PRIVACY AND FAIR PROCESSING NOTICE

LLANSAMLET SURGERY

Your Information, Your Rights
Being transparent and providing accessible information to patients about how we will use your personal information is a key element of the Data Protections Act 1998 and the EU General Data Protection Regulations (GDPR) May 2018.
The following notice reminds you of your rights in respect of the above legislation and how your GP Practice will use your information for lawful purposes in order to deliver your care and the effective management of the local NHS system.

This notice reflects how we use information for:

- The management of patient information
- Communication concerning your clinical, social and supportive care;
- Ensuring the quality of your care and the best clinical outcomes are achieved through clinical audit and retrospective review;
- Participation in health and social care research; and
- The management and clinical planning of services to ensure that appropriate care is in place for our patients today and in the future.

Data Controller
As your registered GP Practice, we are the data controller for any personal data that we hold about you.

What information do we collect and use?
All personal data must be processed fairly and lawfully, whether it is received directly from you or a third party in relation to your care.

We will collect the following types of information from you or about you from a third, party (provider organisation) engaged in the delivery of your care:

- 'Personal data' meaning any information relating to an identifiable person who can be directly or indirectly identifies from the data. This includes, but is not limited to name, date of birth, full postcode, address, next of kin and NHS number; and
- 'Special category / sensitive data' such as medical history including details of appointments and contact with you, medication, emergency appointments and admissions, clinical notes, treatments, results of investigations, supportive care arrangements, social care status, race, ethnic origin, genetics and sexual orientation.

- Your health records contain information about your health and any treatment or care you have received previously (e.g. from an acute hospital, GP surgery, community care provider, mental health care provider, walk in centre, and social services). These records may be electronic, a paper record or a mixture of both. We use a combination of technologies and working practices to ensure that we keep your information secure and confidential.

Why do we collect this information?
The NHS Act 2006 and the Health and Social Care Act 2012 invests statutory functions of GP Practices to promote the health service in England and Wales, improve quality of services and deliver education and training. To do this we will need to process your information in accordance with current data protection legislation to;

- Protect your vital interests;
- Pursue our legitimate interests as a provider of medical care, particularly where the individual is a child or a vulnerable adult;
- Perform tasks in the public interest;
- Deliver preventative medicine, medical diagnosis, medical research; and
- Manage the health and social care system and services.

How do we use this information?
To ensure that you receive the best possible care, your records will be used to facilitate the care you receive. Information held about you may be used to protect the health of the public and to help us manage the NHS. Information may also be used for the clinical audit to monitor the quality of the service provided. In addition, your information will be used to identify whether you are at risk of a future unplanned hospital admission and/or require support to effectively manage a long-term condition.

How is the information collected?
Your information will be collected either electronically using secure NHS Mail or a secure electronic transfer over an NHS encrypted network connection. In addition, physical information will be sent to your practice. This information will be retained within your GP's electronic patient record or within your physical medical records.

Who we will share your information with?
In order to deliver and coordinate your health and social care; we may share information with the following organisations;

- NHS trusts
- 111 and Out of Hours services
- Local Social Services and Community care services
- Voluntary support organisations commissioned to provide services by the local Health Board or Cluster network.

Your information will only be shared if it is appropriate for the provision of your care or required to satisfy our statutory function and legal obligations.

Your information will not be transferred outside of the European Union.

Who do we receive information from?
Whilst we might share information with the above organisations, we may also receive information from them to ensure that your medical records are kept up to date so that your GP can provide the appropriate care. In addition, we receive data such as the uptake of flu vaccinations and disease prevalence in order to assist us to improve care.

How do we maintain confidentiality of your records?
We are committed to protecting your privacy and will only use information that has been collected lawfully. Every member of staff who works for an NHS Organisation has a legal obligation to keep information about you confidential. We maintain our duty of confidentiality by conducting training, awareness, ensuring access to personal data is

limited to the appropriate staff, and information is only shared with organisations and individuals that have a legitimate and legal basis for access.
Information is not held for longer than necessary. We will hold you information in accordance with the Records Management Code of Practice for Health and Social Care 2016.

