

Patient Privacy Policy (Fair Processing/Privacy Notice) **Your Personal Information and How We Use Your Information**

Your information, what you need to know

This privacy notice explains why we collect information about you, how that information will be used, how we keep it safe and confidential and what your rights are in relation to this.

Why we collect 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 you have received. These records help to provide you with the best possible healthcare and help us to protect your safety.

We collect and hold data for the purpose of providing healthcare services to our patients and running our organisation which includes monitoring the quality of care that we provide. In carrying out this role we will collect information about you which helps us respond to your queries or secure specialist services. We will keep your information in written form and/or in digital form.

Our Commitment to Data Privacy and Confidentiality Issues

As a GP practice, all of our GPs, staff and associated practitioners are committed to protecting your privacy and will only process data in accordance with the Data Protection Legislation. This includes the General Data Protection Regulation (EU) 2016/679 (GDPR), now known as the UK GDPR, the Data Protection Act (DPA) 2018, the Law Enforcement Directive (Directive (EU) 2016/680) (LED) and any applicable national Laws implementing them as amended from time to time. The legislation requires us to process personal data only if there is a legitimate basis for doing so and that any processing must be fair and lawful.

In addition, consideration will also be given to all applicable Law concerning privacy, confidentiality, the processing and sharing of personal data including the Human Rights Act 1998, the Health and Social Care Act 2012 as amended by the Health and Social Care (Safety and Quality) Act 2015, the common law duty of confidentiality and the Privacy and Electronic Communications (EC Directive) Regulations.

Data we collect about you

Records which this GP Practice will hold, or share, about you will include the following:

- **Personal Data** – means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- **Special Categories of Personal Data** – this term describes personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.
- **Confidential Patient Information** – this term describes information or data relating to their health and other matters disclosed to another (e.g. patient to clinician) in circumstances where it is reasonable to expect that the information will be held in confidence. Including both information 'given in confidence' and 'that which is owed a duty of confidence'. As described in the Confidentiality: NHS code of Practice: Department of Health guidance on confidentiality 2003.
- **Pseudonymised** - The process of distinguishing individuals in a dataset by using a unique identifier which does not reveal their 'real world' identity.
- **Anonymised** - Data in a form that does not identify individuals and where identification through its combination with other data is not likely to take place.
- **Aggregated** - Statistical data about several individuals that has been combined to show general trends or values without identifying individuals within the data.

How we use your information

Improvements in information technology are also making it possible for us to share data with other healthcare organisations for the purpose of providing you, your family and your community with better care. For example, it is possible for healthcare professionals in other services to access your record with your permission when the practice is closed. Where your record is accessed without your permission it is necessary for them to have a legitimate basis in law. This is explained further as an Activity under 'Local Information Sharing' at Appendix A.

Whenever you use a health or care service, such as attending Accident & Emergency or using Community Care services, important information about you is collected in a patient care record for that service. Collecting this information helps to ensure you get the best possible care and treatment. The information collected about you when you use these 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 and care pathways
- Preventing illness and diseases
- Monitoring safety
- Planning services
- Risk stratification
- Population Health Management
- CCTV – external recording for keeping you and the practice safe.

Safeguarding of children or vulnerable adults

If we have significant concerns or hear about an individual child or vulnerable adult being at risk of harm, we may share relevant information with other organisations, such as local authorities and the Police, involved in ensuring their safety.

Statutory disclosures

Sometimes we are duty bound by laws to disclose information to organisations such as the Care Quality Commission, the Driver and Vehicle Licencing Agency, the General Medical Council, Her Majesty's Revenue and Customs and Counter Fraud services. In these circumstances we will always try to inform you before we are required to disclose and we only disclose the minimum information that the law requires us to do so. This may only take place when there is a clear legal basis to use this information. 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 or with consent.

Pseudonymised or anonymised data is generally used for research and planning so that you cannot be identified.

A full list of activities including the legal basis, any Data Processor involvement and the purposes for processing information can be found in Appendix A.

Medical student placements (trainee GPs)

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

How long do we hold information for?

All records held by the Practice will be kept for the duration specified by national guidance from [Records Management Code of Practice - NHSX](#). Once information that we hold has been identified for destruction it will be

disposed of in the most appropriate way for the type of information it is. Personal confidential and commercially confidential information will be disposed of by approved and secure confidential waste procedures. We keep a record of retention schedules within our information asset registers, in line with the Records Management Code of Practice for 2021.

Individuals Rights under GDPR

Under GDPR 2018 the Law provides the following rights for individuals (the NHS upholds these in various ways).

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure (not an absolute right) only applies in certain circumstances
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling.

