Information Processing and the Individuals Rights

Document Control

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**Information Processing and the Individuals Rights**

Shifa Medical Practice recognises the rights service users have to be informed of how their
information is used and processed. The surgery aims to do this in a confidential, legal open
and quality assured manner. The following Information may be passed to patients at their
request. This information is made available in reception and on our website.

**Privacy Notice 1 - How Shifa Medical Practice uses your information to provide you with healthcare**

 ***This practice 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 this practice 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.*

•*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/summarycare-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 doesnot hold information about the care you receive.*•*The database is held by NHS Digital a national organisation which has legalresponsibilities to collect NHS data.*•*More information can be found at: https://digital.nhs.uk or the phone number forgeneral enquires at NHS Digital is 0300 303 5678* |

*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.*

***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.*

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 | Shifa Medifal PracticeOrchard Family and Health CentreGascoigne RoadIG11 7RSTele: 0203 667 1849 |
| **Data ProtectionOfficer** contact details | Dr Rashidyrashid@nhs.net |
| **Purpose** of theprocessing | •*To give direct health or social care to individual patients.*•*For example, when a patient agrees to a referral for direct care, suchas to a hospital, relevant information about the patient will be sharedwith the other healthcare staff to enable them to give appropriateadvice, investigations, treatments and/or care.*•*To check and review the quality of care. (This is called audit andclinical governance).* |
| **Lawful basis** forprocessing | These purposes are supported under the following sections of theGDPR:Article 6(1)(e) ‘…necessary for the performance of a taskcarried out in the public interest or in the exercise ofofficial authority…’; andArticle 9(2)(h) ‘necessary for the purposes of preventativeor occupational medicine for the assessment of theworking capacity of the employee, medical diagnosis, theprovision of health or social care or treatment or themanagement of health or social care systems andservices...”Healthcare staff will also respect and comply with theirobligations under the common law duty of confidence. |
| **Recipient orcategories ofrecipients** of theprocessed 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 toindividual patients.* |
| **Rights to object**  | •*You have the right to object to information being shared betweenthose who are providing you with direct care.*•*This may affect the care you receive – please speak to the practice.*•*You are not able to object to your name, address and otherdemographic information being sent to NHS Digital.* |

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

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| •*This is necessary if you wish to be registered to receive NHS care.*•*You are not able to object when information is legitimately shared forsafeguarding reasons.*•*In appropriate circumstances it is a legal and professionalrequirement to share information for safeguarding reasons. This is toprotect people from harm.*•*The information will be shared with the local safeguarding service* |
| **Right to access andcorrect** | •*You have the right to access your medical record and have any errorsor mistakes corrected. Please speak to a member of staff or look atour ‘subject access request’ policy on the practice website –www.yorksurgeryilford.nhs.uk*•We are not aware of any circumstances in which you willhave the right to delete correct information from yourmedical record; although you are free to obtain your ownlegal advice if you believe there is no lawful purpose forwhich we hold the information and contact us if you hold adifferent view. |
| **Retention period**  | GP medical records will be kept in line with the law and nationalguidance. Information on how long records are kept can be foundat: https://digital.nhs.uk/article/1202/Records-Management-Codeof-Practice-for-Health-and-Social-Care-2016or speak to the practice. |
| **Right to complain**  | You have the right to complain to the InformationCommissioner’s Office. If you wish to complain follow this linkhttps://ico.org.uk/global/contact-us/ or call the helpline **0303 1231113** |
| **Data we get fromother organisations** | We receive information about your health from otherorganisations who are involved in providing you with health andsocial care. For example, if you go to hospital for treatment or anoperation the hospital will send us a letter to let us know whathappens. This means your GP medical record is kept up-to datewhen you receive care from other parts of the health service. |

**Privacy Notice 2 - How your information is used for medical research
and to measure the quality of care**

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| ***Medical research****Shifa Medical Practice shares information from medical records:*•*to support medical research when the law allows us to do so, for example to learnmore 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 newtreatments and medicines;*•*medical researchers use information from medical records to help answerimportant questions about illnesses and disease so that improvements can bemade to the care and treatment patients receive.We share information with the following medical research organisations with your explicitconsent or when the law allows: https://www.cprd.comYou have the right to object to your identifiable information being used or shared formedical research purposes. Please speak to the practice if you wish to object* |

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| **Checking the quality of care - national clinical audits**Shifa Medical Practice contributes to national clinical audits so that healthcare can be checked and reviewed.•*Information from medical records can help doctors and other healthcare workersmeasure 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 wherethey need to improve.*•*The results of the checks or audits are used to recommend improvements to patientcare.*•*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 object.*

We are required by law to provide you with the following information about how we share
your information for medical research purposes.

