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Bowling Highfield Medical Practice
Privacy Notice
May 2018

How We Use Your Personal Information

This fair processing notice explains why Bowling Highfield Medical Practice collects information about you and how that information may be used.

The health care professionals who provide you with care maintain records about your health and any treatment or care you have received previously (e.g. NHS Trust, GP Surgery, Walk-in clinic, etc.). These records help us and other healthcare professionals to provide you with the best possible care.

NHS health records may be electronic, on paper or often a mixture of both, and we use a combination of working practices and technology to ensure that your information is kept confidential and secure. Records which Bowling Highfield Medical Practice hold about you may include the following information;

- Details about you, such as your address, carer, legal representative, emergency contact details
- 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

To ensure you receive the best possible care, your records are used to facilitate the care you receive. Information held about you may be used to help protect the health of the public and to help us manage the NHS. Information may be used within the GP practice for clinical audit to monitor the quality of the service provided.

Some of this information will be held centrally and used for statistical purposes. Where we do this, we take strict measures to ensure that the information is anonymous and that individual patients cannot be identified. Sometimes your information may be requested to be used for research purposes – the surgery will always gain your consent before releasing the information for this purpose.

How we share your personal data [our practice default]

As your GP practice we have set the following practice settings for all our registered patients whose detailed electronic health record is in our possession and within the clinical computer system, SystemOne. However, we recognise that each of our patients have differing health care needs and you may wish to control yourself how your personal data is shared. This can be done via '**Your Choice**' stated below.

A) Implied consent to make your record available to all organisations (without verification/security process) for direct care purposes

We assume that you are happy to share your detailed electronic health record to those that care for you. We therefore, make your record available to all NHS commissioned services using the clinical record computer system, SystemOne. This allows for anyone at these organisations who have the appropriate controls to retrieve your electronic record once you are registered for care. However, these individuals should only legitimately access your record to provide you with care services. They must also record your permission to view your record.

AND/OR

B) Explicit consent to make your record available to all organisations (without verification/security code process) for direct care purposes

We will obtain your explicit consent (permission) to share your detailed electronic health record to those that care for you. By providing your permission, we make your record available to all NHS commissioned services using the clinical record computer system, SystemOne. This allows for anyone at these organisations who have the appropriate controls to retrieve your electronic record, once you are registered for care. However, these individuals should only legitimately access your record to provide you with care services. They must also record your permission to view your record.

Your individual sharing preference will overwrite our organisation's default sharing setting.

Example of services who might need to view your record

The types of organisation who could be involved in your direct care and therefore need access to your electronic record are:

- All GP practices
- Referral triage and Out of Hours call centres (services determining which organisations should care for you)
- Child Health
- Urgent Care (for example A&E, Minor Injury Units and Out of Hours services)
- Palliative Care
- Prisons and custody suites or offender health
- Substance misuse service
- All NHS hospitals – acute and community
- Bradford Teaching Hospitals Foundation Trust
- Bradford District Care Trust services
- NHS Mental Health Services
- Community pharmacies

The full list of organisations can be seen and updated in your patient online record.

To find out more about these types of organisations please go to the following webpage: <http://www.tpp-uk.com/products/systmone/modules> or talk to a member of your GP practice.

If at any point in the future you are not happy to share your electronic record in this way, please let us know as soon as possible.

Your choice

You may not agree with the health and social care organisations we have chosen to have access to your detailed electronic health record (the practice default). You can therefore control this yourself. **Your choice will override our settings.** You have the following options:

- **No organisations require you to provide a security code (Allowed List)** - You can give your permission to allow all NHS commissioned services and local authorities providing health services, using the clinical record computer system, SystmOne, to access your record. This allows for any individual at these organisations (who have the appropriate access controls) to retrieve your electronic record, only after you are registered with them for care. These individuals should only legitimately access your record to provide you with care services and they should always request and gain your consent before doing so.
- **All organisations require you to provide a security code (Verification List)** - You can require that all health organisations must ask you for a PIN number on your first visit to that service. This allows you to verify/confirm that each individual organisation should have access to your record, as they are legitimately involved in your care. You will require access to either a mobile phone or email account, as a PIN will be sent to you. Alternatively, you will need access to SystmOnline to accept or reject a share request sent to your account by the organisation wishing to view your record. *Please contact your GP if you are not enabled for SystmOnline.*
- **Custom lists** - You can put together your own custom lists for access, adding organisations to each of 3 lists i.e. does not require a security code (allowed list), requires a security code (verification list) and cannot access (prohibited list). The functionality for each list will act as described above, but it is you who can determine the level of access, which applies to them. This should be done in conjunction with your GP to ensure you understand the full implications of your decisions.
- **Dissent/Refusal of your permission** - You can refuse your permission for your record to become available to all NHS commissioned services and local authorities providing health services, using the clinical record computer system, SystmOne, which prevents us sharing your clinical record to any other organisation involved in your care. *Please carefully consider the benefits of sharing your record before choosing this option.*

- **Marking items as private** – If you have had a consultation about a particularly sensitive matter, you can ask for this section of your record to be marked as private. That way, even if you consent for another service to see your record, that consultation will not be shown outside the organisation that recorded it.

