

AVON VALLEY PRACTICE

Privacy Notice

We understand how important it is to keep your personal information safe and secure and we take this very seriously. We have taken steps to make sure your personal information is looked after in the best possible way and we review this regularly.

Please read this privacy notice ('Privacy Notice') carefully, as it contains important information about how we use the personal and healthcare information we collect on your behalf.

1. WHY WE ARE PROVIDING THIS PRIVACY NOTICE

We are required to provide you with this Privacy Notice by Law. It explains how we use the personal and healthcare information we collect, store and hold about you. If you are unclear about how we process or use your personal and healthcare information, or you have any questions about this Privacy Notice or any other issue regarding your personal and healthcare information, then please do contact our **Data Protection Officer** (details below).

The Law says:

- A. We must let you know why we collect personal and healthcare information about you;
- B. We must let you know how we use any personal and/or healthcare information we hold on you;
- C. We need to inform you in respect of what we do with it;
- D. We need to tell you about who we share it with or pass it on to and why; and
- E. We need to let you know how long we can keep it for.

2. THE DATA PROTECTION OFFICER

The Data Protection Officer at the Surgery is Anna Morton. You can contact them using avonvalley.practice@nhs.net if:

- You have any questions about how your information is being held;
- If you require access to your information or if you wish to make a change to your information, please make your request to 'SAR administration';
- If you wish to make a complaint about anything to do with the personal and healthcare information we hold about you;
- Or any other query relating to this Policy and your rights as a patient.

3. ABOUT US

We, at Avon Valley Practice ('**the Practice**') situated at Upavon Surgery, 43 Fairfield, Upavon, SN9 6DZ and Durrington Surgery, 77 Bulford Road, Durrington, SP4 8EU, are a **Data Controller** of your information. This means we are responsible for collecting, storing and handling your personal and healthcare information when you register with us as a patient.

The Practice is registered as a data controller under the Data Protection Act 1998. The registration number is **Z6273252** and can be viewed online in the public register at http://ico.org.uk/what_we_cover/register_of_data_controllers

There may be times where we also process your information. That means we use it for a particular purpose and, therefore, on those occasions we may also be **Data Processors**. The purposes for which we use your information are set out in this Privacy Notice.

4. INFORMATION WE COLLECT FROM YOU

The information we collect from you will include:

- A. Your contact details (such as your name, address and email address, including place of work and work contact details, legal representative);
- B. Proof of identity;
- C. Details and contact numbers of your next of kin / emergency contacts;
- D. Your age, gender, ethnicity;
- E. Details in relation to your medical and social history;
- F. Any contact the Practice has had with you, e.g. reasons for appointments, visits, telephone calls
- G. Medical notes and details of investigations, diagnosis, treatment, management planning and consultations with our GPs and other health professionals within the Practice involved in your direct healthcare.

5. CCTV

We have CCTV in place in both surgeries covering entrances, waiting rooms, receptions and dispensaries. It is used solely to keep people and property safe. We do not use CCTV to collect evidence to inform other decisions. The Practice follows the ICO code of Practice (<https://ico.org.uk/media/1542/cctv-code-of-practice.pdf>).

6. INFORMATION ABOUT YOU FROM OTHERS

We also collect personal information about you when it is sent to us to facilitate provision of healthcare services from the following:

- A. A hospital, a consultant or any other medical or healthcare professional, or any other person involved with your general healthcare and welfare or those you may be caring for
- B. Notes and details of investigations, diagnosis, treatment, management planning and consultations about your health
- C. Relevant information from other health professionals, relatives or those who care for you
- D. Social Care Services
- E. Police, Court Orders and Fire and Rescue

7. YOUR SUMMARY CARE RECORD

Your Summary Care Record (SCR) is an electronic record of your healthcare history (and other relevant personal information) held on a national healthcare records database provided and facilitated by NHS England. In its basic form, referred to as the Core SCR, only medications, allergies and adverse reactions are included.

This record may be shared with other healthcare professionals and additions to this record may also be made by relevant healthcare professionals and organisations involved in your direct healthcare.

You may have the right to demand that this record is not shared with anyone who is not involved in the provision of your direct healthcare. If you wish to enquire further as to your rights in respect of not sharing information on this record then please contact our Data Protection Officer.