Consent and Objections

Do I need to give my consent?
The GDPR sets a high standard for consent. Consent means offering people genuine choice and control over how their data is used. When consent is used properly, it helps you build trust and enhance your reputation. However, consent is only one potential lawful basis for processing information. Therefore, you GP Practice may not need to ask you explicit consent for every instance of processing and sharing your information, on the condition that the processing is carried out in accordance with this notice. You GP Practice will contact you if they are required to share your information for any other purpose, which is not mentioned with this notice. Your consent will be documented within your electronic patient record.

What happens if I withhold my consent or raise an objection?
You have the right to write to withdraw your consent to any time for any particular instance of processing, provided consent is the legal basis for processing. Please contact us for further information and to raise your objection.

Health Risk Screening / Risk Stratification
Health Risk Screening or Risk Stratification is a process that helps your GP to determine whether you are at risk of an unplanned admission or deterioration in health. By using selected information such as age, gender, NHS number, diagnosis, existing long term conditions, medication history, patterns of hospital attendances, admissions and periods of access to community care, your GP will be able to judge if you are likely to need more support and care from time to time, or if the right services are in place to support the local population's needs.
To summarise Risk Stratification is used in the NHS to:

- Help decide if a patient is at greater risk of suffering from a particular condition;
- Prevent an emergency admission;
- Identify if a patient needs medical help to prevent a health condition from getting worse; and/or
- Review and amend provision of current health and social care services.

Your GP will use computer-based algorithms or calculations to identify their registered patients who are at most risk, with support from an accredited risk stratification provider. They will not have access to your personal or confidential data.

Sharing of Electronic Patient Records within the NHS
Electronic patient records are kept in most places where you receive healthcare. Our electronic system Vision Health enables your record to be shared with organisations involved in your direct care, such as;

- GP Practices
- Community services such as district nurses, rehabilitation services and out of hospital care.

- Child health services that undertake routine treatment or health screening
- Urgent care organisations, minor injury units or out of hours services
- Community hospitals
- Palliative care Hospitals
- Care Homes
- Mental Health Trusts
- Hospitals
- Social care organisations
- Pharmacies

In addition, NHS wales have implemented the Summary Care Record, which contains information including medication you are taking, and any bad reactions to medications that you have had in the past.

In most cases, particularly for patients with complex conditions and care arrangements, the shared electronic health record plays a vital role in delivering the best care and a coordinated response, taking into account all aspects of a person's physical and mental health. Many patients are understandably not able to provide a full account of their care, or may not be in a position to do so. The shared record means patients do not have to repeat their medical history at every care setting. Your records will be automatically setup to be shared with the organisations listed above; however, you have the right to ask your GP to disable this function or restrict access to specific elements of your record. This means that the information recorded by your GP will not be visible at any other care setting.

You can also reinstate your consent at any time by giving your permission to override your previous dissent.

Who else may ask to access your information?

- The law courts can insist that we disclose medical records to them;
- Solicitors often ask for medical reports. These will always, be accompanied, by your signed consent for us to disclose information.
- Public Health wales to help them organise national programmes for public health such as childhood immunisations
- Social services. The benefits agency may require reports on you from time to time.

Your Rights of Access to your Records

The Data Protection Act 1998 and General Data Protection Regulations allow you to find out what information is being held about you including information held within your medical records, either in electronic or physical format. This is known as the 'right of subject access'. If you would like to have all or part of your records, you can make a request in writing. You should however be aware that some details within your health records may be exempt from disclosure; however, this will be in the interests of your wellbeing or to protect the identity of a third party. If you would like access to your GP record, please submit your request in writing to

LLANSAMLET SURGERY
3 FREDERICK PLACE
LLANSAMLET
SWANSEA SA7 9RY

In the event that you feel we have not complied with the current data protection legislation, either in responding to our request or in our general processing of your personal information, you should raise your concerns in the first instance in writing to the practice manager at the above address.

If you remain dissatisfied with our response, you can contact the Information Commissioner's Office at **Information Commissioner's Office** – **Wales** 2nd Floor Churchill House Churchill Way Cardiff CF10 2HH. Or online at www.ico.gov.uk