

**Poplar Grove Practice**

**Meadow Way**

**Aylesbury**

**Bucks HP20 1XB**

## **Protecting Your Confidentiality**

### **(Privacy Notice)**

#### **Your Information what you need to know**

This Privacy notice explains why we collect information about you, how that information may be used and how we keep it safe and confidential.

#### **Why we need 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 that you have received within any NHS organisation. The information that makes up your record is also essential to help us provide you with the best possible healthcare.

This Practice collects and holds data for the purpose of providing healthcare services to our patients and running the 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, provide you with the most appropriate care, or arrange specialist services on your behalf. We may keep information in written form and/or in digital/electronic form. The records will include basic details about you such as your name and address. They may also contain sensitive information about your health such as outcomes of assessments. All information about you is treated confidentially and only shared on a 'need to know basis.'

#### **Details we collect about you**

The health care professionals, who provide your care, maintain records about your health and any treatment or medicines and care you have received previously from providers of NHS services, such as Buckinghamshire Healthcare NHS Trust, Oxfordshire Healthcare Trust, Frimley Health NHS Foundation Trust, your GP surgery (and the staff that works within the Practice including associated Primary Care Network (PCN) staff); Minor Injuries Unit; Out of Hours Provider, Covid vaccination centre or hub.

Information that your GP Practice holds about your could include the following:

- Contact details such as your address, contact telephone number and next of kin
- Any record of contact the surgery has had with you, such as past appointments, clinic visits, emergency appointment, Phone records may be kept for two years
- Information about allergies and adverse reactions
- Details about your treatment and care
- Results of investigations, such as laboratory tests, x-rays etc
- Records of medicines prescribed
- GP notes and reports
- Dates of vaccinations

- Relevant information from other health and social care professionals, relatives or those that care for you
- Information about care and treatment that you may have had with other NHS health care providers, for example if your GP Practice has referred you for treatment within the NHS, relevant information about you will be shared with that provider and they will in turn provide your GP practice with information on the treatment they have given and the outcomes of any tests.

### **How we keep your information confidential and safe**

Everyone working for our organisation is subject of the Common law Duty of Confidence. Information provided in confidence will only be used for the purposes advised with consent given by the patients or authorised carer, unless there are other circumstances covered by the law. The NHS Digital Code of Practice on Confidential Information (<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/code-of-practice-on-confidential-information>) applies to all or staff and they are required to protect your information, inform you of how your information will be used, and allow you to decide if and how your information can be shared. All of our staff are expected to make sure information is kept confidential and receive regular training on how to do this.

NHS staff are not permitted to access information that is not relevant to the patient and the condition they are treating, and our information systems are set up to prevent and track any misuse of information.

The health records we use 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. Your records are backed up securely in line with NHS standard procedures. We ensure that the information we hold is kept in secure locations, is protected by appropriate security and access is restricted to authorised personnel.

We also make sure external data processors that support us are legally and contractually bound to operate. Before they begin any work they have to provide evidence in the form of a Data Security Policy, that adequate security arrangements are in place to protect patients.

We are committed to protecting your privacy and will only use information lawfully in accordance with:

- General Data protection Regulations 2018
- Data protection Act 1998
- Human Rights Act
- Common Law Duty of Confidentiality
- NHS Codes of Confidentiality and Information Security
- Health and Social Care Act 2015
- And all applicable legislation

We maintain our duty of confidentiality to you at all times. We will only share your information where there is a legal basis, such as for: -

- Your medical diagnosis and treatment
- To provide you with health or social care
- To manage and plan our local health and social care services
- Where it is required by law, for example the Children's Act 1989 requires information to be shared in Safeguarding cases.

- Protection of vital interests, for example to protect someone's physical integrity of life
- With your consent, providing you have capacity to give this, or with consent from your authorised representative

### **Sharing of your data with other organisations working for the NHS**

Under the powers of the Health and Social Care Act 2015, NHS Digital (the national information and technology partner of the health and social care system) can request personal confidential data from GP Practices without seeking patient consent. However, you can opt-out of this using a Type 2 opt-out form (see page 7 and 8 of this documents or ask at reception)

NHS Digital supplies information and data back to the health service, provides vital technological infrastructure and helps different parts of health and care systems to work together. It is the organisation that is the overall guardian for patient data, making sure it is protected and handled securely.

