

Privacy Notice for East Barnwell Health Centre

How we use your information to provide you with healthcare

- This practice keeps medical records confidential and complies with the General Data Protection Regulation and UK data protection legislation.
- We hold your medical record so that we can provide you with safe care and treatment.
- We will also use your information so that this practice can check and review the quality of the care we provide. This helps us to improve our services to you.
- We will share relevant information from your medical record with other health or social care staff organisations when they provide you with care. For example, your GP will share information when they refer you to a specialist in a hospital, or your GP will send details about your prescription to your chosen pharmacy.
- We use a medical record system called SystmOne. Other health and social care organisations, for example GP Out of Hours services and community services, who also use this system may have the ability to view your GP medical record when they are providing care to you. You may be asked if you are happy for your record to be viewed, or in some circumstances you may be sent a verification code to allow services caring for you to view your record. You can choose not to allow other organisations to be able to view your GP medical record.
- Healthcare staff working in A&E and out of hours care may also have access to your information. For example, it is important that staff who are treating you in an emergency know if you have any allergic reactions. This information may be obtained from your Summary Care Record or from SystmOne. For more information see <https://digital.nhs.uk/summary-care-records>
- You have the right to request to have any mistakes in your medical record corrected.

Other important information about how your information is used to provide you with healthcare

Registering for NHS care

- All patients who receive NHS care are registered on a national database.
- This database holds your name, address, date of birth and NHS Number but it does not hold medical information about the care you receive.
- The database is held by NHS Digital, a national organisation which has legal responsibilities to hold the NHS register.
- More information can be found at: <https://digital.nhs.uk/services/systems-and-service-delivery/national-health-application-and-infrastructure-services/primary-care-registration> or the phone number for general enquires at NHS Digital is 0300 303 5678

Identifying patients who might be at risk of certain diseases

- Your medical records may be searched by approved computer programmes so that we can identify patients who might be at high risk from certain diseases such as heart disease or unplanned admissions to hospital.
- This means we can offer patients additional care or support as early as possible.
- This process may involve linking information from your GP record with information from other health or social care services you have used.

Safeguarding

- Sometimes we need to share information so that other people, including healthcare staff, children or others with safeguarding needs, are protected from risk of harm.
- These circumstances are rare.
- We do not need your consent or agreement to share information in these circumstances, as we are required to do this.
- Please see local policies for more information: <http://www.safeguardingpeterborough.org.uk/>

We are required by law to provide you with the following information about how we handle your information to provide you with healthcare.

Purpose of the processing

- To provide direct health or social care to individual patients.
- For example, when a patient agrees to a referral for direct care, such as to a hospital, relevant information about the patient will be shared with the other healthcare staff to enable them to give appropriate advice, investigations, treatments and/or care.
- To check and review the quality of care. This is called audit and clinical governance.

Lawful basis for processing

- These purposes are supported under the following sections of the General Data Protection Regulation:

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...”

- Healthcare staff will also respect and comply with their obligations under the common law duty of confidence.

Recipient or categories of recipients of the processed data

The data will be shared with:

- healthcare professionals and staff in this surgery;
 - local hospitals;
 - out of hours services;
 - diagnostic and treatment centres;
 - screening services;
 - or other organisations involved in the provision of direct care to individual patients.
-
- Organisations who help us manage our data for specific purposes, and under formal agreement, include:

Serco-ASP who provide our End of Life Care Dashboard for clinicians caring for patients who are terminally ill. For more information: <http://www.sercoasp.com>

- Cambridgeshire & Peterborough NHS Foundation Trust who help identify patients who are frail and may require additional care services. For more information: <http://www.cpft.nhs.uk>

- ICS Health and Wellbeing who send letters to patients on our behalf, inviting patients to attend a diabetes prevention service where we have identified them as being at risk of developing diabetes. For more information: <https://icshealth.co.uk>

- Health Intelligence who invite our diabetic patients for eye screening. For more information: <https://health-intelligence.com>

- NHS Digital is part of the NHS. It collects, analyses, publishes and shares data to improve everyone’s health and care. [Read more about NHS Digital.](#)

How sharing patient data with NHS Digital helps the NHS and you

The NHS needs data about the patients it treats in order to plan and deliver its services and to ensure that care and treatment provided is safe and effective. The General Practice Data for Planning and Research data collection will help the NHS to improve health and care services for everyone by collecting patient data that can be used to do this. For example patient data can help the NHS to:

- monitor the long-term safety and effectiveness of care
- plan how to deliver better health and care services
- prevent the spread of infectious diseases
- identify new treatments and medicines through health research

GP practices already share patient data for these purposes, but this new data collection will be more efficient and effective.

