

## **The Border Practice - Privacy Notice**

### **Direct Care**

#### **How The Border 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.
- For more information on how we share your information with organisations who are directly involved in your care can be found here: The Border Practice GDPR document contains extensive information.
- 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/summary-care-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.

#### 1) Coronavirus (COVID-19) pandemic and your information

The ICO recognises the unprecedented challenges the NHS and other health professionals are facing during the Coronavirus (COVID-19) pandemic.

The ICO also recognise that: 'Public bodies may require additional collection and sharing of personal data to protect against serious threats to public health'

In order to look after your healthcare needs we may therefore need to share your personal information including medical records with clinical and non-clinical staff in Practices from the surrounding locality including Practices within any Primary Network to which your Practice belongs and other hospital or community services as deemed necessary for your care.

Please be assured that we will only share information and health data that is necessary to meet your healthcare needs.

Please also note that the data protection and electronic communication laws do not stop us from sending public health messages to you, either by phone, text or email as these messages are not direct marketing.

It may also be necessary, where the latest technology allows us to do so, to use your information and health data to facilitate digital consultations and diagnoses and we will always do this with your security in mind.

#### Third party processors

In order to deliver the best possible service, the practice will share data (where required) with other NHS bodies such as other GP practices and hospitals. In addition the practice will use carefully selected third party service providers. When we use a third party service provider to process data on our behalf then we will always have an appropriate agreement in place to ensure that they keep the data secure, that they do not use or share information other than in accordance with our instructions and that they are operating appropriately. Examples of functions that may be carried out by third parties includes:

- Companies that provide IT services & support, including our core clinical systems; systems which manage patient facing services (such as our website and service accessible through the same); data hosting service providers; systems which facilitate appointment bookings or electronic prescription services; document management services etc.
- Delivery services (for example if we were to arrange for delivery of any medicines to you).
- Payment providers (if for example you were paying for a prescription or a service such as travel vaccinations).

### **National Data Opt-Out – You must go on line to note your own Opt-Out Choice** (we cannot do this for you any more.) [www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters)

#### **Your Data Matters to the NHS**

Information about your health and care helps the NHS to improve your individual care, speed up diagnosis, plan your local services and research new treatments. Your health and care information is used to improve your individual care. It is also used to help us research new treatments, decide where to put GP surgeries and plan for the number of doctors and nurses in your local hospital. Wherever possible we try to use data that does not identify you but sometimes it is necessary to use your confidential patient information.

In May 2018, the strict rules about how this data can and cannot be used were strengthened. The NHS is committed to keeping patient information safe and always being clear about how it is used.

You can choose whether your confidential patient information is used for research and planning.

To find out more visit: [www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters)

What should you do next? You do not need to do anything if you are happy about how your confidential patient information is used. If you do not want your confidential patient information to

be used for research and planning, you can choose to opt out securely online or through a telephone service. You can change your choice at any time.

To find out more or to make your choice visit

**[www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters) or call **0300 303 5678**.**

## **Other important information about how your information is used to provide you with healthcare**

### **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 does not hold information about the care you receive.
- The database is held by NHS Digital, a national organisation which has legal responsibilities to collect NHS data.
- More information can be found at: <https://digital.nhs.uk> or the phone number for general 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.
- We currently do not use risk stratification software. Should this change, we will show a link to further information here.

### **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.
- Please see our local policies for more information:  
Leaflets covering this can be found in our practice.

Medication/Prescribing	<p><b>Purpose :</b> Prescriptions containing personal identifiable and health data will be shared with chemists/pharmacies, in order to provide patients with essential medication or treatment as their health needs dictate. This process is achieved either by face to face contact with the patient or electronically. Where patients have specified a nominated pharmacy they may wish their repeat or acute prescriptions to be ordered and sent directly to the pharmacy making a more efficient process. Arrangements can also be made with the pharmacy to deliver medication</p> <p><b>Legal Basis :</b> Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’ And Article 9(2)(h) as stated below</p> <p>Patients will be required to nominate a preferred pharmacy.</p> <p><b>Processor</b> – Pharmacy of choice</p>
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We are required by law to provide you with the following information about how we handle your information.