You can object (opt-out of) your personal information being shared with organisations, apart from exceptional circumstances (i.e. your own or someone else's safety is at risk), or where the law requires information is passed on. You can opt-out of this using a Type 1 Opt-out form (see pages 7 and 8 of this documents or as at reception)

In Line with the new General Data protection Regulations 2018, we will inform patients if our data sharing arrangements change, in advance, so that they have an opportunity to object.

### **What else might information be used for?**

#### **Clinical Audit**

Information may be used for clinical audit to monitor the quality of the service provided. Some of this information may be held centrally and used for statistical purposes e.g. the national diabetes Audit.

#### **National Registries**

National Registries (such as 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.

#### **Individual Funding Request**

An 'Individual Funding Request' is an application made with your consent, but on your behalf by a clinician, to fund healthcare which falls outside the range of services and treatments which are routinely commissioned. These requests are considered by an Individual Funding Request Panel which considers evidence of clinical and cost effectiveness, as well as equity for the whole population. A detailed response, including the criteria considered in arriving at the decision, will be provided to the patient, or carer and their clinician.

#### **Invoice Validation**

Invoice validation is an important process. It involves using your NHS number to check for authorisation from the ICB (integrated Care Board) that is responsible for paying for treatment received by all Buckinghamshire, Oxfordshire and Berkshire west residents. Section 251 of the NHS Act 2006 provides a statutory legal basis to process data for invoice validation purposes. We can also use your NHS number to check whether your care has been funded through specialist commissioning, which NHS England pays for. The process makes sure that the organisations providing your care are paid correctly.

#### **UK Cabinet Office**

The use of data by the UK Cabinet Office for data matching is carried out with statutory authority under part 6 of the Local Audit and Accountability Act 2014. It does not require the consent of the individuals concerned under the data Protection Act 1998.

The Audit Commission Act 1998 defines data matching as the comparison of sets of data to determine how far they match. The purpose of data matching is to identify inconsistencies that may indicate fraud.

Data matching by the Cabinet Office is subject to a Code of Practice. View further information on the Cabinet Office's legal powers and reasons why it matches particular information.

<https://www.gov.uk/government/publications/code-of-data-matching-practice-for-national-fraud-initiative>

### **Supporting Local Commissioned Service and Quality Premiums**

Integrated care Boards support local 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.

### **Supporting Medicines Management**

The Integrated Care Board support local GP practices with prescribing queries which generally don't require identifiable information, ICB Pharmacists work with your practice to provide advice on medicines and prescribing queries, and review prescribing of medicines to ensure that it is safe and cost-effective. Where specialist support is required e.g. to order a drug that comes in solid form, in gas or liquid, the ICB medicines management team will order this on behalf of the practice to support your care.

### **Safeguarding**

To ensure that adult and children's safeguarding matters are managed appropriately, access to identifiable information will be shared in some limited circumstances where it's legally required for the safety of the individual concerned.

### **Risk Stratification (planning future health and social care services)**

Risk stratification is a process for identifying and managing patients who are most likely to need hospital or other healthcare services in the future. 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 and not just the treatment of sickness. Unidentifiable, anonymised information about patients is collected from a number of NHS organisations and then analysed by software managed by NHS South, Central and West Commissioning Support Unit to create a risk score. The risk score is then given back to your GP Practice who will assess future healthcare needs. This should improve care for everyone by helping practices to work more proactively by planning healthcare in advance. Patient data is securely managed throughout the whole process to ensure that identities are kept confidential.

Risk stratification is commissioned by the NHS Integrated care Board (ICB) in this area. Section 251 of the NHS Act 2006 provides a statutory legal basis to process data for risk stratification purposes. Further information is available from: <https://www.england.nhs.uk/ourwork/tsd/ig/risk-stratification>

***If you do not wish information about you to be included in the risk stratification programme, please let us know. We can code your records that will stop your information from being used for this purpose.***

### **Clinical Research**

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

### **Summary Care Record (SCR)**

The NHS in England uses a national electronic record called the Summary Care record (SCR) to improve the safety and quality of your care. It only contains basic information from your GP record and is not the full patient 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.