We have agreed to share the patient data we look after in our practice with NHS Digital who will securely store, analyse, publish and share this patient data to improve health and care services for everyone. This includes:

- informing and developing health and social care policy
- planning and commissioning health and care services
- taking steps to protect public health (including managing and monitoring the coronavirus pandemic)
- in exceptional circumstances, providing you with individual care
- enabling healthcare and scientific research

This means that we can get on with looking after our patients and NHS Digital can provide controlled access to patient data to the NHS and other organisations who need to use it to improve health and care for everyone.

Contributing to research projects will benefit us all as better and safer treatments are introduced more quickly and effectively without compromising your privacy and confidentiality.

NHS Digital has engaged with the [British Medical Association \(BMA\)](#), [Royal College of GPs \(RCGP\)](#) and the [National Data Guardian \(NDG\)](#) to ensure relevant safeguards are in place for patients and GP practices.

What data is shared about you with NHS Digital

This data will be shared from 1 July 2021. Data may be shared from the GP medical records about:

- any living patient registered at a GP practice in England when the collection started - this includes children and adults
- any patient who died after this data sharing started, and was previously registered at a GP practice in England when the data collection started

We will not share your name or where you live. Any other data that could directly identify you, for example your NHS number, General Practice Local Patient Number, full postcode and date of birth, is replaced with unique codes which are produced by de-identification software before the data is shared with NHS Digital.

This process is called pseudonymisation and means that no one will be able to directly identify you in the data. The diagram below helps to explain what this means. Using the terms in the diagram, the data we share would be described as de-personalised.

The data NHS Digital will share

NHS Digital will share structured and coded data from GP medical records that is needed for specific health and social care purposes explained above.

Data that directly identifies you as an individual patient, including your NHS number, General Practice Local Patient Number, full postcode, date of birth and if relevant date of death, is replaced with unique codes produced by de-identification software before it is sent to NHS Digital. This means that no one will be able to directly identify you in the data.

NHS Digital will be able to use the software to convert the unique codes back to data that could directly identify you in certain circumstances, and where there is a valid legal reason. This would mean that the data became personally identifiable in the diagram above. It will still be held securely and protected, including when it is shared by NHS Digital.

Opting out

If you don't want your identifiable patient data (personally identifiable data in the diagram above) to be shared for purposes except for your own care, you can opt-out by registering a Type 1 Opt-out or a National Data Opt-out, or both. These opt-outs are different and they are explained in more detail below. Your individual care will not be affected if you opt out using either option.

Type 1 Opt-out (opting out of NHS Digital collecting your data)

If you do not want your identifiable patient data (personally identifiable data in the diagram above) to be shared outside of the GP practice for purposes except your own care, you can register an opt-out with the GP practice. This is known as a Type 1 Opt-out.

Type 1 Opt-outs were introduced in 2013 for data sharing from GP practices, but may be discontinued in the future as a new opt-out has since been introduced to cover the broader health and care system, called the National Data Opt-out. If this happens, patients who have registered a Type 1 Opt-out will be informed. There is more information about National Data Opt-outs below.

NHS Digital will not collect any patient data for patients who have already registered a Type 1 Opt-in line with current policy. If this changes patients who have registered a Type 1 Opt-out will be informed.

If you do not want your patient data shared with NHS Digital for the purposes above, you can register a Type 1 Opt-out with your GP practice. You can register a Type 1 Opt-out at any time. You can also change your mind at any time and withdraw a Type 1 Opt-out.

Data sharing with NHS Digital will start on 1 July 2021.

If you have already registered a Type 1 Opt-out with your GP practice your data will not be shared with NHS Digital.

If you wish to register a Type 1 Opt-out with your GP practice before data sharing starts with NHS Digital, this should be done by returning this form to your GP practice **by 23 June 2021** to allow time for processing it. If you have previously registered a Type 1 Opt-out and you would like to withdraw this, you can also use the form to do this. You can send the form by post or email to your GP practice or call 0300 3035678 for a form to be sent out to you.

