

Hessle Grange Medical Practice

PRACTICE FAIR PROCESSING & PRIVACY NOTICE

Your Information, Your Rights

Being transparent and providing accessible information to patients about how we will use your personal information is a key element of the Data Protection Act 2018 and the EU General Data Protection Regulations (GDPR).

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.

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 for our patients today and in the future

Data Controller

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

- General Data Protection Regulation Legislation (GDPR)
- Human Rights Act 1998
- Common Law Duty of Confidentiality
- Health and Social Care Act 2012
- NHS Codes of Confidentiality, Information Security

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

All personal data must be processed fairly and lawfully, whether is it received directly from you or from a third party in relation to the your care. 'Personal data' meaning 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; 'Special category / sensitive 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.

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, carers, 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 healthcare professionals and those who care for you

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?

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 is the information collected?

Your information will be collected either electronically using secure NHS Mail or a secure electronic transferred 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?

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 and Judicial Services
- Other 'data processors' which you will be informed of

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.

Your information will not be transferred outside of the European Union.

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.

In addition we received 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?

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.

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.

CONSENT & OBJECTIONS

Do I need to give my consent?

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. 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? 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.

NHS National Data Opt-Out

The information collected about you when you use our services can also be used and provided to other organisations for purposes beyond your individual care, for instance to help with:

- improving the quality and standards of care provided
- research into the development of new treatments
- preventing illness and diseases
- monitoring safety
- planning services

All these uses help to provide better health and care for you, your family and future generations.

Confidential patient information about your health and care is only used like this where allowed by law. We only do this when there is a clear legal basis to use this information. Currently, we ensure that anonymised data is used so that you cannot be identified, in which case your confidential patient information isn't needed.

You have a choice about whether you want your confidential patient information to be used in this way. If you are happy with this use of information you do not need to do anything. Otherwise, you have the right to opt out through the NHS National Data Opt-Out. If you do choose to opt out your confidential patient information will still be used to support your individual care.

Should a situation arise where we did need to use or share confidential patient information for one of these purposes, and we had a lawful right to do so, we would first consult the NHS National Data Opt-Out information in order to determine whether we could or could not include your confidential patient information.

To find out more or to register your choice to opt out, please visit the [NHS website](#).

On this web page you will:

- see what is meant by confidential patient information
- find examples of when confidential patient information is used for individual care and examples of when it is used for purposes beyond individual care
- find out more about the benefits of sharing data
- understand more about who uses the data
- find out how your data is protected
- be able to access the system to view, set or change your opt-out setting
- find the contact telephone number if you want to know any more or to set/change your opt-out by phone
- see the situations where the opt-out will not apply

You can also find out more about how patient information is used on the [NHS Health Research Authority website](#) (which covers health and care research), and on the [Understanding Patient Data website](#) (which covers how and why patient information is used, the safeguards and how decisions are made).

You can change your mind about your choice at any time.

Data being used or shared for purposes beyond individual care does not include your data being shared with insurance companies or used for marketing purposes and data would only be used in this way with your specific agreement.

Health Risk Screening / Risk Stratification

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.

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

Your GP will 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.

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.

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.

The National Data opt-out service is available from 25th May 2018. Patients can decide if they wish their confidential patient information to be used for planning and research purposes. For further information please refer to <https://digital.nhs.uk/services/national-data-opt-outprogramme>.

Sharing of Electronic Patient Records within the NHS Electronic patient records are kept in most places where you receive healthcare. Our local electronic system, SystemOne, 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

In addition, NHS England have implemented the Summary Care Record which contains information including medication you are taking and any bad reactions to medication that you have had in the past.

In most cases, particularly for patients with complex conditions and care arrangements, the shared electronic health 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.

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.

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

General Data Protection Regulation (GDPR)

We adhere to the General Data Protection Regulation (GDPR), the NHS Codes of Confidentiality and Security, as well as guidance issued by the Information Commissioner's Office (ICO). You have a right to access the information we hold about you, and if you would like to access this information, you will need to complete a Subject Access Request (SAR). Please ask at reception for a SAR form and you will be given further information. Furthermore, should you identify any inaccuracies, you have a right to have the inaccurate data corrected.

Summary Care Record

A summary of your basic details along with information about your medication is updated daily from the practice to the Summary Care Record on the NHS Spine. This is to allow other health professionals with access to the NHS Spine e.g. in A&E to have easy access to this information if they need it. You can opt out of the summary care record if you wish, please contact our reception team if you wish to do this.

Retention periods

In accordance with the NHS Codes of Practice for Records Management, your healthcare records will be retained for 10 years after death, or if a patient emigrates, for 10 years after the date of emigration. Records of the deceased are returned promptly to Patient Data Services so requests for access are usually directed to them not the practice.

