientation;
- your racial or ethnic origin;
- your political opinions;
- your religious or philosophical beliefs; and
- any trade union membership.

### What information does the Practice use?

The information the Practice uses and stores about you includes:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Biographical information like your date of birth, nationality, gender, marital status and dependants.
- Information about your next of kin and carers (including their contact details, relevant medical history if required and emergency contact information).
- Your NHS number.
- Communications with or about you, for example letters and emails between the Practice and you or letters you ask us to write to your employer.

The Practice may also use and store the following special personal data about you:

- Notes and reports relevant to your health, including any information you have told us about your health.
- Details of your treatment and care, including the professional opinion of the staff caring for you.
- Results of investigations, such as laboratory tests and x-rays.
- Relevant information from health and social care professionals, relatives or those who care for you.
- Information about your ethnicity, sexual orientation, sex life, religious beliefs or opinion or genetic data where this is relevant to your care or is information that you have provided to us as part of your care.
- Equality and diversity information about you. This may include details of your ethnicity, sexual orientation, religious or philosophical beliefs or any disability.

When you arrive for an appointment, staff may check your details with you to ensure that our records are accurate. To assist with this, we ask that you notify us promptly of any changes to your personal details.

### **How is information about me stored?**

This information may be stored in a paper record form (for example your medical notes, copies of letters) or electronically on a computer system.

### **What does the Practice use my information for?**

We may use your information to:

- Provide you with health or social care.
- Help other organisations provide you with health or social care.
- Communicate with you and, if appropriate your next of kin and/or carer(s), about your care.
- Carry out internal audits and monitor the care the Practice provides to ensure it is of the highest standard.
- Monitor differences in access to services or health outcomes between different groups of people (often called health inequalities) and other equality/diversity work.
- Get feedback on our service and respond to any complaint from you.
- Keep you up to date about developments at the Practice, like a change in opening hours or changes of staff.
- Respond to queries from regulators like NHS Digital, the Care Quality Commission, the General Medical Council, the Audit Commission, Nursing & Midwifery Council and the Health Service Ombudsman.
- Conduct legal claims, comply with a court order or other legal obligation, seek legal advice or advice about insurance coverage or other assistance from our professional advisors
- Provide information to national registries that systematically collect data about particular conditions to help research or evaluate care like the National Diabetes Audit collection
- Prevent or manage risks to public health.
- Ask you whether or not you want to participate in research projects.
- Produce anonymous information that we can use to train and educate the Practice's

staff. We will only use information from which you can be identified for training purposes if you have agreed to this beforehand.

- If you agree, to help other organisations provide you with other public services.
- If you ask us to, to provide reports on your health to your employer, an insurer or other organisation.
- To produce anonymous information to assist with:
  - Assessing and planning the way services are delivered and paid for now and in the future
  - Helping with financial management.
  - Informing audits carried out by external organisations that assess how we deliver care and our financial management.
  - Informing analysis carried out by people outside of your Care Team that is used to identify individuals or groups of individuals who are at risk from ill-health or many benefit from a particular treatments, and to offer appropriate care.

Under data protection laws, each purpose for which we use your information must comply with one or the GDPR conditions for processing. You can find out more about the conditions for processing here <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/>. The table at the end of this notice sets out conditions the Practice relies on when processing personal data for each of the purposes outlined.

## **Does the Practice share my personal information?**

### Sharing your information to provide you with care

As part of providing you with care we may need to share your information. This includes sharing information with:

- NHS hospitals such as Mid Yorkshire NHS Trust, Doncaster and Bassetlaw Teaching Hospitals BHS Foundation Trust, York Teaching Hospital NHS Foundation Trust and Leeds teaching hospital NHS Trust.
- Organisations that help deliver NHS services outside of hospital such as Novus, The Practice, Yorkshire Health Solutions and Spectrum,
- Private sector organisations that deliver healthcare such as private hospitals, dentists, opticians and pharmacists;
- Out-of-hours providers e.g. organisations providing out of hours GP services
- Voluntary sector organisations that deliver healthcare such as charities;
- Local authorities such as Wakefield Council and North Yorkshire Council if social workers are part of the Care Team, education services, children's services, housing or benefit offices;
- Organisations that provide diagnostic tests;
- Organisations that provide ambulance or patient transport services such as NHS Ambulance Trusts
- Other organisations involved in the delivery of NHS care, social care or the protection of public health, like Public Health England which oversees cancer screening programmes

For NHS patients as part of providing you with care we will also share information with:

- NHS England – an NHS organisation with responsibility for funding NHS services. NHS England keeps a record of all patients registered with GP practices in England. NHS England may also process GP patient information when managing practice

closures and list dispersals (the process used to allocate patients to neighbouring GP Practices)

- A Clinical Commissioning Group (CCG), for example if you are applying to the CCG for special NHS funding for your treatment
- Your new NHS GP practice if you move practice
- Primary Care Support England if you are no longer registered with us but have not registered with a new GP. Primary Care Support England is a service commissioned by NHS England to support the delivery of NHS services by GP practices.