Your right to opt out of data sharing and processing

The NHS Constitution states *'You have a right to request that your confidential information is not used beyond your own care and treatment and to have your objections considered'*. For further information please visit: <https://digital.nhs.uk/services/data-access-request-service-dars/how-the-national-data-opt-out-affects-data-released-by-nhs-digital> to download the NHS Constitution.

Type 1 Opt Out

This is an objection that prevents an individual's personal confidential information from being shared outside of their general practice except when it is being used for the purposes of direct care, or in particular circumstances, required by law, such as a public health screening, or an emergency like an outbreak of a pandemic disease. If patients wish to apply a Type 1 Opt Out to their record, they should make their wishes known to the Practice Administration Team.

National Data Opt-Out (NDOO)

The national data opt-out was introduced on 25 May 2018, enabling patients to opt-out from the use of their data for research or planning purposes, in line with the recommendations of the National Data Guardian in her Review of Data Security, Consent and Opt-Outs.

The national data opt-out replaces the previous 'Type 2' opt-out, which required NHS Digital not to share a patient's confidential patient information for purposes beyond their individual care. Any patient that had a type 2 opt-out recorded on or before 11 October 2018 has had it automatically converted to a national data opt-out. Those aged 13 or over were sent a letter giving them more information and a leaflet explaining the national data opt-out. For more information go to [National data opt out programme](#).

To find out more or to register your choice to opt out, please visit www.nhs.uk/your-nhs-data-matters where 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.

Right of Access to your information (Subject Access Request)

Under Data Protection Legislation everybody has the right of access to, or request a copy of, information we hold that can identify them, this includes medical records. There are some safeguards regarding what patients will have access to and they may find information has been redacted or removed for the following reasons;

- It may be deemed to risk causing harm to the patient or others;
- The information within the record may relate to third parties who are entitled to their confidentiality, or who have not given their permission for the information to be shared.

Patients do not need to give a reason to see their data. And requests can be made verbally or in writing. Although we may ask them to complete a form in order that we can ensure that they have the correct information required. Where multiple copies of the same information is requested the surgery may charge a reasonable fee for the additional copies.

Patients will need to provide proof of identity to receive this information. We will not share information relating to you with other individuals without your explicit instruction or without sight of a legal document.

Patients may also request to have online access to their data, they may do this via the [NHS APP](#), or via a request through reception. . If you would like to access your GP record, online click, here to Register for Online Services via our website: [Register for Online Services | Kintbury Surgery & Woolton Hill Surgery \(kintburyandwooltonhillsurgeries.co.uk\)](#)

COVID Passport access

Patients may access their Covid passport via the NHS website, the practice cannot provide this document as it is not held in the practice record. If you have any issues gaining access to your Covid Passport or letter you should call: 119

Change of Details

It is important that you tell the surgery if any of your contact details such as your name or address have changed, or if any of your other contacts details are incorrect including third party emergency contact details. It is important that we are made aware of any changes **immediately** in order that no information is shared in error.

Mobile telephone number

If you provide us with your mobile phone number, we will use this to send you text reminders about your appointments or other health related information. It is within our legal duty as a public authority to keep our patients updated with important information.

We also use the NHS Account Messaging Service provided by NHS England to send you messages relating to your health and care. You need to be an NHS App user to receive these messages. Further information about the service can be found at the [privacy notice for the NHS App](#) managed by NHS England.

Email address

Where you have provided us with your email address, we will use this to send you information relating to your health and the services we provide. If you do not wish to receive communications by email please let us know.

Notification

Data Protection Legislation requires organisations 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 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)

Any changes to our privacy notices will be promptly updated and displayed in the practice waiting rooms.

Data Protection Officer (DPO)

Our designated Data Protection Officer is Seraphim Patel of the NHS South, Central and West Commissioning Support Unit. Should you have any data protection questions or concerns, please speak to someone at the surgery about this or send an email via the practice website.

What is the right to know?

The Freedom of Information Act 2000 (FOIA) gives people a general right of access to information held by or on behalf of public authorities, promoting a culture of openness and accountability across the public sector. You can request any non-personal information that the GP Practice holds, that does not fall under an exemption. You may not ask for information that is covered by the Data Protection Legislation under FOIA. However, you have the right to request this under a Subject Access Request (SAR) – see section above ‘Access to your Information’.

