

DR RUDELL & PARTNERS

PRIVACY NOTICE

Your information, privacy and the Law. How we use your medical records.

This Privacy Notice explains why our Practice collects information about you, how we keep it safe and confidential and how that information may be used.

The use and sharing of personal information forms an essential part of the provision of health and care, benefiting individual patients, often necessary for the effective functioning of health and social services and sometimes necessary in the public interest. Your doctor has a strong legal and ethical duty to protect your information and all information you share with your doctor is kept confidential.

Data Controller and Data Protection Officer

We comply with GDPR (General Data Processing Regulations) in ensuring your personal information is as confidential and secure as possible. The Practice is the Data Controller and is responsible for your personal data (collectively referred to as “the Practice”, “we”, “us” or “our” in this privacy notice.

If you have any questions about this Privacy Notice, including any requests to exercise your legal rights, please contact the Practice Business Manager (Data Protection Officer) at the Practice.

Why We Collect Information About You

Health Care Professionals who provide you with care and treatment are required by law to maintain records about your health and any treatment or care you have received within any NHS organisation. These records help to provide you with the best possible healthcare.

Under Article 9(h) and Article 6 of the GDPR legislation, we have the have the right to collect, use and share our patients’ medical data for the sole purpose of providing healthcare services to our patients. In carrying out this role we may collect information about you which helps us respond to your queries or secure specialist services. We may keep your information in written form and / or electronic form. The records may include basic details about you, such as your name and address. They may also contain more sensitive information about your health and information such as outcomes of needs assessments.

Details We Collect About You

The healthcare professionals who provide you with care maintain records about your health and any treatment or care you have received previously or elsewhere (e.g. hospital services, other GP Practices, Out of Hours Centres, A&E, Walk-in clinics, Private Providers etc.) These records help to provide you with the best possible healthcare.

Records which this GP Practice may hold about you may include the following:

- Details about you, such as your name, address, legal representative, next of kin, emergency contact details, marital status, date of birth and gender
- Your home telephone number, mobile number
- Any contact the surgery has had with you, such as appointments, clinic visits, immunisations, emergency appointments, telephone conversations and letters etc.
- Notes and reports from other health service providers about your physical health treatment and care (including sexual health) as well as your mental health treatment and care which are scanned into patient records
- Copies of referral letters sent to other providers of medical services, e.g. hospitals, private consultants, community services etc.
- Results of investigations such as laboratory tests, x-rays etc.
- Relevant information from other health professionals, relatives or those who care for you
- Reports from social services such as child protection reports or police reports if relevant to the care of you or your family
- Private reports sent, at your request, to other organisations

Sharing your personal data

Confidential patient data will be shared within the healthcare team at the Practice, including nursing staff, admin staff, and receptionists, and with other healthcare professionals to whom a patient is referred. Those individuals have a professional and contractual duty of confidentiality.

Details of who is authorised to access your GP record can be found on our website, or in our “Your Medical Records” booklet in the Practice.

Data Processors

The Practice uses data processors to perform certain administrative and technical functions for us, particularly where these involve large numbers of patients. Details of these data processors can be found on our website or in our “Your Medical Records” booklet in the Practice.

Referrals for specific health care purposes

We sometimes provide your information to other organisations for them to provide you with medical services. We will always inform you of such a referral and you always have the right not to be referred in this way. These include:

- Diabetes Education Programme (“DESMOND”)
- Diabetic Retinopathy Screening
- Cervical Cancer Screening
- Aortic Aneurysm Screening
- Breast Cancer Screening

Data Sharing

In Northern Ireland limited data sharing schemes are active locally, enabling healthcare professionals outside of the Practice to view limited information from your GP record, with your explicit consent, should that need arise. These schemes include:

- The NI Electronic Care Record (NIECR) – is a computer system that health and social care staff can use to get information about your medical history. When treating or looking after you they will need to know about any allergies, long term health conditions or medicine you take. NIECR can only be accessed over the HSC secure network and patient data can only be accessed by authorised HSC staff who need to see it to support your care but there is no access to your GP consultation records.
- The Business Services Organisation (BSO) provides a broad range of regional business support functions and specialist professional services to the health and social care sector in Northern Ireland. This includes the management of patient registrations for General Practice. Changes to patient data are sent through the secure HSC network. Complete records are returned to BSO when a patient leaves the Practice or dies.
- Clinical Computer System supplier (EMIS) provides IT support and are authorised to access the clinical system to resolve any technical issues relating to patient data.
- BSO Probity Unit carry out regular inspections in General Practice and part of their role is to check the legitimacy of patient specific data in relation to claims made to the NHS by the Practice.
- Northern Ireland Medical and Dental Training Agency (NIMDTA) – medical representatives check the standard of clinical record keeping as part of their regular visits to us as a training Practice.

- Medical students may be working in the Practice and as part of their educational experience will have access to patient's medical records. Patients will always be asked to consent to medical students attending consultations.
- You will be asked to consent before any information is shared with Community Pharmacies, for example, if you have registered for chemist collection of your prescriptions. Your consent will be required if you wish the Practice to provide prescriptions to a third party i.e. stoma care products.

Details of data sharing and of your right to opt-out can be found on our web site or in our "Your Medical Records" booklet in the Practice.

Mandatory disclosures of information

We are sometimes legally obliged to disclose information about patients to relevant authorities. In these circumstances the minimum identifiable information that is essential to serve that legal purpose will be disclosed.