To find out more about the wider use of confidential personal information and to register your choice to opt out if you do not want your data to be used in this way, please visit www.nhs.uk/my-data-choice.

You can enrich your SCR by giving consent to the Practice to include the following additional information:

- Significant medical history (past and present)
- Reason for medication
- Anticipatory care information (such as information about the management of long term conditions)
- End of life care
- Immunisations

Giving consent to the Practice to create a SCR with additional information means that more relevant information is available wherever you are receiving treatment in the NHS. This will:

- Improve the flow of information across the health and care system
- Increase safety and efficiency
- Improve care

It is particularly useful if you have complex or long term conditions, or are reaching end of life.

Note if you do choose to opt out, you can still consent to your data being used for specific purposes. However, if you are happy with this use of information you do not need to do anything. You may however change your choice at any time.

8. WHO WE MAY PROVIDE YOUR PERSONAL INFORMATION TO, AND WHY

Whenever you use a health or care service, such as attending Accident & Emergency or using Community Care Services, important information about you is collected to help ensure you get the best possible care and treatment. This information may be passed to other approved organisations where there is a legal basis, to help with planning services, improving care, research into developing new treatments and preventing illness. All of this helps in providing better care to you and your family and future generations. However, as explained in this privacy notice, confidential information about your health and care is only used in this way where allowed by law and would never be used for any other purpose without your clear and explicit consent.

We may pass your personal information on to the following people or organisations, because these organisations may require your information to assist them in the provision of your direct healthcare needs. It, therefore, may be important for them to be able to access your information in order to ensure they may properly deliver their services to you:

- A. Hospital professionals (such as doctors, consultants, nurses, etc);
- B. Urgent care professionals (such as doctors, nurses etc);
- C. Pharmacists, Opticians and Dentists;
- D. Nurses and other healthcare professionals;
- E. MJOG. We use a communication system called MJOG to provide your appointment reminders and healthcare campaigns messages and to obtain and process your feedback. MJOG requires your mobile number and date and time of appointment to operate however we do not store data on

MJOG and any personal data collected via the MJOG tool is deleted once it has been added to your clinical record. We do not ask for any personal identifiable information in user surveys. MJOG Ltd's privacy policy can be viewed online <https://www.mjog.com/privacy-policy/>;

- F. Docmail. The Practice shares personal information with a printing and mailing services provider called CFH Total Document Management Ltd, trading as Docmail, in order to print and dispatch letters to patients on our behalf. The system can be found online at www.docmail.co.uk and requires a secure user name and password for the Practice to log on and upload our letters and address lists to create the printed output for despatch to Royal Mail. This arrangement is governed by a legally binding contract, is fully compliant with the Data Protection Act 1988 and has been set up in accordance with guidance from the Department of Health and the Information Commissioners Office. Docmail's privacy policy can be viewed online <https://www.cfhdocmail.com/live/privacy.aspx>;
- G. Any other person that is involved in providing services related to your general healthcare and welfare, including mental health professionals.

9. OTHER PEOPLE WHO WE PROVIDE YOUR INFORMATION TO

- A. Commissioners;
- B. Clinical Commissioning Groups including referral management services to process referrals to other NHS organisations and associated services and medicine management;
- C. Local authorities including Social Care and Education;
- D. Community health services;
- E. National screening services e.g. cervical, breast and bowel cancer screening programmes, child immunisations and retinal screening
- F. For the purposes of complying with the law e.g. CQC, Public Health England, Police, Fire and Rescue, Solicitors, Insurance Companies;
- G. Anyone you have given your consent to, to view or receive your record, or part of your record. **Please note, if you give another person or organisation consent to access your record we will need to contact you to verify your consent before we release that record. It is important that you are clear and understand how much and what aspects of, your record you give consent to be disclosed.**
- H. **Data Extraction by the Clinical Commissioning Group and local GP Federations** – the clinical commissioning group and local GP Federation (Solstice Health Ltd) at times extracts medical information about you, but the information we pass to them via our computer systems **cannot identify you to them**. This information only refers to you by way of a code that only your Practice can identify (it is pseudo-anonymised). This therefore protects you from anyone who may have access to this information at the Clinical Commissioning Group from **ever** identifying you as a result of seeing the medical information and we will **never** give them the information that would enable them to do this.