Right to Complain

If you have concerns or are unhappy about any of our services, please contact the Practice Manager via the surgery on j82054.gdpr@nhs.net. For independent advice about data protection, privacy and data-sharing issues, you can contact the ICO: *The Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF* Phone: 0303 123 1113 Website: <https://ico.org.uk/global/contact-us>

The NHS Care Records Guarantee

The NHS Care Records Guarantee sets out the rules that govern how patient information is used in the NHS, what control and rights individuals have to request copies of their data and how data is protected under Data Protection Legislation. <https://www.gov.uk/government/publications/the-nhs-constitution-for-england>

The NHS Constitution

The NHS Constitution establishes the principles and values of the NHS in England. It sets out the rights patients, the public and staff are entitled to. These rights cover how patients access health services, the quality of care you’ll receive, the treatments and programs available to you, confidentiality, information and your right to complain if things go wrong. <https://www.gov.uk/government/publications/the-nhs-constitution-for-england>

Reviews of and Changes to our Privacy Notices

This document was created by NHS South Central and West Commissioning Support Unit (SCW) and as such the intellectual Property Rights of this document belong to the SCW. The document supports Practice staff in their compliance with the Data Protection legislation, achieving best practice in the area of Information Governance and in meeting the requirements of DSPT.

We keep our Privacy Notices under regular review.

Last reviewed: 16 October 2023

A list of organisations where there is a legal basis for the practice to share information follows as Appendix A

Appendix A

The Practice will share your information with the following organisations where there is a legal basis to do so.

Activity	Rationale
Anticoagulation Monitoring	<p>Purpose: Personal Confidential data may be shared with LumiraDX in order to provide an anticoagulation clinic to patients who are on anticoagulation medication. This will only affect patients who are within these criteria.</p> <p>Legal Basis: The legal basis for this activity under UK GDPR is Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) Health data as stated below</p> <p>Processor: LumiraDX INRStar</p>
BOB ICS, PCN, Clinical/Quality Audits	<p>Purpose – Anonymous data is used by the BOB ICS/PCN for planning and performance and to monitor the quality of the service provided to patient with long-term conditions, as directed in the practice’s contract. When required information will be held centrally and used for statistical purposes (e.g., the National Diabetes Audit, practice-led local diabetes review meetings with Health Care professionals). Strict measures are undertaken to ensure patients are not identifiable.</p> <p>Legal Basis – Contractual</p> <p>Processor – BOB Integrated Care System (ICS), West Berkshire Rural PCN</p>
Care Quality Commission	<p>Purpose – The CQC is the regulator for the English Health and Social Care services to ensure that safe care is provided. They will inspect and produce reports back to the GP practice on a regular basis. The Law allows the CQC to access identifiable data. More detail on how they ensure compliance with data protection law (including GDPR) and their privacy statement is available on the CQC website: https://www.cqc.org.uk/about-us/our-policies/privacy-statement</p> <p>Legal Basis – Article 6(1)(c) “processing is necessary for compliance with a legal obligation to which the controller is subject.” And Article 9(2) (h) as stated above.</p> <p>Processors – Care Quality Commission</p>
CCTV	<p>Purpose – To ensure patient and staff safety, to protect and keep the buildings and building contents safe and secure, including medication and controlled drugs stored on site.</p> <p>Legal Basis – Article 6(1)(c) “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”.</p> <p>Processor – Kintbury & Woolton Hill Surgery</p>
Child Health Information Service	<p>Purpose – To ensure children have the opportunity to have immunisations and health checks when they are due, to share information about childhood immunisations, the 6–8-week new baby checks and breastfeeding status with Health Visitors and School Nurses.</p> <p>Legal Basis – Contractual</p> <p>Processor – BOB Integrated Care System (ICS)</p>
Commissioning and contractual purposes Invoice Validation Planning Quality and Performance	<p>Purpose – Anonymous data is used by the Integrated Care Board (ICB) for planning, performance and commissioning purposes, as directed in the practices contract, to provide services as a public authority.</p> <p>Legal Basis – UK GDPR 6 1(b) Contractual obligation as set out in the Health and Social Care Act for Quality and Safety 2015</p> <p>Patients may opt out of having their personal confidential data used for Planning or research. Please contact your surgery to apply a Type 1 Opt out or logon to https://www.nhs.uk/your-nhs-data-matters/manage-your-choice/ to apply a National Data Opt Out</p> <p>Processor – ICB</p>
Coroner Medical Examiner	<p>Purpose – Personal health records or information relating to a deceased patient may be shared with the coroner or medical examiner upon request.</p> <p>Legal Basis – UK GDPR Article 6 1 (c) Legal Obligation 9 2 (h) Health data</p> <p>Processor – The Coroner, Medical Examiner</p>
COVID-19 Research & Planning	<p>Purpose – To understand the risks to public health, trends and prevent the spread of infections such as Covid-19 the government has enabled a number of initiatives which include research and planning during the Covid-19 pandemic which may include the collection of personal confidential data has been necessary. This is to assist with the diagnosis, testing, self-isolating, fitness to work, treatment medical, social interventions and recovery from Covid-19.</p>