The core information of the SCR comprises of your allergies, adverse reactions and medications. An SCR with additional information can also include reason for medication, vaccinations, significant diagnoses /problems, significant procedures, anticipatory care information and end of life information. Additional information can only be added to your SCR with your agreement.

Please be aware that if you chose to opt-out of the SCR, NHS healthcare staff caring for you outside of the practice may not be aware of your current medications, allergies you suffer from and nay bad reactions to medicines you have had, in order to treat you safely in an emergency. Your record will not be shared with the SCR programme. Your information will continue to be shared as previously in connection with your care by letter, email or phone.

***If you wish to opt-out of having Summary Care Record (SCR) please return a completed opt-out form to the practice.***

### **Local Information Sharing – Buckinghamshire My Care Record**

Your patient record) My Care Record) is held securely and confidentially on the practices' electronic system. If you require attention from a health or social care professional, such as an Emergency Department, Minor Illness, and Injury Unit, 111, Out of Hours location, or specialised local health and social care team, those treating you are better able to give appropriate care information from your GP record is available to them. This information can be shared locally electronically via My care Record.

In all cases, your information is only used by authorised health and social care professionals in organisation involved in providing or supporting your direct care. Your permission will be asked before the information is accessed, other than in exceptional circumstances (e.g., emergencies) if the health care professional is unable to ask you and this is deemed to be in your best interests, the reason for access must be logged. Records and their access are audited by nominated privacy officers, on a regular basis to ensure compliance.

***If you wish to opt out of MY Care Record please return a completed opt out form to the practice***  
<https://www.mycarerecord.org.uk/images/resources/My-Care-Record-opt-out-form.pdf>

### **Local Information Sharing – Specialist Service Teams**

This Practice works with specialist health and social care teams such as the diabetes and Local integrated Teams to provide safe and joined up services for Buckinghamshire. The shared My Care Record provides authorised health and social care staff with access to relevant information, which helps them to make informed, timely decisions about your care and treatment and for new information to be instantly updated in your records. Access is strictly controlled by your Practice.

***If you do not wish your data to be shared with the specialist service teams, please let us know so as we can code your records appropriately***

### **Keeping data safe in the future**

We will approach the longer-term management of our patient records in with the Records Management NHS Code of Practice for Health and Social Care

<https://transform.england.nhs.uk/information-governance/guidance/records-management-code/records-management-code-of-practice-2021/>

This sets out the required standards of practice for managing records that staff working within or under contract to NHS organisations in England must follow; as it is based on current legal requirements and professional best practice.

### **Who are our Partner Organisations?**

All organisations that we work with are subject to strict data agreements which set out how data can be used, which form part of our contractual obligations. The sort of organisations we work with are as follows:

- NHS Trusts
- GP federations
- Out of Hours Providers
- Third party GP providers e.g. Livi – working to NHS contract
- Independent contractors such as dentists' opticians, pharmacists working to an NHS contract.
- Private sector or voluntary sector providers – working to NHS contracts
- Ambulance service
- Primary Care Networks (PCN)
- Social Care Providers
- Local Authorities
- Education services
- Fire and Rescue Services
- Police

We will never share your information outside of health and social care partner organisations without your explicit consent, unless there are exceptional circumstances such as when the health or safety of others is at risk, where the law requires it.

Within the health partner organisations (NHS and Specialist Trusts) and in relation to the above-mentioned themes – Risk stratification, Invoice validation, supporting medicines management, summary care record – we will assume you are happy for your information to be shared unless you choose to opt out (see page 7).

This means you will need to express an explicit wish not to have your information shared with the other NHS organisations; otherwise, they will be automatically shared. We are required by law to report certain information to the appropriate authorities. This is only provided after formal permission has been given by a qualified health professional. There are occasions when we must pass information on, such as notification of new births; where we encounter infectious diseases which may endanger the safety of others, such as meningitis or measles (but not HIV/AIDS), and where a formal court order has been issued. Our guiding principle is that we are holding your records in the strictest confidence.