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| **Data Controller**contact details | Shifa Medifal PracticeOrchard Family and Health CentreGascoigne RoadIG11 7RSTele: 0203 667 1849 |
| **Data ProtectionOfficer** contact details | Dr Rashid |
| **Purpose** of theprocessing | Medical research and to check the quality of care which is givento patients (this is called national clinical audit). |
| **Lawful basis** forprocessing | The following sections of the GDPR mean that we can usemedical records for research and to check the quality of care(national clinical audits)Article 6(1)(e) – ‘processing is necessary for the performance of atask carried out in the public interest or in the exercise of officialauthority vested in the controller’.For medical research: there are two possible Article 9 conditions.Article 9(2)(a) – ‘the data subject has given explicit consent…’ORArticle 9(2)(j) – ‘processing is necessary for… scientific orhistorical research purposes or statistical purposes in accordancewith Article 89(1) based on Union or Member States law whichshall be proportionate to the aim pursued, respect the essence ofthe right to data protection and provide for suitable and specificmeasures to safeguard the fundamental rights and interests of thedata subject’.To check the quality of care (clinical audit):Article 9(2)(h) – ‘processing is necessary for the purpose ofpreventative…medicine…the provision of health or social care ortreatment or the management of health or social care systems andservices...’ |
| **Recipient orcategories ofrecipients** of theprocessed data | For national clinical audits which check the quality of care thedata will be shared with NHS Digital. |
| **Right to access andcorrect** | •*You have the right to access your medical record and haveany errors or mistakes corrected. Please speak to amember of staff or look at our ‘subject access request’policy on the practice website –* |

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| *www.newburygrouppractice.co.uk*•We are not aware of any circumstances in which you willhave the right to delete correct information from yourmedical record; although you are free to obtain your ownlegal advice if you believe there is no lawful purpose forwhich we hold the information and contact us if you hold adifferent view. |
| **Retention period**  | GP medical records will be kept in line with the law and nationalguidance. Information on how long records are kept can be foundat: https://digital.nhs.uk/article/1202/Records-Management-Codeof-Practice-for-Health-and-Social-Care-2016or speak to the practice. |
| **Right to complain**  | You have the right to complain to the InformationCommissioner’s Office. If you wish to complain follow this linkhttps://ico.org.uk/global/contact-us/ or call the helpline **0303 123 1113** |

**Privacy Notice 3 - How your information is shared so that this practice can
meet legal requirements**

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| The law requires Shifa Medical Practice to share information from your medical records in certaincircumstances. Information is shared so that the NHS or Public Health England can, forexample:•*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 healthprotection team (or Public Health England) when the law requires us to do so. Please seebelow for more information.We must also share your information if a court of law orders us to do so. |

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| **NHS Digital**•*NHS Digital is a national body which has legal responsibilities to collect informationabout health and social care services.*•*It collects information from across the NHS in England and provides reports on how theNHS 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 theHealth and Social Care Act 2012.*•*More information about NHS Digital and how it uses information can be found at:https://digital.nhs.uk/home*•*NHS Digital sometimes shares names and addresses of patients suspected ofcommitting immigration offences with the Home Office. More information on this canbe found here: https://www.gov.uk/government/publications/information-requestsfrom-the-home-office-to-nhs-digital* |

**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/*](http://www.cqc.org.uk/)

**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*

We are required by law to provide you with the following information about how we handle
your information and our legal obligations to share data.

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| **Data Controller**contact details | Shifa Medifal PracticeOrchard Family and Health CentreGascoigne RoadIG11 7RSTele: 0203 667 1849 |
| **Data ProtectionOfficer** contact details | Dr Rashid |
| **Purpose** of theprocessing | Compliance with legal obligations or court order. |
| **Lawful basis** forprocessing | The following sections of the GDPR mean that we can shareinformation when the law tells us to.Article 6(1)(c) – ‘processing is necessary for compliance with alegal obligation to which the controller is subject…’Article 9(2)(h) – ‘processing is necessary for the purpose ofpreventative…medicine…the provision of health or social care ortreatment or the management of health or social care systems andservices...’ |
| **Recipient orcategories ofrecipients** of theprocessed data | •*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 orPublic Health England.*•*The data will be shared with the court if ordered.* |
| **Rights to object andthe national dataopt-out** | There are very limited rights to object when the law requiresinformation to be shared but government policy allows somerights of objection as set out below.NHS Digital•*You have the right to object to information being shared with NHSDigital for reasons other than your own direct care.*•*This is called a ‘Type 1’ objection – you can ask your practice to applythis code to your record.*•*Please note: The ‘Type 1’ objection, however, will no longer beavailable after 2020.*•*This means you will not be able to object to your data being sharedwith NHS Digital when it is legally required under the Health andSocial Care Act 2012.*The national data op-out model provides you with an easy way ofopting-out of identifiable data being used for health serviceplanning and research purposes, including when it is shared byNHS Digital for these reasons.To opt-out or to find out more about your opt-out choices please |