There are good reasons why the Clinical commissioning Group may require this pseudo-anonymised information, these are as follows:

- To evaluate service provision, patient outcomes and key performance indicators to determine quality of care and value for money
- To evaluate the appropriateness and cost effectiveness of prescribing

- To calculate service costs
 - To identify need/opportunity for improvement
- I. **Risk stratification** – Risk stratification data tools are increasingly being used in the NHS to help determine a person’s risk of suffering a particular condition, preventing an unplanned or (re)admission and identifying a need for preventive intervention. Information about you is collected from a number of sources including NHS Trusts and from the Practice. A risk score is then arrived at through an analysis of your de-identified information and is only provided back to the Practice as Data Controller in an identifiable form. Risk stratification enables the Practice to focus on preventing ill health and not just the treatment of sickness. If necessary, the Practice may be able to offer you additional services. Please note that you have the right to opt out. Further information about risk stratification is available from: [www.england.nhs.uk/ourwork/tsd/ig/risk-stratification /](http://www.england.nhs.uk/ourwork/tsd/ig/risk-stratification/)

10. ANONYMISED INFORMATION

Sometimes we may provide information about you in an anonymised form. If we do so, then none of the information we provide to any other party will identify you as an individual and cannot be traced back to you.

11. YOUR RIGHTS AS A PATIENT

The Law gives you certain rights to your personal and healthcare information that we hold, as set out below:

A. Access and Subject Access Requests

You have the right to see what information we hold about you and to request a copy of this information. If you would like a copy of the information we hold about you please email avonvalley.practice@nhs.net. We will provide this information free of charge however, we may in some **limited and exceptional** circumstances have to make an administrative charge for any extra copies if the information requested is excessive, complex or repetitive.

We have one month to reply to you and give you the information that you require. We would ask, therefore, that any requests you make are in writing and it is made clear to us what and how much information you require.

B. Online Access

You may ask us if you wish to have online access to your medical record. However, there will be certain protocols that we have to follow in order to give you online access, including written consent and production of documents that prove your identity.

Please note that when we give you online access, the responsibility is yours to make sure that you keep your information safe and secure if you do not wish any third party to gain access.

C. Correction

We want to make sure that your personal information is accurate and up to date. You may ask us to correct any information you think is inaccurate. It is very important that you make sure you tell us if your contact details including your email address and mobile phone number has changed.

D. Removal

You have the right to ask for your information to be removed however, if we require this information to assist us in providing you with appropriate medical services and diagnosis for your healthcare, then removal may not be possible.

E. Objection

We cannot share your information with anyone else for a purpose that is not directly related to your health, e.g. medical research, educational purposes, etc. We would ask you for your consent in order to do this however, you have the right to request that your personal and healthcare information is not shared by the Practice in this way. Please note the Anonymised Information section in this Privacy Notice.

F. Transfer

You have the right to request that your personal and/or healthcare information is transferred, in an electronic form (or other form), to another organisation, but we will require your clear consent to be able to do this.

12. THIRD PARTIES MENTIONED ON YOUR MEDICAL RECORD

Sometimes we record information about third parties mentioned by you to us during any consultation. We are under an obligation to make sure we also protect that third party's rights as an individual and to ensure that references to them which may breach their rights to confidentiality, are removed before we send any information to any other party including yourself. Third parties can include: spouses, partners, and other family members.

13. HOW WE USE THE INFORMATION ABOUT YOU

We use your personal and healthcare information in the following ways:

- A. When we need to speak to, or contact other doctors, consultants, nurses or any other medical/healthcare professional or organisation during the course of your diagnosis or treatment or on going healthcare;
- B. When we are required by Law to hand over your information to any other organisation, such as the police, by court order, solicitors, or immigration enforcement.
- C. In accordance with Law and associated regulations
 - General Data Protection Regulation 2018
 - Data Protection Act 2018
 - Human Rights Act 1998
 - Common Law Duty of Confidentiality
 - Health and Social Care Act 2012
 - NHS Codes of Confidentiality, Information Security and Records Management
 - Information: To Share or Not to Share Review

We will never pass on your personal information to anyone else who does not need it, or has no right to it, unless you give us clear consent to do so.