That organisation will also have a professional and contractual duty of confidentiality. Data will be anonymised if at all possible before disclosure if this would serve the purpose for which the data is required.

Organisations that we are sometimes obliged to release information to include:

- Driver Vehicle Licensing Authority (DVLA)
- General Medical Council (GMC)
- HMRC
- NHS Counter Fraud Unit
- PSNI
- The Courts
- Department of Health & Social Services
- Local Authorities (Social Services / Benefits Agencies)
- The Health Service Ombudsman
- Information Commissioner
- Capita for PIP Claims
- The Appeals Service

Permissive disclosures of information

Only with your explicit consent, can the Practice release information about you, from your GP record, to relevant organisations. These may include:

- Your employer
- Insurance companies
- Solicitors
- Local Authorities
- PSNI

Our Practice website may include links to third party websites. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third party websites and are not responsible for their privacy statements. When you leave our website we encourage you to read the privacy notice of every website you visit.

Accessing your information on other databases

The Practice can access certain medical information about you, when relevant or necessary, that is held on other databases (i.e. under the control of another data controller). These include Local Healthcare Trusts. Accessing such information would only be for your direct medical care.

Research

The Practice sometimes undertakes accredited research projects. Where this involves accessing identifiable patient information; we will only do so with the explicit consent of the individual.

Keeping your records up to date

GDPR requires that the information we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us such as a house move or name change.

Your rights under GDPR

GDPR gives certain rights to individuals in relation to their personal data:

- *Right of access*

You have a right to be informed of and request access to the personal data we process about you. This is known as a 'Subject Access Request' (SARs). Details of how to do this can be found on our web site or in our "Your Medical Records" booklet in the Practice. We have one calendar month to respond and you will not normally be charged a fee.

- *Right to rectification*

This enables you to have any incomplete or inaccurate information we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us. We have one calendar month to respond to a request and in some circumstances the request may be refused.

- *Right to erasure*

This enables you to ask us to remove or delete personal data. However we may not

always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

- *Right to object*

You have the right to object (or opt-out) to ways in which your information is processed or shared, both for direct medical care purposes i.e. *primary uses* of your information, or for purposes other than your direct medical care – so-called *secondary uses*. The request should be made in writing and we have one calendar month to respond.

Details of these purposes, and how you can opt out, can be found on our website or in our “Your Medical Records” booklet in the Practice.

- *Rights in relation to automated decision-making*

This enables you not to be subject to a decision based solely on automated decision making, including profiling, where the decision would have a legal effect on you or produce a similarly significant effect.

The Practice does not undertake any type of automated decision making or profiling.

- *Right to data portability*

This enables you to transfer personal data from one Data Controller to another Data Controller but this does not apply to medical records.

Keeping your information confidential and safe

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

We have appropriate security measures in place to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we restrict access to your personal data to those employees, agents, contractors and other third parties who have a business or clinical need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

All of our staff and healthcare professionals associated with the Practice receive appropriate and on-going training to ensure they are aware of their personal responsibilities and have contractual obligations to uphold confidentiality, enforceable through disciplinary procedures.

Some of your medical records are kept electronically. The Health & Social Care Board is responsible for providing the data processing systems which they have verified as being secure. These include EMIS PCS (our clinical system), Apollo Scan (document management and scanning facility) and Jayex Technology (automated check-in

service). They provide internet facilities which ensure secure email links between NHS organisations and secure access to the internet.

There is a facility with secure systems in place for GPs and designated staff to access the clinical system remotely.

We will not email you, or use your mobile number to text you, regarding matters of medical care, such as appointment reminders or test results. If this changes in the future we will notify you and obtain your consent. We will only email you regarding non-medical matters if you have given us your explicit consent to do so.

We will maintain our duty of confidentiality to you at all times. 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), or where the law requires us to do so.

We have procedures in place to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

How long do we keep patient data?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve these purposes through other means, and the applicable legal requirements.

In some circumstances you can ask us to delete your data. In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

Complete medical records are returned to the Business Services Organisation (BSO) when a patient leaves the Practice or dies. At present digital records remain on our clinical system indefinitely.

Notification to the Information Commissioner

The Practice is required to register a notification with the Information Commissioner to describe the purposes for which they process personal and sensitive information. We are registered as a data controller and our registration (number Z6664705) can be viewed online in 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)

Transferring your data outside the EEA

The Practice does not transfer data outside the EEA.

Changes to this Privacy Notice

We may make changes to this Privacy Notice. An updated version will be available on our website.

Complaints about how we handle your personal data

Should you have any concerns about how your information is managed at the Practice, please contact us. If you are still unhappy following a review by the Practice, you can raise your concerns with:

The Information Commissioner (ICO)
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Phone: 08456 30 60 60
Website: www.ico.gov.uk

What do I need to do?

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 **do not want** your personal data being extracted and leaving the GP practice for any of the purposes described, you need to let us know as soon as possible so please write to the Practice.

All patients have the right to change their minds and reverse a previous decision. Please contact the Practice if you change your mind regarding any previous choice.

Further Information

For independent advice about GDPR, privacy, and data sharing issues, you can contact the Information Commissioners Office.

If you would like any further information about primary or secondary uses of your GP record, opting out, the NHS Databases, access to your medical record, confidentiality, or about any other aspect of NHS data sharing or your medical records, then please do contact the Practice.