If you register a Type 1 Opt-out after your patient data has already been shared with NHS Digital, no more of your data will be shared with NHS Digital. NHS Digital will however still hold the patient data which was shared with them before you registered the Type 1 Opt-out.

If you do not want NHS Digital to share your identifiable patient data (personally identifiable data in the diagram above) with anyone else for purposes beyond your own care, then you can also register a National Data Opt-out. There is more about National Data Opt-outs and when they apply below.

National Data Opt-out (opting out of NHS Digital sharing your data)

This applies to identifiable patient data about your health (personally identifiable data in the diagram above), which is called confidential patient information. If you don't want your confidential patient information to be shared by NHS Digital with other organisations for purposes except your own care - either GP data, or other data it holds, such as hospital data - you can register a National Data Opt-out.

If you have registered a National Data Opt-out, NHS Digital won't share any confidential patient information about you with other organisations, unless there is an exemption to this, such as where there is a legal requirement or where it is in the public interest to do so, such as helping to manage contagious diseases like coronavirus. You can find out more about exemptions on the NHS website.

From 1 October 2021, the National Data Opt-out will also apply to any confidential patient information shared by the GP practice with other organisations for purposes except your individual care. It won't apply to this data being shared by GP practices with NHS Digital, as it is a legal requirement for us to share this data with NHS Digital and the National Data Opt-out does not apply where there is a legal requirement to share data.

You can find out more about and register a National Data Opt-out, or change your choice on nhs.uk/your-nhs-data-matters or by calling 0300 3035678.

Right to object

- You have the right to request to object to information being shared between organisations who are providing you with direct care.
- This may affect the care you receive.
- You are not able to object to your name, address and other demographic information being sent to, and held by, NHS Digital.
- This is necessary if you wish to be registered to receive NHS care.
- You are not able to object when information is legitimately shared for safeguarding reasons.
- In appropriate circumstances it is a legal and professional requirement to share information for safeguarding reasons. This is to protect people from harm.

- The information will be shared with the local safeguarding service(s).

Data we get from other organisations

- We receive information about your health from other organisations who are involved in providing you with health and social care.
- For example, if you go to hospital for treatment or an operation the hospital will send us a letter to let us know what happens. This means your GP medical record is updated when you receive care from other organisations.

How your information is used for medical research and to measure the quality of care

Medical research using population-based information

We share information from medical records:

- to support medical research when the law allows us to do so, for example to learn more about why people get ill and what treatments might work best;
- we will also use your medical records to carry out research within the practice.

This is important because:

- the use of information from GP medical records is very useful in developing new treatments and medicines;
- medical researchers use information from medical records to help answer important questions about illnesses and disease so that improvements can be made to the care and treatment patients receive.
- We share information with the following medical research organisations with your explicit consent or when the law allows: <https://www.nihr.ac.uk/>
- You have the right to object to your identifiable information being used or shared for medical research purposes.

Medical research trials that individual patients may agree to take part in

- If the practice takes part in a medical research trial, individual patients may be invited to be part of the trial. In order to take part, patients will be asked to consent to their data being used and shared for the particular research trial.

Checking the quality of care – national clinical audits

This practice contributes to national clinical audits so that healthcare can be checked and reviewed.

- Information from medical records can help doctors and other healthcare workers measure and check the quality of care which is provided to you.
- The results of the checks or audits can show where hospitals are doing well and where they need to improve.
- The results of the checks or audits are used to recommend improvements to patient care.
- Data is sent to NHS Digital which is a national body with legal responsibilities to collect data.
- The data will include information about you, such as your NHS Number and date of birth and information about your health which is recorded in coded form - for example the code for diabetes or high blood pressure.
- We will only share your information for national clinical audits or checking purposes when the law allows.
- For more information about national clinical audits see the Healthcare Quality Improvements Partnership website: <https://www.hqip.org.uk/> or phone 020 7997 7370.
- You have the right to object to your identifiable information being shared for national clinical audits.

We are required by law to provide you with the following information about how we handle your information for research.

Purpose of the processing

- Medical research, and to check the quality of care which is given to patients (this is called national clinical audit).