14. LEGAL JUSTIFICATION FOR COLLECTING AND USING YOUR INFORMATION

The Law says we need a **legal basis** to handle your personal and healthcare information.

CONTRACT: We have a contract with NHS England to deliver healthcare services to you. This contract provides that we are under a legal obligation to ensure that we deliver medical and healthcare services to the public.

CONSENT: Sometimes we also rely on the fact that you give us consent to use your personal and healthcare information so that we can take care of your healthcare needs.

Please note that you have the right to withdraw consent at any time if you no longer wish to receive services from us.

NECESSARY CARE: Providing you with the appropriate healthcare, where necessary. The Law refers to this as 'protecting your vital interests' where you may be in a position not to be able to consent.

LAW: Sometimes the Law obliges us to provide your information to an organisation (see above).

15. SPECIAL CATEGORIES

The Law states that personal information about your health falls into a special category of information because it is very sensitive. Reasons that may entitle us to use and process your information may be as follows:

PUBLIC INTEREST: Where we may need to handle your personal information when it is considered to be in the public interest. For example, when there is an outbreak of a specific disease and we need to contact you for treatment, or we need to pass your information to relevant organisations to ensure you receive advice and/or treatment;

CONSENT: When you have given us consent;

VITAL INTEREST: If you are incapable of giving consent, and we have to use your information to protect your vital interests (e.g. if you have had an accident and you need emergency treatment);

DEFENDING A CLAIM: If we need your information to defend a legal claim against us by you, or by another party;

PROVIDING YOU WITH MEDICAL CARE: Where we need your information to provide you with medical and healthcare services

16. HOW LONG WE KEEP YOUR PERSONAL INFORMATION

We carefully consider any personal information that we store about you, and we will not keep your information for longer than is necessary for the purposes as set out in this Privacy Notice.

17. UNDER 16s

We are currently working on a privacy notice for children aged 15 and under. In the meantime, if you are under 16 years old and would like this privacy notice explained to you, please contact our Data Protection Officer.

18. IF ENGLISH IS NOT YOUR FIRST LANGUAGE

If English is not your first language you can request a translation of this Privacy Notice. Please contact our Data Protection Officer.

19. COMPLAINTS

If you have a concern about the way we handle your personal data or you have a complaint about what we are doing, or how we have used or handled your personal and/or healthcare information, then please contact our Data Protection Officer.

However, you have a right to raise any concern or complaint with the UK information regulator, at the Information Commissioner's Office: <https://ico.org.uk/>.

20. OUR WEBSITE

The only website this Privacy Notice applies to is the Practice's website (www.avonvalleypractice.com). If you use a link to any other website from the Practice's website then you will need to read their respective privacy notice. We take no responsibility (legal or otherwise) for the content of other websites.

21. COOKIES

The Practice's website does not use cookies to track your activity online. For more information on which cookies we use, please visit <http://www.mysurgerywebsite.co.uk/disclaimer.htm>

22. SECURITY

We take the security of your information very seriously and we do everything we can to ensure that your information is always protected and secure. We regularly update our processes and systems and we also ensure that our staff are properly trained. We also carry out assessments and audits of the information that we hold about you and make sure that if we provide any other services, we carry out proper assessments and security reviews.

23. TEXT MESSAGING, EMAILING AND CONTACTING YOU

Because we are obliged to protect any confidential information we hold about you and we take this very seriously, it is imperative that you let us know immediately if you change any of your contact details.

We may contact you using emailing or SMS texting to your mobile phone in the event that we need to notify you about appointments and other services that we provide to you involving your direct care, therefore you must ensure that we have your up to date details. This is to ensure we are sure we are actually contacting you and not another person.

24. WHERE TO FIND OUR PRIVACY NOTICE

You may find a copy of this Privacy Notice in the Practice's reception, on our website (www.avonvalleypractice.com), or a copy may be provided on request.

25. CHANGES TO OUR PRIVACY NOTICE

We regularly review and update our Privacy Notice. This Privacy Notice was last updated on 25th May 2018.