**PRIVACY POLICY FOR PATIENTS**

**How Gladstone House Surgery uses your information to provide you with healthcare**

**Gladstone House Surgery keeps medical records confidential and complies with the General Data Protection Regulation.**

**We hold your medical record so that we can provide you with safe care and treatment.**

**We will also use your information so that Gladstone House Surgery 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 or 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.
* More information on how we share your information with organisations who are directly involved in your care can be found here. <https://www.greatnorthcarerecord.org.uk>
* Healthcare staff working in A&E and out of hours care will 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 will involve the use of your Summary Care Record. For more information see: <https://digital.nhs.uk/summary-care-records> or alternatively speak to your practice.
* You have the right to object to information being shared for your own care. Please speak to the practice if you wish to object. You also have the right to have any mistakes or errors corrected.

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

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| **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 information about the care you receive.
* The database is held by NHS Digital, a national organisation which has legal responsibilities to collect NHS data.
* More information can be found at: <https://digital.nhs.uk/> or the phone number for general enquires at NHS Digital is 0300 303 5678.
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| **Identifying patients who might be at risk of certain diseases*** Your medical records will be searched by a computer programme 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 will involve linking information from your GP record with information from other health or social care services you have used.
* Information which identifies you will only be seen by this practice.
* More information can be found at: <https://www.raidr.co.uk>

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| **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 do this.
* More information can be found at: <https://www.teescpp.org.uk>
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**How your information is used for medical research and to measure the quality of care**

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| **Medical research**Gladstone House Surgery, may from time to time, 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 medical research organisations with your explicit consent or when the law allows.You have the right to object to your identifiable information being used or shared for medical research purposes. Please speak to the practice if you wish to “opt-out”.  |

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| **Checking the quality of care - national clinical audits**Gladstone House Surgery 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 are sent to NHS Digital, 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. Please contact the practice if you wish to “opt-out” of this service.
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**How your information is shared so that this practice can meet legal requirements**

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| The law requires Gladstone House Surgery 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> |

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| **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/>
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| **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>
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**National screening programmes**

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

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| **Data Controller** contact details | Gladstone House Surgery The Health CentreVictoria RoadHartlepoolTS26 8DF |
| **Data Protection Officer** contact details | Liane CotterillSenior Governance Manager & Data Protection OfficerNorth of England Commissioning SupportTeesdale HouseWestpoint RoadThornabyStockton-on-TeesTS17 6BL |
| **Purpose** of the processing | * To give 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).
* Medical research and to check the quality of care which is given to patients (this is called national clinical audit).
* Compliance with legal obligations or court order.
* 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.
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| **Lawful basis** for processing | These purposes are supported under the following sections of the GDPR:*Article 6(1)(c) – ‘processing is necessary for compliance with a legal obligation to which the controller is subject…’**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’* *Article 9(2)(a) – ‘the data subject has given explicit consent…’**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’.**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;
* or other organisations involved in the provision of direct care to individual patients.
* Public Health England
* Lexacom
* PEP Mail
* Scan & Collate
* TTP
* RAIDR
* Headland

For medical research the data will be shared with organisations who have received your explicit consent.For national clinical audits which check the quality of care 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.The data will be shared with relevant local service providers.  |
| **Rights to object** | * You have the right to object to information being shared between those who are providing you with direct care.
* This may affect the care you receive – please speak to the practice.

NHS Digital * You are not able to object to your name, address and other demographic information being sent to NHS Digital.
* This is necessary if you wish to be registered to receive NHS care.

Safeguarding* 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 Tees Local Safeguarding Children Boards.

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.
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| **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 information being shared with NHS Digital for reasons other than your own direct care. •This is called a ‘Type 1’ objection – you can ask your practice to apply this code to your record. •Please note: The ‘Type 1’ objection, however, will no longer be available after 2020. •This means you will not be able to object to your data being shared with NHS Digital when it is legally required under the Health and Social Care Act 2012.Medical ResearchYou have a right to object under the GDPR and the right to ‘opt-out’ under the national data opt-out model. The national data opt-out model provides an easy way for you to opt-out of information that identifies you being used or shared for medical research purposes and quality checking or audit purposes. Please contact the practice if you wish to opt-out.National Screening ProgrammesFor 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> National data opt-outTo opt-out of your identifiable information being shared for medical research or to find out more about your opt-out choices please go to NHS Digital’s website: <https://digital.nhs.uk/services/national-data-opt-out-programme>  |
| **Right to access and correct** | * You have the right to access your medical record and 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.
* 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.
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| **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** | You have the right to complain to the Information Commissioner’s Office. If you wish to complain follow this link <https://ico.org.uk/global/contact-us/> or call the helpline **0303 123 1113** |
| **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 kept up-to date when you receive care from other parts of the health service. |