### Sharing your information for other NHS purposes

Information about NHS patients may also be shared with other organisations that support or regulate the delivery of NHS services but who are not directly involved in your care. These organisations include:

- NHS Digital, which gathers information from across the health and social care system in England
- Regulators, like the Care Quality Commission, the General Medical Council, the Audit Commission, Nursing & Midwifery Council and the Health Service Ombudsman.
- Primary Care Support England, which provides support services to GP practices

### When can I opt out of information sharing for other NHS purposes?

If you only want your health and care information to be used for your own care, you can request this. Making this choice won't affect the care you get in any way.

Please tell us if you don't want health information that could identify you to be used for any other reason than for your own individual care. Staff at the Practice will make sure your request is recorded on your medical records. This is called an opt-out.

There are two different kinds of opt-out.

#### *Type 1 opt-out: medical records held by the Practice*

You can stop information that could identify you from your GP medical records being used for any purpose other than your individual care by requesting that it isn't shared outside the Practice. This is called a type 1 opt-out. We may still share your information if there is a legal requirement for us to do so.

#### *Type 2 opt-out: information held by NHS Digital*

NHS Digital is an NHS organisation that collects information from across the health service. You can request that the information NHS Digital collects and stores from across the health service is not shared with other organisations for any other reason than your individual health and care. This is called a type 2 opt-out, and applies to nearly all uses of confidential patient information, with a few exceptions.

From 25 May 2018, existing type 2 opt-outs will start to be converted into the new national data opt-out.

You can find out more about opting out and the new national data opt-out on the NHS Digital website:

<https://digital.nhs.uk/about-nhs-digital/our-work/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information/your-information-choices/opting-out-of-sharing-your-confidential-patient-information>

You can also opt out of your data being collected by some of the national registries, which gather information about patients with a particular condition. If you would like to know more about this please contact us, or refer to the NHS Digital website:

<https://digital.nhs.uk/data-and-information/clinical-audits-and-registries/our-clinical-audits-and-registries>

<https://digital.nhs.uk/about-nhs-digital/our-work/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information/your-information-choices/consenting-to-collections-or-withdrawing-your-consent>

[Sharing your information to provide you with care paid for you by your or through an insurance policy.](#)

If the care we are providing you with is not NHS funded (“private care”) then we will only share information with NHS services where this is necessary for the delivery of the private care to you or if you agree for us to do so.

[Sharing information with your next of kin or carer](#)

With your agreement, information can be shared with relatives, partners or friends who act as a carer for you. We may share information with anyone you have given as an emergency contact, for example your next of kin. You can find out more by contacting The Practice Manager, Ash Grove Medical Centre, England Lane, Knottingley, WF11 0JA Tel: 01977 673141.

We may also share information with anyone else that you ask us to e.g. your employer or insurer.

[Sharing your information with our contractors](#)

We may also need to share your information with organisations that provide back office support to the Practice in its delivery of services. These organisations are known as “data processors”. These organisations are only able to use your personal data in accordance with the Practice’s instructions. These organisations include:

- IT suppliers
- Telephone services suppliers
- Suppliers of web hosting services
- Suppliers that the Practice uses to develop and improve the technology we use, including our website and electronic patient records.

[Sharing your information for other purposes](#)

Usually the Practice will not share information about you and your health with other organisations unless they are involved in your care or you have agreed to the data sharing. However, there are some limited circumstances where we may share information with other organisations who are not directly involved in your care. For example:

- We may share information with the police, fire and rescue services if:

- There is an immediate risk of harm to you or other people
  - There is a legal requirement to do so e.g. where a road traffic offence has been committed or the police have obtained a court order requiring us to provide information
- We may share information with bodies with public health responsibilities such as local councils and Public Health England to control infectious diseases such as meningitis, tuberculosis (TB) or measles and manage public health incidents.
  - We may share information with regulators like NHS Digital, the Care Quality Commission, the General Medical Council, the Audit Commission and the Health Service Ombudsman) and other public sector bodies like NHS England and Clinical Commissioning Groups if there is a legal requirement for us to do so. For example we must notify the CQC of the death of a registered patient in some circumstances.
  - We may share information with our professional advisors, including lawyers and accountants, if this is necessary to take and receive professional advice (including legal advice), or to bring or defend a legal claim or threatened claim.
  - We may share information with individuals or organisations specified in a court order. For example, we may be required by a court order to notify social workers, next of kin, parents of a birth or death.
  - We may share information with our insurers and the insurers of other organisations (including NHS Resolution) where this is necessary to investigate insurance cover and to handle a claim or threatened claim.