Invoice Validation

If you have received treatment within the NHS, the local Clinical Commissioning Group (CCG) or Council (such as the East Riding of Yorkshire) 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. 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.

Your Right of Access to Your Records

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 be 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 submit your request in writing to Hessle Grange Medical Practice or alternatively please complete a Subject Access Requests form.

Updated 03.08.2020

What to do if you have any questions

Should you have any questions about our privacy policy or the information we hold about you, you can:

1. Contact the practice's data controller via email at hesslegrange.medicalpractice@nhs.net. GP practices are data controllers for the data they hold about their patients
2. Write to the data controller at Hessle Grange Medical Practice, 11 Hull Road, Hessle, HU13 9LZ

The practice have appointed Barry Jackson to be the Data Protection Officer (DPO). He is employed by N3i and can be contacted through their service desk on phone: 0300 002 0001 or email: N3i.support@nhs.net .

Complaints

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 Hessle Grange Medical Practice, 11 Hull Road, Hessle, HU13 9LZ.

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

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.

Changes due to the Covid-19 Coronavirus

This practice is supporting vital coronavirus (COVID-19) planning and research by sharing your data with NHS Digital. This transparency notice supplements our main practice privacy notice.

The health and social care system is facing significant pressures due to the coronavirus (COVID-19) outbreak. Health and care information is essential to deliver care to individuals, to support health, social care and other public services and to protect public health. Information will also be vital in researching, monitoring, tracking and managing the coronavirus outbreak. In the current emergency it has become even more important to share health and care information across relevant organisations. This practice is supporting vital coronavirus planning and research by sharing your data with NHS Digital, the national safe haven for health and social care data in England.

Our legal basis for sharing data with NHS Digital

NHS Digital has been legally directed to collect and analyse patient data from all GP practices in England to support the coronavirus response for the duration of the outbreak. NHS Digital will become the controller under the General Data Protection Regulation 2016 (GDPR) of the personal data collected and analysed jointly with the Secretary of State for Health and Social Care, who has directed NHS Digital to collect and analyse this data under the [COVID-19 Public Health Directions 2020](#) (COVID-19 Direction).

All GP practices in England are legally required to share data with NHS Digital for this purpose under the Health and Social Care Act 2012 (2012 Act). More information about this requirement is contained in the [data provision notice issued by NHS Digital to GP practices](#).

Under GDPR our legal basis for sharing this personal data with NHS Digital is Article 6(1)(c) - legal obligation. Our legal basis for sharing personal data relating to health, is Article 9(2)(g) - substantial public interest, for the purposes of NHS Digital exercising its statutory functions under the COVID-19 Direction.

The type of personal data we are sharing with NHS Digital

The data being shared with NHS Digital will include information about patients who are currently registered with a GP practice or who have a date of death on or after 1 November 2019 whose record contains coded information relevant to coronavirus planning and research. The data contains NHS Number, postcode, address, surname, forename, sex, ethnicity, date of birth and date of death for those patients. It will also include coded health data which is held in your GP record such as details of:

- diagnoses and findings
- medications and other prescribed items
- investigations, tests and results
- treatments and outcomes
- vaccinations and immunisations

We will not share details for any patient who has registered a Type 1 objection with the practice. Where a Type 1 objection has been registered, we will not share your personal identifiable confidential information outside of the GP practice, except when it is being used for the purposes of your care and treatment or where there is a legal requirement to do so. Although there is a legal requirement to do so here, NHS Digital has agreed with the National Data Guardian, the British Medical Association and the Royal College of General Practitioners to respect Type 1 objections.

How NHS Digital will use and share your data

NHS Digital will analyse the data they collect and securely and lawfully share data with other appropriate organisations, including health and care organisations, bodies engaged in disease surveillance and research organisations for coronavirus response purposes only. These purposes include protecting public health, planning and providing health, social care and public services, identifying coronavirus trends and risks to public health, monitoring and managing the outbreak and carrying out of vital coronavirus research and clinical trials. The British Medical Association, the Royal College of General Practitioners and the National Data Guardian are all supportive of this initiative.

NHS Digital has various legal powers to share data for purposes relating to the coronavirus response. It is also required to share data in certain circumstances set out in the COVID-19 Direction and to share confidential patient information to support the response under a legal notice issued to it by the Secretary of State under the Health Service (Control of Patient Information) Regulations 2002 (COPI Regulations).