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| **How the NHS and care services use your information**Gladstone House Surgery is one of many organisations working in the health and care system to improve care for patients and the public. 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 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 • preventing illness and diseases• monitoring safety• planning servicesThis 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. Most of the time, anonymised data is used for research and planning so that you cannot be identified in which case your confidential patient information isn’t needed.You have a choice about whether you want your confidential patient information to be used in this way. If you are happy with this use of information you do not need to do anything. If you do choose to opt out your confidential patient information will still be used to support your individual care.To find out more or to register your choice to opt out, please visit www.nhs.uk/your-nhs-data-matters. On this web page you will:• See what is meant by confidential patient information• Find examples of when confidential patient information is used for individual care and examples of when it is used for purposes beyond individual care• Find out more about the benefits of sharing data• Understand more about who uses the data• Find out how your data is protected• Be able to access the system to view, set or change your opt-out setting• Find the contact telephone number if you want to know any more or to set/change your opt-out by phone • See the situations where the opt-out will not applyYou can also find out more about how patient information is used at:https://www.hra.nhs.uk/information-about-patients/ (which covers health and care research); andhttps://understandingpatientdata.org.uk/what-you-need-know (which covers how and why patient information is used, the safeguards and how decisions are made)You can change your mind about your choice at any time.Data being used or shared for purposes beyond individual care does not include your data being shared with insurance companies or used for marketing purposes and data would only be used in this way with your specific agreement.**Supplementary privacy note on Covid-19 for Patients/Service Users**Covid-19 and your information - Updated on 8th April 2020This notice describes how we may use your information to protect you and others during the Covid-19 outbreak. This supplements our main Privacy Notice. The health and social care system is facing significant pressures due to the Covid-19 outbreak. Health and care information is essential to deliver care to individuals, to support health and social care services and to protect public health. Information will also be vital in researching, monitoring, tracking and managing the outbreak. In the current emergency it has become even more important to share health and care information across relevant organisations.Existing law which allows confidential patient information to be used and shared appropriately and lawfully in a public health emergency is being used during this outbreak. Using this law the Secretary of State has required NHS Digital; NHS England and Improvement; Arms Length Bodies (such as Public Health England); local authorities; health organisations and GPs to share confidential patient information to respond to the Covid-19 outbreak. Any information used or shared during the Covid-19 outbreak will be limited to the period of the outbreak unless there is another legal basis to use the data. Further information is available on gov.uk here and some FAQs on this law are available here.During this period of emergency, opt-outs will not generally apply to the data used to support the Covid-19 outbreak, due to the public interest in sharing information. This includes National Data Opt-outs. However in relation to the Summary Care Record, existing choices will be respected. Where data is used and shared under these laws your right to have personal data erased will also not apply. It may also take us longer to respond to Subject Access requests, Freedom of Information requests and new opt-out requests whilst we focus our efforts on responding to the outbreak.In order to look after your health and care needs we may share your confidential patient information including health and care records with clinical and non clinical staff in other health and care providers, for example neighbouring GP practices, hospitals and NHS 111. We may also use the details we have to send public health messages to you, either by phone, text or email. During this period of emergency we may offer you a consultation via telephone or video-conferencing. By accepting the invitation and entering the consultation you are consenting to this. Your personal/confidential patient information will be safeguarded in the same way it would with any other consultation.We will also be required to share personal/confidential patient information with health and care organisations and other bodies engaged in disease surveillance for the purposes ofprotecting public health, providing healthcare services to the public and monitoring andmanaging the outbreak. Further information about how health and care data is being used and shared by other NHS and social care organisations in a variety of ways to support the Covid-19 response is here. NHS England and Improvement and NHSX have developed a single, secure store to gather data from across the health and care system to inform the Covid-19 response. This includes data already collected by NHS England, NHS Improvement, Public Health England and NHS Digital. New data will include 999 call data, data about hospital occupancy and A&E capacity data as well as data provided by patients themselves. All the data held in the platform is subject to strict controls that meet the requirements of data protection legislation. In such circumstances where you tell us you’re experiencing Covid-19 symptoms we may need to collect specific health data about you. Where we need to do so, we will not collect more information than we require and we will ensure that any information collected is treated with the appropriate safeguards. We may amend this privacy notice at any time so please review it frequently. The date at the top of this section will be amended each time this notice is updated.**Remote Consultations**“You may be offered a remote consultation as an alternative to attending the practice in person. If you agree to a remote consultation the GP or healthcare professional may need to receive and store images taken by patients for clinical purposes; this could include images for the purpose of intimate clinical assessment. This will only be done in the interests of the patient where it is necessary for providing health care and with patient consent. The approach to video consulting, image sharing, and storage is the same as it would be for face to face interactions. If we need to store images on your GP record this will be only for as long as necessary. It is a patient’s choice to share an image either of a patient’s own accord or on request of the health professional treating you. Refusal to share an image does not prevent access to care and treatment or result in patients receiving an inferior standard of care. Further details about how remote consultation works can be obtained by contacting the practice. ” |