	<p>COPI Reg 3 has been extended and you can find further information here: Coronavirus (COVID-19): notice under Regulation 3(4) of the Health Service (Control of Patient Information) Regulations 2002 - GOV.UK (www.gov.uk) NHS England » OpenSAFELY – the Coronavirus (COVID-19) Research Platform</p> <p>Legal Basis – In order to share personal confidential data with other agencies for research or planning. Either the Article 6 1 (a) and 9 2 (a) Explicit consent will be required. or The Processor would need to meet Section 251 CAG approval. or It would need to be approved under direct care to patients Article 6 1 (e) Public Task and 9 2 (h) Health data Provider – COVID vaccination Hubs, BIOBANK, Oxford University</p>
<p>Digital dictation system - Lexacom</p>	<p>Purpose – Your medical record will be accessed in order to dictate GP referral letters and correspondence and manage workflows in a secure way Legal Basis – Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller” and Article 9(2)(h) as stated above. Controller - Lexcom Processor – Kintbury & Woolton Hill Surgery</p>
<p>Direct Care/Data Sharing - Sharing of information via GP Connect and/or with Secondary Care/NHS Trusts, Nursing/Care Homes/Palliative Care, Community Health Providers & Pharmacies and any other Care Providers</p>	<p>Purpose – Personal information is shared with other secondary care trusts and providers in order to provide you with individual direct care services. This could be hospitals or community providers for a range of services, including treatment, operations, first contact physiotherapists, mental health services, community nursing, end of life care and ambulance services. Legal Basis - The processing of personal data in the delivery of direct care and for providers’ administrative purposes in this surgery and in support of direct care elsewhere is supported under the following Article 6 1 (e) direct care and 9 2 (h) to provide health or social care: In some cases, patients may be required to consent to having their record opened by the third party provider before patients information is accessed. Where there is an overriding need to access the GP record in order to provide patients with lifesaving care, their consent will not be required. Processors – e.g. GP Connect, Berkshire Healthcare (BHFT), First Point Contact Physiotherapy, Royal Berkshire NHS FT, Hampshire Hospitals NHS FT, NHS Solent Trust, Healthcare NHS Trust, Oxford University NHS FT, local community pharmacies and care homes</p>
<p>DWP</p>	<p>Purpose – Anonymous information on patients issued with a ‘Statement of Fitness for Work’ will be shared for monitoring of Public Health and commissioning and quality of health services. Legal Basis – Legal Obligation. Processor – Department for Work and Pensions</p>
<p>General Practice Extraction Service (GPES)</p> <ol style="list-style-type: none"> 1. At risk patients data collection Version 3 2. CVDPREVENT Audit 3. Physical Health Checks for people with Severe Mental Illness. 4. National Obesity Audit 	<p>Purpose – GP practices are required to provide data extraction of their patients’ personal confidential information for various purposes to NHS Digital. The objective of this data collection is on an ongoing basis to identify patients registered at General Practices who fit within a certain criterion, in order to monitor and either provide direct care, or prevent serious harm to those patients. Below is a list of the purposes for the data extraction, by using the link you can find out the detail behind each data extraction and how your information will be used to inform this essential work:</p> <ol style="list-style-type: none"> 1. At risk patients including severely clinically vulnerable 2. NHS England has directed NHS England to collect and analyse data in connection with Cardiovascular Disease Prevention Audit 3. GPES Physical Health Checks for people with Severe Mental Illness (PHSMI) data collection. 4. National Obesity Audit - NHS Digital <p>Legal Basis - All GP Practices in England are legally required to share data with NHS England for this purpose under section 259(1)(a) and (5) of The Health and Social Care Act 2012 Further detailed legal basis can be found in each link. Any objections to this data collection</p>