You can make changes to the above* at any time by contacting us or by logging onto your SystemOnline account. (*you cannot add an organisation to the prohibited list yourself, you must speak with your GP first if you wish to do this.)

Available audits

Audits are useful for your understanding about the types of organisation and individual(s) who are viewing your record. They allow you to raise any concerns about potential illegitimate or unnecessary access of your personal data with the relevant person or organisation. The ability to audit record access is a significant benefit of electronic records over paper records as it allows for a visible trail to be available to you in the following ways:

- **Alerts** - You can opt to receive an alert via SMS or email every time an individual at any health and social care organisation attempts to record your consent to view your record. This means that you can be confident that the appropriate people are viewing your record and you can raise concerns with any organisation where you feel this is not the case.
- **SystemOnline Record Audit** – You can view which organisations have accessed your electronic health record within SystemOnline. Ability to access this audit in SystemOnline is controlled by your GP. Any concerns about access can be raised with the relevant organisation.
- **Record Sharing List** – You can ask your GP practice to show you a list of all health and social care organisations currently caring for you and whether they have recorded your consent or dissent to view your record. If you disagree with the consent options recorded then you, or your GP, should contact those organisations and ask them to amend the setting.

Legal Justification for Collecting and Handling 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).

Medicines Management

The Practice may conduct reviews of medications prescribed to our patients. We routinely review prescribed medications to ensure patients receive the most appropriate, up to date and cost effective treatments. This service is provided to all GP practices within Bradford District Clinical Commissioning Group

How do we maintain the confidentiality of your records?

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

- Data Protection Act 1998
- 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
- General Data Protection Regulation (GDPR)

Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential.

We will only ever use or pass on information about you if others involved in your care have a genuine need for it. We will not disclose your information to any third party without your permission unless there are exceptional circumstances (i.e. life or death situations), where the law requires information to be passed on or in accordance with the new information sharing principle following Dame Fiona Caldicott's information sharing review (Information to share or not to share) where "The duty to share information can be as important as the duty to protect patient confidentiality."

This means that health and social care professionals should have the confidence to share information in the best interests of their patients within the framework set out by the Caldicott principles. They should be supported by the policies of their employers, regulators and professional bodies.

Who are our partner organisations?

We may also have to share your information, subject to strict agreements on how it will be used, with the following organisations;

- NHS Trusts / Foundation Trusts
- GP's
- NHS Commissioning Support Units
- Independent Contractors such as dentists, opticians, pharmacists
- Private Sector Providers
- Voluntary Sector Providers
- Ambulance Trusts
- Clinical Commissioning Groups
- Social Care Services
- Health and Social Care Information Centre (HSCIC)
- Local Authorities
- Education Services
- Fire and Rescue Services
- Police & Judicial Services
- Voluntary Sector Providers
- Private Sector Providers
- Other 'data processors' which you will be informed of

You will be informed who your data will be shared with and in some cases asked for explicit consent for this happen when this is required.

We may also use external companies to process personal information, such as for archiving purposes. These companies are bound by contractual agreements to ensure information is kept confidential and secure.

Your Summary Care Record

Your summary care record 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.

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.

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.

Access to personal information

You have a right under the Data Protection Act 1998 and the General Data Protection Regulation (GDPR) to request access to view or to obtain copies of what information the surgery holds about you and to have it amended should it be inaccurate.

In order to request this, you need to do the following:

- Your request must be made in writing to the GP – for information from the hospital you should write directly to them.
- We are required to respond to you within 30 days.
- You will need to give adequate information (for example full name, address, date of birth, NHS number and details of your request) so that your identity can be verified and your records located.

How Long We Keep Your 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.

Objections / Complaints

Should you have any concerns about how your information is managed by the Practice please contact Gill Kelly, Patient Services Manager at the following address:

Bowling Hall Medical Practice

Rooley Lane

Bradford

BD4 7SS

If you are still unhappy following a review by the Practice you can then complain to the Information Commissioners Office (ICO). www.ico.org.uk, casework@ico.org.uk, telephone: 0303 123 1113 (local rate) or 01625 545 745

Change of Details

It is important that you tell the person treating you if any of your details such as your name or address have changed or if any of your details such as date of birth is incorrect in order for this to be amended. You have a responsibility to inform us of any changes so our records are accurate and up to date for you.

Notification

The Data Protection Act 1998 and General Data Protection Regulation require organisations to register a notification with the Information Commissioner to describe the purposes for which they process personal and sensitive information.

This information is publicly available on the Information Commissioners Office website www.ico.org.uk.

The practice is registered with the Information Commissioners Office (ICO).

Who is the Data Controller?

The Data Controller, responsible for keeping your information secure and confidential is:

Bowling Highfield Medical Practice.