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| go to NHS Digital’s website:NHS Digital sharing with the Home Office•*There is no right of objection to NHS Digital sharing names andaddresses of patients who are suspected of having committed animmigration offence.*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 QualityCommission needs it for their regulatory functions. This means thatyou are unable to object.*Court order•*Your information must be shared if it ordered by a court. This meansthat you are unable to object.* |
| **Right to access andcorrect** | •*You have the right to access your medical record and have any errorsor mistakes corrected. Please speak to a member of staff or look atour ‘subject access request’ policy on the practice website –www.yorksurgeryilford.nhs.uk*•We are not aware of any circumstances in which you willhave the right to delete correct information from yourmedical record; although you are free to obtain your ownlegal advice if you believe there is no lawful purpose forwhich we hold the information and contact us if you hold adifferent view. |
| **Retention period**  | GP medical records will be kept in line with the law and nationalguidance. Information on how long records are kept can be foundat: https://digital.nhs.uk/article/1202/Records-Management-Codeof-Practice-for-Health-and-Social-Care-2016or speak to the practice. |
| **Right to complain**  | You have the right to complain to the InformationCommissioner’s Office. If you wish to complain follow this linkhttps://ico.org.uk/global/contact-us/ or call the helpline **0303 1231113** |

***Privacy Notice 4 - National screening programmes***

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| •*The NHS provides national screening programmes so that certain diseases can bedetected at an early stage.*•*These screening programmes include bowel cancer, breast cancer, cervicalcancer, aortic aneurysms and a diabetic eye screening service.*•*The law allows us to share your contact information with Public Health Englandso that you can be invited to the relevant screening program.*•*More information can be found at: https://www.gov.uk/topic/populationscreening-programmes or speak to the practice.* |

We are required by law to provide you with the following information about how we handle
your information in relation to our legal obligations to share data.

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| **Data Controller**contact details | Shifa Medifal PracticeOrchard Family and Health CentreGascoigne RoadIG11 7RSTele: 0203 667 1849 |
| **Data ProtectionOfficer** contact details | Dr Rashid |
| **Purpose** of theprocessing | •*The NHS provides several national health screening programmes todetect 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 forscreening. This means those who are most at risk can be offeredtreatment.* |
| **Lawful basis** forprocessing | The following sections of the GDPR allow us to contact patientsfor screening.Article 6(1)(e) – ‘processing is necessary…in the exercise ofofficial authority vested in the controller...’’Article 9(2)(h) – ‘processing is necessary for the purpose ofpreventative…medicine…the provision of health or social care ortreatment or the management of health or social care systems andservices...’ |

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| **Recipient orcategories ofrecipients** of theprocessed data | The data will be shared with Redbridge NHS Bowel Screening,NHS Cervical Screening, NHS Breast Screening, NHS DiabeticRetinopathy Screening. |
| **Rights to object**  | For national screening programmes: you can opt so that you nolonger receive an invitation to a screening programme.See: https://www.gov.uk/government/publications/opting-out-ofthe-nhs-population-screening-programmesOr speak to your practice. |
| **Right to access andcorrect** | •*You have the right to access your medical record and have any errorsor mistakes corrected. Please speak to a member of staff or look atour ‘subject access request’ policy on the practice website –www.newburygrouppractice.co.uk*•We are not aware of any circumstances in which you willhave the right to delete correct information from yourmedical record; although you are free to obtain your ownlegal advice if you believe there is no lawful purpose forwhich we hold the information and contact us if you hold adifferent view. |
| **Retention period**  | GP medical records will be kept in line with the law and nationalguidance.Information on how long records can be kept can be found at:https://digital.nhs.uk/article/1202/Records-Management-Code-ofPractice-for-Health-and-Social-Care-2016or speak to the practice. |
| **Right to complain**  | You have the right to complain to the InformationCommissioner’s Office. If you wish to complain follow this linkhttps://ico.org.uk/global/contact-us/ or call the helpline 0303 1231113 |
| **Data we get fromother organisations** | We receive information about your health from otherorganisations who are involved in providing you with health andsocial care. For example, if you go to hospital for treatment or anoperation the hospital will send us a letter to let us know whathappens. This means your GP medical record is kept up-to datewhen you receive care from other parts of the health service. |