Lawful basis for processing

The following sections of the General Data Protection Regulation mean that we can use medical records for research and to check the quality of care (national clinical audits)

- **Article 6(1)(e)** – ‘processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller’.

For medical research: there are two possible Article 9 conditions.

- **Article 9(2)(a)** – ‘the data subject has given explicit consent...’ (*where an individual has agreed to take part in a specific research trial*)

OR

- **Article 9(2)(j)** – ‘processing is necessary for... scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member States law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights

and interests of the data subject'. (*where data is used for medical research using population based information*)

To check the quality of care (clinical audit):

- **Article 9(2)(h)** – ‘processing is necessary for the purpose of preventative...medicine...the provision of health or social care or treatment or the management of health or social care systems and services...’

Recipient or categories of recipients of the processed data

- For medical research the data will be shared with NHS Digital
- For national clinical audits which check the quality of care the data will be shared with NHS Digital.

How your information is shared so this practice can meet legal requirements

The law requires the practice to share information from your medical records in certain circumstances. Information is shared so that the NHS or Public Health England can, for example:

- plan and manage services;
- check that the care being provided is safe;
- prevent infectious diseases from spreading.

We will share information with NHS Digital, the Care Quality Commission and local health protection team (or Public Health England) when the law requires us to do so. Please see below for more information.

We must also share your information if a court of law orders us to do so.

NHS Digital

- NHS Digital is a national body which has legal responsibilities to collect information about health and social care services.
- It collects information from across the NHS in England and provides reports on how the NHS is performing. These reports help to plan and improve services to patients.
- This practice must comply with the law and will send data to NHS Digital, for example, when it is told to do so by the Secretary of State for Health or NHS England under the Health and Social Care Act 2012.
- More information about NHS Digital and how it uses information can be found at: <https://digital.nhs.uk/home>
- NHS Digital sometimes shares names and addresses of patients suspected of committing immigration offences with the Home Office. More information on this can be found here:

Care Quality Commission (CQC)

- The CQC regulates health and social care services to ensure that safe care is provided.
- The law says that we must report certain serious events to the CQC, for example, when patient safety has been put at risk.
- For more information about the CQC see: <http://www.cqc.org.uk/>

Public Health

- The law requires us to share data for public health reasons, for example to prevent the spread of infectious diseases or other diseases which threaten the health of the population.
- We will report the relevant information to local health protection team or Public Health England.
- For more information about Public Health England and disease reporting see: <https://www.gov.uk/guidance/notifiable-diseases-and-causative-organisms-how-to-report>

We are required by law to provide you with the following information about how we handle your information and our legal obligations to share data.

Purpose of the processing

- Compliance with legal obligations or court order.

Lawful basis for processing

The following sections of the General Data Protection Regulation mean that we can share information when the law tells us to:

- **Article 6(1)(c)** – ‘processing is necessary for compliance with a legal obligation to which the controller is subject...’
- **Article 9(2)(h)** – ‘processing is necessary for the purpose of preventative...medicine...the provision of health or social care or treatment or the management of health or social care systems and services...’

Recipient or categories of recipients of the processed data

- The data will be shared with NHS Digital.
- The data will be shared with the Care Quality Commission.
- The data will be shared with our local health protection team or Public Health England.
- The data will be shared with the court if ordered.

Rights to object and the national data opt-out

- There are very limited rights to object when the law requires information to be shared but government policy allows some rights of objection as set out below.

NHS Digital

- You have the right to object to your identifiable information being shared with NHS Digital for reasons other than your own direct care. .

NHS Digital sharing with the Home Office

- There is no right of objection to NHS Digital sharing names and addresses of patients who are suspected of having committed an immigration offence.

Public health

- Legally information must be shared under public health legislation. This means that you are unable to object.

Care Quality Commission

- Legally information must be shared when the Care Quality Commission needs it for their regulatory functions. This means that you are unable to object.

Court order

- Your information must be shared if it ordered by a court. This means that you are unable to object.