	<p>should be made directly to NHS England. enquiries@nhsdigital.nhs.uk</p> <p>Processor – NHS England</p>
GP Federation	<p>Purpose – Your medical record may be shared with local surgeries in West Berkshire in order that they can provide direct care services to the wider Berkshire/Hampshire patient population. This could be in the form of GP extended access clinics or for treating pandemics such as COVID. The GP Federation will be acting on behalf of the GP practice. Only those patients who wish to be party to this service will have their data shared.</p> <p>6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) Health data as stated above.</p> <p>Patients have the right to opt out of having their information shared with the SCR by completion of the form which can be downloaded here and returned to the practice. Please note that by opting out of having your information shared with the Summary Care Record could result in a delay to care that may be required in an emergency.</p> <p>Processors – West Berkshire PCN (Kintbury & Woolton Hill, Hungerford and Lambourn Surgeries); A34 PCN; Kennet PCN – EMIS GP Connect Viewer/Symphony</p>
iGPR	<p>Purpose – Your medical record will be shared in order that a report can be provided to agencies such as insurance companies or solicitors.</p> <p>Legal Basis – Your consent will be required to share your record for this purpose.</p> <p>Processor – iGPR</p>
Individual Funding Requests	<p>Purpose – We may need to process your personal information where we are required to fund specific treatment for you for a particular condition that is not already covered in our standard NHS contract.</p> <p>The clinical professional who first identifies that you may need the treatment will explain to you the information that is needed to be collected and processed in order to assess your needs and commission your care; they will gain your explicit consent to share this. You have the right to withdraw your consent at any time but this may affect the decision to provide individual funding.</p> <p>Legal Basis – Under UK GDPR Article 6 1(a) consent is required 6 1 (e) Public Task Article 9 2 (h) health data</p> <p>Data processor –e.g. Healthcare provisioning and multi-insurance groups</p>
Learning Disability Mortality Programme - LeDer	<p>Purpose: The Learning Disability Mortality Review (LeDeR) programme was commissioned by NHS England to investigate the death of patients with learning difficulties and Autism to assist with processes to improve the standard and quality of care for people living with a learning disability and Autism. Records of deceased patients who meet with these criteria will be shared with NHS England.</p> <p>Legal Basis: It has approval from the Secretary of State under section 251 of the NHS Act 2006 to process patient identifiable information who fit within a certain criterion.</p> <p>Processor: ICB, NHS England</p>
Medicines Management Team Medicines Optimisation	<p>Purpose – your medical record is shared with the medicines management team pharmacists, in order that your medication can be kept up to date and any necessary changes to medication can be implemented.</p> <p>Legal Basis - Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) Health data as stated below</p> <p>Processor – MOT, BOB ICS</p>
Medication & Prescribing	<p>Purpose: Prescriptions containing personal identifiable and health data will be shared with organisations who provide medicines management including chemists/pharmacies, in order to provide patients with essential medication regime management, medicines and or treatment as their health needs dictate. This process is achieved either by face-to-face contact with the patient or electronically. Pharmacists may be employed to review medication, Patients may be referred to pharmacists to assist with diagnosis and care for minor treatment, patients may have specified a nominated pharmacy they may wish their repeat or acute prescriptions to be ordered and sent directly to the pharmacy making a more efficient process. Arrangements can also be made with the pharmacy to deliver care and medication</p> <p>Legal Basis: Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) Health data as stated below</p> <p>Processor – Pharmacy of choice</p>
Medical Reports Subject Access Requests	<p>Purpose – Your medical record may be shared in order that: Solicitors/persons acting on your behalf can conduct certain actions as instructed by you.</p>