<b>Data Controller</b> contact details	The Partners, The Border Practice, Blackwater Way, Aldershot, Hampshire. GU12 4DN
<b>Data Protection Officer</b> contact details	Caroline Sims, Primary Care Information Governance Manager and DPO. Contact via the Practice.
<b>Purpose of the processing</b>	<ul style="list-style-type: none"> <li>• To give direct health or social care to individual patients.</li> <li>• For example, when a patient agrees to a referral for direct care, such as to a hospital, relevant information about the patient will be shared with the other healthcare staff to enable them to give appropriate advice, investigations, treatments and/or care.</li> <li>• To check and review the quality of care. (This is called audit and clinical governance).</li> </ul>

<p><b>Lawful basis for processing</b></p>	<p>These purposes are supported under the following sections of the GDPR:</p> <p><i>Article 6(1)(e) ‘...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...’; and</i></p> <p><i>Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...’</i></p> <p>Healthcare staff will also respect and comply with their obligations under the common law duty of confidence.</p>
<p><b>Recipient or categories of recipients of the processed data</b></p>	<p>The data will be shared with:</p> <ul style="list-style-type: none"> <li>• healthcare professionals and staff in this surgery;</li> <li>• local hospitals;</li> <li>• out of hours services;</li> <li>• diagnostic and treatment centres;</li> <li>• or other organisations involved in the provision of direct care to individual patients.</li> </ul>
<p><b>Rights to object</b></p>	<ul style="list-style-type: none"> <li>• You have the right to object to information being shared between those who are providing you with direct care.</li> <li>• This may affect the care you receive – please speak to the practice.</li> <li>• You are not able to object to your name, address and other demographic information being sent to NHS Digital.</li> <li>• This is necessary if you wish to be registered to receive NHS care.</li> <li>• You are not able to object when information is legitimately shared for safeguarding reasons.</li> <li>• In appropriate circumstances it is a legal and professional requirement to share information for safeguarding reasons. This is to protect people from harm.</li> <li>• The information will be shared with the local safeguarding service:             <ul style="list-style-type: none"> <li>○ Hampshire Adult Services: <b>0300 555 1386</b> or out of hours: <b>0300 555 1373</b> <a href="https://www.hants.gov.uk/socialcareandhealth/adultsocialcare">https://www.hants.gov.uk/socialcareandhealth/adultsocialcare</a></li> <li>○ Hampshire Childrens Services: 0300 555 1384 <a href="https://www.hants.gov.uk/socialcareandhealth/childrenandfamilies/safeguardingchildren">https://www.hants.gov.uk/socialcareandhealth/childrenandfamilies/safeguardingchildren</a></li> </ul> </li> </ul>

<p><b>Right to access and correct</b></p>	<ul style="list-style-type: none"> <li>You have the right to access your medical record and have any errors or mistakes corrected. Please speak to a member of staff or look at our 'subject access request' policy on the practice website – insert link.</li> <li>We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view.</li> </ul>
<p><b>Retention period</b></p>	<p>GP medical records will be kept in line with the law and national guidance. Information on how long records are kept can be found at:  <a href="https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016">https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</a>  or speak to the practice.</p>
<p><b>Right to complain</b></p>	<p>You have the right to complain to the Information Commissioner's Office. If you wish to complain follow this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a> or call the helpline <b>0303 123 1113</b></p>
<p><b>Data we get from other organisations</b></p>	<p>We receive information about your health from other organisations who are involved in providing you with health and social care. For example, if you go to hospital for treatment or an operation the hospital will send us a letter to let us know what happens. This means your GP medical record is kept up-to date when you receive care from other parts of the health service.</p>

17/10/19 – Update: National Data Opt Out information added.

20/03/20 – Covid-19 information added.