National screening programmes

- The NHS provides national screening programmes so that certain diseases can be detected at an early stage.
- These screening programmes include bowel cancer, breast cancer, cervical cancer, aortic aneurysms and a diabetic eye screening service.
- The law allows us to share your contact information with Public Health England so that you can be invited to the relevant screening programme.
- More information can be found at: <https://www.gov.uk/topic/population-screening-programmes>

We are required by law to provide you with the following information about how we handle your information in relation to our legal obligations to share data.

Purpose of the processing

- The NHS provides several national health screening programmes to detect diseases or conditions early such as cervical and breast cancer, aortic aneurysm and diabetes.
- The information is shared so that the correct people are invited for screening. This means those who are most at risk can be offered treatment.

Lawful basis for processing

The following sections of the General Data Protection Regulation allow us to contact patients for screening:

- **Article 6(1)(e)** – ‘processing is necessary...in the exercise of official authority vested in the controller...’
- **Article 9(2)(h)** – ‘processing is necessary for the purpose of preventative...medicine...the provision of health or social care or treatment or the management of health or social care systems and services...’

Recipient or categories of recipients of the processed data

- The data will be shared with NHS Digital, hospital laboratory services, local breast screening units.
- The Practice shares your diabetes related data with the Diabetic Eye Screening Programme operated by Health Intelligence (commissioned by NHS England). This supports your invitation for eye screening (where you are eligible and referred by the Practice) and ongoing care by the screening programme. This data may be shared with any Hospital Eye Services you are under the care of to support further treatment and with other healthcare professionals involved in your care, for example your Diabetologist.
For further information, take a look at Health Intelligence’s Privacy Notice on the diabetic eye screening website: www.eadesp.co.uk

Rights to object

- For national screening programmes you can opt so that you no longer receive an invitation to a screening programme.

- See: <https://www.gov.uk/government/publications/opting-out-of-the-nhs-population-screening-programmes>

Data we get from other organisations

- We receive information about your screening test results from other organisations who are involved in providing these services.
- This means your GP medical record is updated with screening results.

Data we hold about you

We hold data about you in electronic and paper records. We use a combination of working practices and technology to ensure that your information is kept confidential and secure.

The type of data that we hold about you may include the following:

- Details about you, such as your address and next of kin;
 - Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments, etc.
 - Notes and reports about your health;
 - Details about your treatment and care;
 - Results of investigations, such as laboratory tests, x-rays, etc.
 - Relevant information from other health professionals, relatives or those who care for you.
- Your medical record is held in a computer system called SystmOne. This system is provided to us under a National contract. Your data is held and managed in secure data centres by TPP. For more information: <https://www.tpp-uk.com/>

SMS and Email

- We will hold your mobile phone number and email address where you have provided these to us.
- We may use these to send you text messages or emails about your care, for example, messages about appointments, test results, or inviting you to attend for a clinic.
- You have the right to provide your mobile number for calls only. If you do not wish to receive text messages from us, please speak to the practice so we can add this to your record to prevent text messages being sent to you.
- You have the right to have your email address or mobile phone number removed from your GP record.
- We will only use the email address or mobile phone number for direct medical care purposes, unless you have provided us with your explicit consent to email you for other purposes as well,

for example, for us to send you surgery newsletters, details from patient participation group meetings, or details about new services.

- If you provide your consent for us to send you information other than for your direct care, you can remove this consent at any time.

Right to access and correct

- You have the right to access the data we hold about you, and request to have any errors or mistakes corrected. Please speak to a member of staff or look at our “subject access request” policy on the practice website: www.eastbarnwellhealthcentre.co.uk
- We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view.

Retention period

- GP medical records will be kept in line with the law and national guidance. Information on how long records are kept can be found at: <https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016>

Right to complain

- If you have concerns about the way we manage your data. Please contact Barbara Caldwell, Practice Manager
- You have the right to seek independent advice about data protection, as well as the right to complain, by contacting the Information Commissioner’s Office. <https://ico.org.uk/global/contact-us/> or call the helpline **0303 123 1113**

Data Controller contact details

East Barnwell Health Centre, Ditton Lane, Cambridge, CB5 8SP

Tel: 01223 728900

Data Protection Registration Number

Z5593427

Data Protection Officer

Cambridgeshire and Peterborough CCG, Lockton House, Clarendon Road, Cambridge, CB2 8FH

Email address: CAPCCG.DataProtectionOfficer@nhs.net

Date last reviewed or updated

26th May 2021