Legal notices under the COPI Regulations have also been issued to other health and social care organisations requiring those organisations to process and share confidential patient information to respond to the coronavirus outbreak. Any information used or shared during the outbreak under these legal notices or the COPI Regulations will be limited to the period of the outbreak unless there is another legal basis for organisations to continue to use the information.

Data which is shared by NHS Digital will be subject to robust rules relating to privacy, security and confidentiality and only the minimum amount of data necessary to achieve the coronavirus purpose will be shared. Organisations using your data will also need to have a clear legal basis to do so and will enter into a data sharing agreement with NHS Digital. Information about the data that NHS Digital shares, including who with and for what purpose will be published in the NHS Digital data release register.

For more information about how NHS Digital will use your data please see the NHS Digital Transparency Notice for GP Data for Pandemic Planning and Research (COVID-19).

National Data Opt-Out

The application of the National Data Opt-Out to information shared by NHS Digital will be considered on a case by case basis and may or may not apply depending on the specific purposes for which the data is to be used. This is because during this period of emergency, the National Data Opt-Out will not generally apply where data is used to support the coronavirus outbreak, due to the public interest and legal requirements to share information.

Your rights over your personal data

To read more about the health and care information NHS Digital collects, its legal basis for collecting this information and what choices and rights you have in relation to the processing by NHS Digital of your personal data, see:

- the NHS Digital GPES Data for Pandemic Planning and Research (COVID-19) Transparency Notice
- the NHS Digital Coronavirus (COVID-19) Response Transparency Notice
- the NHS Digital General Transparency Notice
- how NHS Digital looks after your health and care information

Practice Website Privacy Information

The Practice Website is provided by Neighbourhood Direct Ltd (a member of Oldroyd Publishing Group Limited) in partnership with Myria Limited and uses the GP Fusion GP Website system.

What information do we collect about you?

We collect information when you voluntarily complete any form on this website. We use Web Server Logs to monitor, measure, analyse, improve and troubleshoot services.

Friends and Family Test

We use the information entered into this form only for the purposes of processing your Friends & Family Test submission. Information entered into this form is stored and accessed securely by designated Practice staff.

Issues raised in comments may be discussed between relevant members of the Practice. The information is used for quality monitoring purposes, in line with the expectations of the patients submitting the feedback.

The form does not require personal information. Any personal information transmitted via this form may be anonymised by the Practice when this is required to ensure compliance with General Data Protection Regulation.

All submissions are collated and sent to NHS England. This information is retained for up to 28 days.

Server Logs

The Web Server hosting our Website automatically collects audit logs of Website usage. These logs include the IP addresses of Website users. Web Server Logs are used to monitor, measure, analyse, improve, and troubleshoot services only. They are not published and are used solely to maintain service quality. This information is not shared with any external third party organisations. This information is retained for up to 6 months.

Access To Your Information and Correction

You have the right to request a copy of the information that we hold about you. If you would like a copy of some or all of your personal information, please [Contact Us](#) .

We want to make sure that your personal information is accurate and up to date. You may ask us to correct or remove information you think is inaccurate. In order to comply with your request we will ask you to verify your identity.

HTTPS

This Website is https-secured, which means communication between the user's web browser and the server hosting the website is encrypted and cannot be intercepted en-route. It also means a padlock icon is visible in the browser address bar.

Cookies

Our website '[Usage of Cookies](#)' page contains information about the cookies used by our website. This page also provides details of how to block cookies if required.

Our Website includes activity tracking via Google Analytics. Our tracking code has the "anonomise ip" option turned **on** which forces Google to anonymise the user activity data and does not store complete IP addresses.

[Read more about IP Anonymisation in Google Analytics.](#)

[View Google's commitment to GDPR compliance.](#)

NHS Library

Content that is provided by the NHS choices library is tracked by NHS Digital.

[View NHS Digital's commitment to GDPR compliance.](#)

Content Delivery Networks

Updated 03.08.2020

This website uses the following content delivery networks for vendor libraries:

Cloudflare

All of our vendor JS and CSS libraries are served from a Cloudflare CDN (<https://cdnjs.cloudflare.com/>).

[View Cloudflare's commitment to GDPR compliance.](#)

Google Fonts

Some fonts used on this site are served from a google CDN (<https://fonts.googleapis.com/>).

[View Google's commitment to GDPR compliance.](#)

Other websites

Our website contains links to other websites. This privacy policy only applies to this website so when you link to other websites you should read their own privacy policies.

This Website directs patients out to SystemOnline a third-party secure website service for appointments, request repeat prescriptions and viewing some parts of their medical records.

Changes to our privacy policy

We keep our privacy policy under regular review and we will place any updates on this web page. This privacy policy was last updated on 3rd August 2020.