	<p>Insurance companies seeking a medical report where you have applied for services offered by them can have a copy of your medical history for a specific purpose.</p> <p>Legal Basis</p> <ul style="list-style-type: none"> • Article 6(1)(a) – consent for personal data; and • Article 9(2)(a) – explicit consent for special-category data. <p>Processor – Solicitors and Insurance organisations.</p>
Messaging Service	<p>Purpose – Personal identifiable information shared with the messaging service in order that messages including appointment reminders, results, health campaign messages related to specific patients health needs (e.g. flu etc) and direct messages to patients, can be transferred to the patient in a safe way.</p> <p>Legal Basis – UK GDPR Article 6 1 (b) Contract, Article 6 1 (e) Public task, Article 9 2 (h) Health data</p> <p>Provider - AccuRX, Iplato, e-Consult, Patient Access</p>
MDT Meetings	<p>Purpose – For some long-term conditions, the practice participates in meetings with staff from other agencies involved in providing care, to help plan the best way to provide care to patients with these conditions. Personal data will be shared with other agencies in order that mutual care packages can be decided.</p> <p>Legal Basis – Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) Health data as stated below</p> <p>Processor – Microsoft Teams, EMIS</p>
NHS Digital - General Practice Data for Planning and Research	<p>Purpose – The extracted data will be “pseudonymized” i.e. not directly identifiable, but not fully anonymized – and NHSD reserves the right to de-pseudonymize it in certain circumstances. GPDfPR is the successor to the GPES, to be used for wider purposes than pandemic/COVID research.</p> <p>Legal Basis – Article 6(1)(e) - “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) as stated above.</p> <p>Data Processor – NHS Digital/NHS England</p>
National Registers	<p>National Registries</p> <p>National Registries (such as the Learning Disabilities Register) collect and hold identifiable information about the health status of patients and the care they receive without the need to seek informed consent from each individual service user.</p> <p>Legal Basis – Statutory permission under Section 251 of the NHS Act 2006.</p> <p>Processors – NHS Digital</p>
Patient Record data base	<p>Purpose – Your medical record will be processed in order that a data base can be maintained, this is managed in a secure way and there are robust processes in place to ensure your medical record is kept accurate, and up to date. Your record will follow you as you change surgeries throughout your life.</p> <p>Closed records will be archived by NHS England</p> <p>Legal Basis - Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) as stated above.</p> <p>Processor – EMIS, DOMAN and PCSE</p>
Patient Record Storage	<p>Purpose – Lloyd George paper medical records will be stored securely offsite. There is a full inventory of what is held offsite. Retention periods are applied to each record and a disposal log will be kept and secure disposal of records and information will be managed in a secure way.</p> <p>Legal Basis – Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ and Article 9(2)(h) as stated above.</p> <p>Processor – Restore Medical</p>
Payments, Invoice validation	<p>Purpose – Contract holding GPs in the UK receive payments from their respective governments on a tiered basis. Most of the income is derived from baseline capitation payments made according to the number of patients registered with the practice on quarterly payment days. These amounts paid per patient per quarter varies according to the age, sex and other demographic details for each patient. There are also graduated payments made according to the practice’s achievement of certain agreed national quality targets known as the Quality and Outcomes Framework (QOF), for instance the proportion of diabetic patients who have had an annual review. Practices can also receive payments for participating in agreed national or local enhanced services, for instance opening early in the morning or late at night or at the weekends. Practices can also receive payments for certain national initiatives such as immunisation</p>

	<p>programs and practices may also receive incomes relating to a variety of non-patient related elements such as premises. Finally, there are short term initiatives and projects that practices can take part in. Practices or GPs may also receive income for participating in the education of medical students, junior doctors and GPs themselves as well as research. In order to make patient-based payments basic and relevant necessary data about you needs to be sent to the various payment services. The release of this data is required by English laws.</p> <p>Legal Basis – Article 6(1)(c) “processing is necessary for compliance with a legal obligation to which the controller is subject.” And Article 9(2)(h) ‘as stated above.</p> <p>Data Processors – NHS England, BOB ICS, ICB, Public Health West Berkshire</p>
PCN	<p>Purpose – Your medical record may be shared with the West Berkshire Rural PCN staff (e.g. Clinical Pharmacists, Social Prescribing Link Workers, care-coordinators, pharmacy technicians) in order that they can provide additional direct care services to the patient population in rural West Berkshire. Local information sharing also applies to the Out Of Hours service and in our provision of enhanced access should our patients chose to be seen and treated by GPs in the evening and at weekends at another local practice, if they prefer. Your information is only accessed and used by authorised Health and Social Care professionals, 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 healthcare professional is unable to ask you and this is deemed to be in your best interests (which will then be logged).</p> <p>6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) Health data as stated above.</p> <p>Processors – West Berkshire PCN (Kintbury & Woolton Hill, Hungerford and Lambourn Surgeries); – EMIS GP Connect Viewer/Symphony/WB Rural PCN</p>
Police	<p>Purpose – Personal confidential information may be shared with the Police authority for certain purposes. The level of sharing and purpose for sharing may vary. Where there is a legal basis for this information to be shared consent will not always be required.</p> <p>The Police will require the correct documentation in order to make a request. This could be but not limited to, DS 2, Court order, s137, the prevention and detection of a crime. Or where the information is necessary to protect a person or community.</p> <p>Legal Basis – UK GDPR –6 1 (c) Legal Obligation. Article 6 1 (f) legitimate interest Article 9 2 (f) requests for legal reasons</p> <p>Processor – Thames Valley Police Newbury (for West Berkshire incidents) or Andover Police (for Hampshire incidents)</p>
Population Health Management -ICS	<p>Purpose – Health and care services work together as ‘Integrated Care Systems’ (ICS) and are sharing data in order to:</p> <ul style="list-style-type: none"> • Understand the health and care needs of the care system’s population, including health inequalities • Provide support to where it will have the most impact • Identify early actions to keep people well, not only focusing on people in direct contact with services, but looking to join up care across different partners. <p><i>(NB this links to the Risk Stratification activity identified above)</i></p> <p>Type of Data – Identifiable/Pseudonymised/Anonymised/Aggregate Data. NB only organisations that provide your care will see your identifiable data.</p> <p>Legal Basis - Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) as stated below</p> <p>Data Processors - Optum, Cerner</p>
Private healthcare providers	<p>Purpose – Personal information shared with private health care providers in order to deliver direct care to patients at the patient’s request. Consent from the patient will be required to share data with Private Providers.</p> <p>Legal Basis – Article 6 1 (a) and 9 2 (h) Consented and under contract between the patient and the provider</p> <p>Processors – e.g. BUPA, Nuffield Health, AXA, Hampshire Clinic etc</p>
Professional Training	<p>Purpose – We are a training practice. Our clinical team are required to be exposed to on-the-job, clinical experience, as well as continual professional development. On occasion patients may be asked if they are happy to be seen by one of our GP registrars, pharmacists or other clinical team members to assist with their training as a clinical professional. Patients may also be asked if they would be happy to have a consultation recorded for training purposes. These recordings will be shared and discussed with training GPs at the surgery, and also with moderators at the RCGP,</p>