### **How long will the Practice keep personal data about me for?**

All patient records held by the practice will be kept for the duration set out in the NHS Digital document Records Management of Practice for Health and Social Care 2016: <https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-practice-for-handling-information-in-health-and-care>

### **Will the Practice transfer my data outside of the EU?**

The Practice does not transfer data outside of the EU.

### **Automated decision-making**

#### **What rights do I have?**

The General Data Protection Regulation (GDPR) gives individuals rights about their personal data. Under the GDPR, you have a number of rights:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information the Practice holds about you and to check that the Practice is lawfully processing it.
- **Request correction** of the personal information that the Practice holds about you. This enables you to have any incomplete or inaccurate information the Practice holds about you corrected.
- **Request erasure** of your personal information. This enables you to ask the Practice to delete or remove personal information where there is no good reason for the Practice

continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).

- **Object to processing** of your personal information where the Practice is relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where the Practice is processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask the Practice to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

If we are relying on your consent in order to process your personal data, you are able to withdraw your consent to the processing at any time. You can see when we rely on your consent by looking at the table at the end of this notice.

***Drafting note: If you are relying on the consent condition (Article 6(1)(a) or Article 9(2)(a) you must highlight that consent can be withdrawn. This is one of the reasons why it is preferable not to rely on the consent condition if another condition is available. If you are not relying on consent***

These rights do not always apply. You can find out more about your rights under the GDPR through the Information Commissioner's Office: <https://ico.org.uk/>

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: **0303 123 1113**

### **Who can I contact at the Practice in relation to my data?**

If you have any questions about how the Practice uses your personal data, your rights or the content of this notice, the Practice has appointed a Data Protection Officer ("DPO") who is [TBC]. Please contact the DPO at [email address, phone, and address].

If you have any questions, need further information about our privacy practices, would like to let us know that your details require updating or want to make a complaint, please contact The Practice Manager, Ash Grove Medical Centre, Englsnd Lane, Knottingley, WF11 0JA.

### **Appealing to the Information Commissioner**

If you do not think that the Practice has complied with your data protection rights or legislation you can appeal to the Information Commissioner's Office. You can do this by contacting <https://ico.org.uk/>

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: **0303 123 1113**

## CONDITIONS FOR PROCESSING

This table sets out the legal conditions that the Practice relies on to process your personal data for each of the purposes set out in this notice. The articles referred to in the table are in the General Data Protection Regulation, commonly known as the GDPR. If the Practice is using special personal data the Practice needs to meet one of the conditions listed at article 6 and one of the conditions listed at article 9. If the Federation is using personal data that is not special personal data the Practice will need to meet one of the conditions listed at article 6 (the Practice does not need an article 9 condition).

Purpose	Article 6 condition
To provide you with NHS health or social care	
To provide you with privately funded health or social care	
To help other organisations provide you with health or social care	
To communicate with you and, if appropriate your next of kin, about your care	
To carry out internal audits and monitor the NHS care we provide to ensure it is of the highest standard	
Monitor differences in access to services or health outcomes between different groups of people (often called health inequalities) and other equality/diversity work.	
To get feedback and respond to any complaint from you	
Keep you up to date about developments at the Practice, like a change in opening hours or changes of staff	
To respond to queries from regulators like NHS Digital, the Care Quality Commission, the General Medical Council, the Audit Commission and the Health Service Ombudsman	
Conduct legal claims, comply with a court order or other legal obligation, seek legal advice or advice about insurance coverage.	
To provide information to national registries that systematically collect data about particular conditions to help research	
Prevent or manage risks to public health	
Ask you whether or not you want to participate in research projects	
Produce anonymous information that we can use to train and educate the Practice's staff.	
If you agree, to help other organisations provide you with other public services.	
If you ask us to, to provide reports on your health to your employer, an insurer or other organisation.	
To produce anonymous information to assist with: (1) Assessing and planning the way services are delivered and paid for now and in	

<p>the future (2) Helping with financial management (3) Informing audits carried out by external organisations that assess how we deliver care and our financial management (4) Informing analysis carried out by people outside of your Care Team that is used to identify individuals or groups of individuals who are at risk from ill-health or many benefit from a particular treatments, and to offer appropriate care.</p>	
<p>Sharing information with the police, fire and rescue services if there is an immediate risk of harm to you or other people</p>	
<p>Sharing information with the police, fire and rescue services if there is a legal requirement to do so e.g. where a road traffic offence has been committed or the police have obtained a court order requiring us to provide information</p>	