

How we use your information

This privacy notice explains why we as a practice collect information about our patients and how we use that information.

Four Elms Medical Practice manages patient information in accordance with existing laws and with guidance from organisations that govern the provision of healthcare in Wales such as the Department of Health and the General Medical Council.

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

Data Protection Act 2018

Human Rights Act 1998

Common Law Duty of Confidentiality

Health and Social Care Act 2012

NHS Codes of Confidentiality and Information Security

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 Protection Act 2018 and the EU General Data Protection Regulations (GDPR).

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 records;

Communication concerning your clinical, social and supported 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.

For more information, please read the Your Information Your Rights Leaflet

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 is it received directly from you or from a third party in relation to the 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 identified 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 healthcare 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, 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.

As data controllers, GPs have fair processing responsibilities under the Data Protection Act 2018. In practice, this means ensuring that your personal confidential data (PCD) is handled clearly and transparently, and in a reasonably expected way.

The Health and Social Care Act 2012 changed the way that personal confidential data is processed, therefore it is important that our patients are aware of and understand these changes, and that you have an opportunity to object and know how to do so.

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

NHS health records may be processed electronically, on paper or a mixture of both; a combination of working practices and technology are used to ensure that your information is kept confidential and secure. Records held by this GP practice may include the following information:

Details about you, such as address and next of kin

Any contact the practice has had with you, including appointments (emergency or scheduled), clinic visits, etc.

Notes and reports about your health

Details about treatment and care received

Results of investigations, such as laboratory tests, x-rays, etc.

Relevant information from other health professionals, relatives or those who care for you

The practice collects and holds data for the sole purpose of providing healthcare services to our patients and we will ensure that the information is kept confidential. However, we can disclose personal information if:

It is required by law

You provide consent – either implicitly or for the sake of their own care, or explicitly for other purposes

It is justified to be in the public interest

Why do we collect this information?

The NHS Act 2006 and the Health and Social Care Act 2012 invests statutory functions on GP Practices to promote and provide the health service in Wales, to improve quality of services, reduce inequalities, conduct research, review performance 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's interest;
- Deliver preventative medicine, medical diagnosis, medical research; and
- Manage the health and social care system and services.

How is the information collected?

Your information will be collected either electronically using secure NHS Mail or a secure electronic transferred 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 will we share your information with?

In order to deliver and coordinate your health and social care, we may share information with the following organisations:

- Local GP Practices in order to deliver extended primary care services
- NHS [Cardiff & Vale University Health Board and NHS Wales Shared Service Partnership]
- Out of Hours Service
- Local Social Services and Community Care services
- Voluntary Support Organisations commissioned to provide services by Cardiff & Vale University Health Board.

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.

Whilst we might share your information with the above organisations, we may also receive information from them to ensure that your medical records are kept up to date and so that your GP can provide the appropriate care.

How do we maintain the 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 and 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 is necessary. We will hold your 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 your GP practice may not need to seek your 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. Your GP Practice will contact you if they are required to share your information for any other purpose which is not mentioned within this notice. Your consent will be documented within your electronic patient record.

What will happen 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 the processing. Please contact your GP Practice for further information and to raise your objection.

Sharing of Electronic Patient Records within the NHS

Electronic patient records are kept in most places where you receive healthcare. Our local electronic systems (such as EMIS and Vision) 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, telehealth and out of hospital services.
- 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
- NHS Trusts
- Independent Contractors such as dentists, opticians, pharmacists
- Private Sector Providers
- Voluntary Sector Providers
- Ambulance Trusts
- Clinical Commissioning Groups
- Social Care Services
- Local Authorities
- Education Services
- Fire and Rescue Services

- Police

Other 'data processors'

In addition, NHS Wales have implemented the Individual Health Record which contains information including medication you are taking and any bad reactions to medication 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 record 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 will mean 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.

Data Extraction

The Health Information Research Unit (HIRU) has set up the Secure Anonymised Information Linkage (SAIL) system to link together the widest possible range of robustly anonymised, person-based data, which is building into a Wales-wide research resource that is used to address important research questions, focused on improving patients' health and the services they are provided. Over 170 practices in Wales are providing anonymous data to the SAIL system and we are very grateful for this participation in enabling the creation of such a rich resource for research.

Through the robust processes that have been developed and implemented, this growing databank represents a valuable resource for health-related research and service development, whilst complying with the requirements of data protection legislation and confidentiality guidelines.

Who has already agreed to provide datasets?

Many organisations have agreed to provide data to the SAIL system. Some key examples are:-

- NHS Wales Informatics Service
- Office of National Statistics: Birth and deaths registrations
- The Department for Children, Education, Lifelong Learning and Skills (DCELLS)
- National Community Child Health Database
- Screening Services: Breast Test Wales & Cervical Screening Wales
- Welsh Cancer Intelligence and Surveillance Unit
- Many Health Boards/Trusts, GP Practices, and Social Services departments
- Local Government Data Unit ~ Wales

All data received and held by HIRU are securely anonymised and encrypted so that individuals cannot be identified. The commonly recognised individual identifiers in the dataset are removed and replaced with a unique, non-identifiable data item, so that data linkage can take place at the individual record level without HIRU having access to any identifiable information. This is accomplished through a reliable pseudonymisation service at NHS Wales Informatics Service (NWIS), which then provides anonymised datasets to a secure anonymised data repository at HIRU via robust data transfer mechanisms.

Your Right of Access to Your Records

The Data Protection Act and General Data Protection Regulations allows you to find out what information is 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 access to all or part of your records, you can make a request in writing to the organisation that you believe holds your information. This can be your GP, or a provider that is or has delivered your treatment and care. 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 the Practice Manager.

The practice is registered as a data controller under the Data Protection Act 1998. The registration number is ZA252393 and can be viewed online in the public register at www.ico.gov.uk

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.

Mobile Telephone

If you provide us with your mobile phone number we may use this to send you reminders about any appointments or other health screening information being carried out.

Complaints

In the event that you feel your GP Practice has not complied with the current data protection legislation, either in responding to your 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. If you remain dissatisfied with our response you can contact the Information Commissioner’s Office at Wycliffe House, Water Lane, Wimslow, Cheshire SK9 5AF – Enquiry Line: 01625 545700 or online at www.ico.gov.uk

NWSSP Legal & Risk Services (L&R) Updated Privacy Notice

The scheme for General Medical Practice Indemnity (GMPI) relates to potential or actual clinical negligence claims arising from incidents on or after 1 April 2019, and captures all General Medical Practice (GP practice) staff undertaking NHS ‘primary medical services’
L&R is the GMPI scheme operator. Our updated Privacy Notice is available at NHS Wales: Privacy Notice.