	<p>CPPE and HEE. Legal Basis – 6 1 (a) consent, patients will be asked if they wish to take part in training sessions. 9 2 (a) - explicit consent will be required when making recordings of consultations Recordings remain the control of the GP practice and they will delete all recordings from the secure site once they are no longer required. Processor – RCGP, CPPE, HEE, iConnect, FourteenFish for GPs</p>
<p>Public Health Screening programmes <i>(identifiable)</i> Notifiable diseases <i>(identifiable)</i> Sexual health <i>(anonymous)</i></p>	<p>Purpose – Personal identifiable and anonymous data is shared. The NHS provides national screening programmes so that certain diseases can be detected at an early stage. These currently apply to bowel cancer, breast cancer, aortic aneurysms and diabetic retinal screening service to name a few. The law allows us to share your contact information, and certain aspects of information relating to the screening with Public Health England so that you can be appropriately invited to the relevant screening programme. More information can be found at: https://www.gov.uk/topic/population-screeningprogrammes Alternatively speak to a member of the practice team. Patients may not opt out of having their personal information shared for Public Health reasons. Patients may opt out of being screened at the time of receiving an invitation. Legal Basis: Sharing personal data for this purpose is governed by the COPI Reg 2. Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ 6 1 (f) Legitimate interests And Article 9(2)(h) Health data as stated below 9 2 (i) Public health Data Processors – Berkshire Public Health</p>
<p>Remote Consultation, including video and clinical photography</p>	<p>Purpose – Personal information including images may be processed, stored and with the patients consent shared, in order to provide the patient with urgent medical advice. Legal Basis – Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) Health data as stated below Patients may be video or asked to provide photographs with consent. There are restrictions on what the practice can accept photographs of. No photographs of the full face, no intimate areas, no pictures of patients who cannot consent to the process. No pictures of children. Processor – e-Consult, AccuRX</p>
<p>Research</p>	<p>Purpose – We may share anonymous patient information with research companies for the purpose of exploring new ways of providing healthcare and treatment for patients with certain conditions. This data will not be used for any other purpose. Where personal confidential data is shared your consent will need to be required. Where you have opted out of having your identifiable information shared for this Planning or Research your information will not be shared. Legal Basis – Where sharing of personal identifiable data is required the legal basis of Article 6 1 (a) and 9 2 (h) Consent will be required. Where identifiable data is required for research, patient consent will be needed, unless there is a legitimate reason under law to do so or there is support under the Health Service (Control of Patient Information Regulations) 2002 (‘section 251 support’) applying via the Confidentiality Advisory Group in England and Wales Sharing of aggregated non identifiable data is permitted. Processor – <i>currently not applicable</i></p>
<p>Risk Stratification, Preventative Care</p>	<p>Purpose - ‘Risk stratification for case finding’ is a process for identifying and managing patients who have or may be at-risk of health conditions (such as diabetes) or who are most likely to need healthcare services (such as people with frailty). 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 before it develops. Information about you is collected from a number of sources including NHS Trusts, GP Federations and your GP Practice. A risk score is then arrived at through an analysis of your de-identified information. This can help us identify and offer you additional services to improve your health. If you do not wish information about you to be included in any risk stratification programmes, please let us know. We can add a code to your records that will stop your information from being used for this purpose. Please be aware that this may limit the ability of healthcare professionals to identify if you have or are at risk of developing certain serious health conditions.</p>

