

# LAMBERT MEDICAL CENTRE

## Privacy Notice

### How we use your personal information

This Privacy Notice explains why the GP practice collects information about you and how that information may be used.

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 are used to help to provide you with the best possible healthcare.

NHS health care 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 this GP Practice hold about you may include the following information:

- Details about you, such as your name, address, carers, legal representatives, and 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.

To ensure you receive the best possible care, your records are used to facilitate the care you receive. Information held about you may be used to help protect the health of the public and to help us manage the NHS. Information may be used within the GP practice for clinical audit to monitor the quality of the service provided.

Some of this information will be held centrally and used for statistical purposes. Where we do this, we take strict measures to ensure that individual patients cannot be identified.

Sometimes your information may be requested to be used for research purposes – the surgery will always gain your consent before releasing the information for this purpose.

### 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, we will share information to other systems. 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 consent before viewing your record.

### Computer System

This practice operates a Clinical Computer System called SystmOne on which 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.

To ensure safe care, unless you have asked us not to, we will make information available to trusted organisations. Wherever possible, their staff will ask your consent before your information is viewed.

### Risk Stratification

Risk stratification data tools are increasingly being used in the NHS to help determine a person's risk of suffering a particular condition, preventing an unplanned or (re)admission and identifying a need for preventive intervention. Information about you is collected from several sources including NHS Trusts and from this GP Practice. A risk score is then arrived at through an analysis of your de-identified

## LAMBERT MEDICAL CENTRE

information using software managed by SystmOne and is only provided back to your GP as data controller in an identifiable form. Risk stratification enables your GP to focus on preventing ill health and not just the treatment of sickness. If necessary, your GP may be able to offer you additional services.

Please note that you have the right to opt out of your data being used in this way.

### **GP Connect**

We use a facility called GP Connect to support your direct care. GP Connect makes patient information available to all appropriate clinicians when and where they need it, to support direct patients care, leading to improvements in both care and outcomes.

GP Connect is not used for any purpose other than direct care.

Authorised Clinicians such as GPs, NHS 111 Clinicians, Care Home Nurses (if you are in a Care Home), Secondary Care Trusts, Social Care Clinicians can access the GP records of the patients they are treating via a secure NHS Digital service called GP connect.

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.

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 GP Connect is the same as the legal bases for the care you would receive from your own GP, or another healthcare provider:

for the processing of personal data: Article 6.1 (e) of the UK GDPR: "processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller".

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".

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.

### **Summary Care Record**

During the height of the pandemic changes were made to the Summary Care Record (SCR) to make additional patient information available to all appropriate clinicians when and where they needed it, to support direct patients care, leading to improvements in both care and outcomes.

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.

You can exercise these choices by doing the following:

Choose to have a Summary Care Record with all information shared. 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.

# LAMBERT MEDICAL CENTRE

Choose to have a Summary Care Record with Core information only. 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.

Choose to opt-out of having a Summary Care Record altogether. 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.

To make these changes, you should inform your GP practice.

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 are the same as the legal bases for the care you would receive from your own GP, or another healthcare provider:

## **Medicine Management**

Your GP Practice supports a medicines management review service of medications prescribed to its patients. This service involves a review of prescribed medications to ensure patients receive the most appropriate, up to date and cost-effective treatments. This service is provided by qualified and registered healthcare professionals from within the GP practice, our NHS Primary Care Network, Humber and North Yorkshire Integrated Care Board or by external partners approved by the GP practice. Patient identifiable information does not leave the practice system but is accessed to ensure only appropriate clinical recommendations or decisions are made for each patient. Each patient can opt out of (or back into) the practice using their data for anything other than specified purposes or where there is a lawful requirement to do so.

## **Text (SMS) Messages**

If you have provided your mobile telephone number, we may use this to send automatic appointment reminders, requests to complete surveys or to make you aware of services provided by the surgery that we feel will be to your benefit. Clinicians may also send you information and links to documents following a consultation. If you do not wish to receive these text messages, please let the reception team know.

## **Call Recording**

Calls made and received by Lambert Medical Centre are recorded and may be used to support the learning and development of our staff and to improve the service we provide to our patients. They may also be used when reviewing incidents, compliments, or complaints. Call recordings will be managed in the same way as all other personal information processed by us and in line with current data protection legislation.

## **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 and General Data Protection Regulation 2016
  - 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.

# LAMBERT MEDICAL CENTRE

Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential.

We will only ever use or pass on information about you if others involved in your care have a genuine need for it. We will not disclose your information to any third party without your permission unless there are exceptional circumstances (i.e. life or death situations), where the law requires information to be passed on and / or in accordance with the new information sharing principle following Dame Fiona Caldicott's information sharing review (Information to share or not to share) where "The duty to share information can be as important as the duty to protect patient confidentiality." This means that health and social care professionals should have the confidence to share information in the best interests of their patients within the framework set out by the Caldicott principles. They should be supported by the policies of their employers, regulators, and professional bodies.

We may also have to share your information, subject to strict agreements on how it will be used, 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
- Integrated Care Systems
- Social Care Services
- Health and Social Care Information Centre (HSCIC)
- Local Authorities
- Education Services
- Fire and Rescue Services
- Police & Judicial Services
- Voluntary Sector Providers
- Private Sector Providers
- Other 'data processors' which you will be informed of

You will be informed who your data will be shared with and in some cases asked for explicit consent for this to happen when this is required.

## 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 (e.g. 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.** 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

# LAMBERT MEDICAL CENTRE

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.

We may also use external companies to process personal information, such as for archiving purposes. These companies are bound by contractual agreements to ensure information is kept confidential and secure.

## 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. 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
- There may be a charge to have a printed copy of the information held about you
- We are required to respond to you within 30 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.

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.

## 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 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 Rights

The General Data Protection Regulation (GDPR) includes several rights. We must generally respond to requests in relation to your rights within one month, although there are some exceptions to this.

The availability of some of these rights depends on the legal basis that applies in relation to the processing of your personal data, and there are some other circumstances in which we may not uphold a request to exercise a right.

## 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](http://www.ico.org.uk)

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

The **Data Controller**, responsible for keeping your information secure and confidential is: Lambert Medical Centre

## LAMBERT MEDICAL CENTRE

The General Practice has appointed Barry Jackson to be their Data Protection Officer. The service is provided through a company called N3i.

The contact details for the DPO are: Barry Jackson, Head of Information Governance

Email: [n3i.dpo@nhs.net](mailto:n3i.dpo@nhs.net)

For queries and urgent responses contact through N3i service desk. Phone: 0300 002 0001

### Complaints

Should you have any concerns about how your information is managed by the Practice please contact the Practice Manager at the following address:

Practice Manager, Lambert Medical Centre, 2 Chapel Street, Thirsk, YO7 1LU

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](http://www.ico.org.uk), [casework@ico.org.uk](mailto:casework@ico.org.uk), telephone: 0303 123 1113 (local rate) or 01625 545 745