### **Medical Registrar and Students**

Our practice is involved in the training of medical students. As part of this programme medical students will work in the practice and may be involved in your care. If staff would like a student to be present, they will always ask your permission before the start of the consultation. The treatment or care you receive will not be affected if you refuse to have a student present during your appointment.

It is usual for GPs to discuss case histories as part of their continuing medical education or for the purpose of training GPs and / or other medical students. In these situations, the identity of the patient concerned will not be revealed.

## **Your right to withdraw consent for us to share your personal information (Opt-Out)**

If you are happy for your data to be shared and used for the purposes described in this Privacy Notice then you do not need to do anything.

If you do NOT want your information to be used for the purposes beyond providing your care, you can choose to opt-out. If you wish to do so, please let us know so we can code your records appropriately. We will respect your decision if you do not want your information to be used for any purpose other than your care but in some circumstances as already outlined, we may still be legally required to disclose your data.

### **Type 1 Opt-Out**

If you do not want information that identifies you to be shared outside of your GP practice, for purposes beyond your direct care you can register for a type 1 opt-out with your GP practice. This prevents your personal confidential information being used other than in particular circumstances required by law, such as a public health emergency like an outbreak of a pandemic disease. Please see <https://www.nhs.uk/using-the-nhs/about-the-nhs/opt-out-of-sharing-your-health-records/>

### **National Data Opt-Out**

Allows a patient to choose if they do not want their confidential patient information to be used for purposes such as research and planning. Patients can change their mind at any time, their opt-out is recorded against their NHS number on the National spine, so remains with the patient, even after they have died.

Please see <https://digital.nhs.uk/services/national-data-opt-out/understanding-the-national-data-opt-out#top> for more details

If you wish to discuss or change your opt-out preferences at any time please contact the IT Manager at the Practice.

### **Access to your information**

Under the Data protection Act 1998 everybody has the right to see, or have a copy, of data we hold that can identify you and have it amended or removed should it be inaccurate. You do not need to give a reason to see your data. If you want access to your data, the request must be in writing to the Secretarial team.

### **Change of Details**

It is important that you tell the person treating you if any of your details such as your name, address or contact telephone number have changed or if any of your details are incorrect in order for this to be amended. Please inform us of any changes so as we can keep your records accurate and up to date.

### **Mobile Telephone Number**

If you provide us with your mobile telephone number, we may use this to send you reminders about your appointments or other health information. Please let us know if you do not wish to receive these reminders on your mobile.

### **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 practice is registered as a data controller and our registration can be viewed online on 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 change to this notice will be published on the practice website and displayed in the Practice.

## **Complaints**

If you have any concerns or are unhappy about any of our services, please ask for complaints form or put your concerns in writing to The Complaints Manager – Poplar Grove Practice.

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 [www.ico.gov.uk](http://www.ico.gov.uk)

## **The NHS Care Record Guarantee**

The NHS 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 the Data Protection Act 1998.

<https://systems.digital.nhs.uk/infogov/links/nhscrg.pdf>

## **NHS Digital**

NHS Digital collects health information about the records health and social care providers keep about the care and treatment they give, to promote health r support improvements in the delivery of care services in England.

<https://content.digital.nhs.uk/article/4963/what-we-collect>

## **Healthy io – GP Practice Privacy Policy**

### **ACR project for patients with diabetes (and/or other conditions)**

The data is being processed for the purposes of delivery of a programme, sponsored by NHS Digital, to monitor urine for indications of chronic kidney disease (CKD) which is recommended to be undertaken annually for patients at risk of chronic kidney disease e.g., patients living with diabetes. The programme enables patients to test their kidney function from home. We will share your contact details with Healthy.io to enable them to contact you and send you a test kit. This will help identify patients at risk of kidney disease and help us agree any early interventions that can be put in place to benefit your care. Healthy.io will only use your data for the purposes of delivering this service to you. If you do not wish to receive a home test kit from Healthy.io we will continue to manage your care within practice. Healthy.io is required to hold data we send them in line with retention periods outlined in the Records Management code of Practice for Health and Social Care. Further information is available at <https://lp.healthy.io/minuteinfo/>



### **Review of and changes to our Privacy Notice**

We will keep our Privacy Notice under regular review. This notice was last reviewed June 2023.