	<p>Type of Data – Identifiable/Pseudonymised/Anonymised/Aggregate Data</p> <p>Legal Basis UK GDPR Art. 6(1) (e) Public task and Art.9 (2) (h) Health data. The use of identifiable data by ICBs and GPs for risk stratification has been approved by the Secretary of State, through the Confidentiality Advisory Group of the Health Research Authority (approval reference (CAG 7-04)(a)/2013)) and this approval has been extended to the end of September 2022 NHS England Risk Stratification which gives us a statutory legal basis under Section 251 of the NHS Act 2006 to process data for risk stratification purposes which sets aside the duty of confidentiality. We are committed to conducting risk stratification effectively, in ways that are consistent with the laws that protect your confidentiality.</p> <p>Processors – NHS South, Central and West Commissioning Support Unit (SCW); Ardens</p>
Safeguarding Adults	<p>Purpose – We will share personal confidential information with the safeguarding team where there is a need to assess and evaluate any safeguarding concerns and to protect the safety of individuals. Consent may not be required to share information for this purpose.</p> <p>Legal Basis – in some case consent will be required otherwise</p> <ul style="list-style-type: none"> • Article 6(1)(e) ‘...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...’; and • Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine <p>Data Processor – Hampshire County Council/West Berkshire Council</p>
Safeguarding Children	<p>Purpose – We will share children’s personal information where there is a need to assess and evaluate any safeguarding concerns and to protect the safety of children.</p> <p>Legal Basis -</p> <ul style="list-style-type: none"> • Article 6(1)(e) ‘...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...’; and • Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine <p>Consent may not be required to share this information.</p> <p>Data Processors – Hants Safeguarding Team/West Berkshire Referral Centre</p>
Shared Care Record - National	<p>Purpose: In order for the practice to have access to a shared record, the Integrated Care Service has commissioned a number of systems including GP connect, which is managed by NHS Digital, to enable a shared care record, which will assist in patient information to be used for a number of care related services. These may include Population Health Management, Direct Care, and analytics to assist with planning services for the use of the local health population. Where data is used for secondary uses no personal identifiable data will be used. Where personal confidential data is used for Research explicit consent will be required.</p> <p>Legal Basis: Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) Health data as stated below</p> <p>Processor: NHS England and NHS Digital (NHSD)</p>
Shared Care Record	<p>Purpose: In order for the practice to have access to a shared record, the Integrated Care Service has commissioned a number of systems including GP connect, which is managed by NHS England, to enable a shared care record, which will assist in patient information to be used for a number of care related services. These may include Population Health Management, Direct Care, and analytics to assist with planning services for the use of the local health population.</p> <p>Where data is used for secondary uses no personal identifiable data will be used.</p> <p>Where personal confidential data is used for Research explicit consent will be required.</p> <p>Legal Basis: Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) Health data as stated below</p> <p>Processor: NHS England</p>
Smoking cessation	<p>Purpose – personal information is shared for the smoking cessation service to be provided. Only those patients who wish to be party to this service will have their data shared</p> <p>Legal Basis – Article 6 1 (a) and 9 2 (h) consent</p> <p>Processor – SmokefreelifeBerkshire</p>
Summary Care Record,	<p>Purpose – The NHS in England uses a national electronic record called the Summary Care Record</p>

<p><i>including additional information</i></p>	<p>(SCR) to support patient care. It contains key information from your GP record. Your SCR provides authorised healthcare staff with faster, secure access to essential information about you in an emergency when you need urgent and safe care, where such information would otherwise be unavailable.</p> <p>Legal Basis – Direct Care under UK GDPR:</p> <ul style="list-style-type: none"> • Article 6(1)(e) ‘...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...’; and • Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine <p>Patients have the right to opt out of having their information shared with the SCR by completion of the form which can be downloaded here and returned to the practice. Please note that by opting out of having your information shared with the Summary Care Record could result in a delay to care that may be required in an emergency.</p> <p>Processor – NHS England and NHS Digital</p>
<p>Technical Solutions Pseudonymisation</p>	<p>Purpose: Personal confidential and special category data in the form of medical record, is extracted under contract for the purpose of pseudonymisation. This will allow no patient to be identified within the data set that is created. SCWCSU has been commissioned to provide a data processing service for the GPs, no other processing will be undertaken under this contract.</p> <p>Legal Basis: Under UK GDPR the legitimate purpose for this activity is under contract to provide assistance.</p> <p>Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) Health data as stated below</p> <p>Processor: SCWCSU</p>

Lawful basis for processing:

The processing of personal data in the delivery of direct care and for providers’ administrative purposes in this surgery and in support of direct care elsewhere is supported under the following Article 6 and 9 conditions of the UK GDPR:

- Article 6(1)(e) ‘...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...’; and
- Article 9(2)(h) ‘necessary for the purposes of preventative 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...’

We keep our Privacy Notice under regular review and was last reviewed on 16 October 2023