



Central Durham GP Providers Ltd

(Central Durham Federation)

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Fair Processing & Privacy Notice

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 Central Durham GP Providers and 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.

Data Controller

Central Durham GP Providers supply care to you on behalf of your registered GP practice, we are the data controller for any personal data that we hold about you.

Data Protection Officer

The Federation's Data Protection Officer is Andrew Dowson

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 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.

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 England, 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, secure clinical systems e.g., SystmOne or a secure electronic transfer over an NHS encrypted network connection. In addition, Central Durham GP Providers may send physical information 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 – County Durham & Darlington Trust, Gateshead Health and other NHS Trust or professionals across the North-East.
- 111 and Out of Hours Service
- Local Social Services and Community Care services
- Voluntary Support Organisations commissioned to provide services by local ICB
- 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
- NHS Commissioning Support Units
- Independent contractors such as dentists, opticians, pharmacists
- Private Sector Providers
- Voluntary Sector Providers
- Ambulance Trusts
- Clinical Commissioning Groups
- NHS England (NHSE) and NHS Digital (NHSD)
- Local Authorities
- Education Services
- Fire and Rescue Services
- Police & Judicial Services
- Other 'data processors' of which you will be informed

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.

GP Connect

We use a facility called GP Connect to support your direct care. GP Connect makes patient information available to all appropriate clinicians when and where they need it, to support direct patients care, leading to improvements in both care and outcomes.

GP Connect is not used for any purpose other than direct care.

Authorised Clinicians such as GPs, NHS 111 Clinicians, Care Home Nurses (if you are in a Care Home), Secondary Care Trusts, Social Care Clinicians are able to access the GP records of the patients they are treating via a secure NHS Digital service called GP connect.

The NHS 111 service (and other services determined locally e.g. Other GP practices in a Primary Care Network) will be able to book appointments for patients at GP practices and other local services. Please click the following link for more information on GP Connect: <https://digital.nhs.uk/services/gp-connect/gp-connect-in-your-organisation/transparency-notice>

NHS App

We use the NHS Account Messaging Service provided by NHS England to send you messages relating to your health and care. You need to be an NHS App user to receive these messages. Further information about the service can be found at the privacy notice for the NHS App managed by NHS England. <https://www.nhs.uk/nhs-app/nhs-app-legal-and-cookies/nhs-app-privacy-policy/privacy-policy/>

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 annual 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 not disclose your information to any third party without your permission unless there are exceptional circumstances, or where the law requires information to be passed on, for example:

- We believe you are putting yourself at risk of serious harm
- We believe you are putting a third party (adult or child) at risk of serious harm
- We have been instructed to do so via court order made against the Federation
- Your information is essential for the investigation of a serious crime
- You are subject to the Mental Health Act (1983)
- Public Health England needs to be notified of certain infectious diseases
- Regulators use their legal powers to request your information as part of an investigation.

Our policy is to respect the privacy of our patients, their families, and our staff and to maintain compliance with the General Data Protection Regulations (GDPR) and all UK specific Data Protection Requirements. Our policy is to ensure all personal data related to our patients will be protected.

All employees and sub-contractors who work with our Federation are asked to sign a confidentiality agreement. The Federation will, if required, sign a separate confidentiality agreement if necessary.

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 condition(s), 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 a 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.

As mentioned above, you have the right to object to your information being used in this way. However, you should be aware that your objection may have a negative impact on the timely and proactive provision of your direct care. Please contact the Federation to discuss how disclosure of your personal data can be limited.

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 SystmOne, EMIS) enable 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

In addition, NHS England have implemented the Summary Care 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, considering 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.

How long will we store your information?

The **NHS Records Management Code of Practice 2023** identifies specific retention periods which are listed in *Appendix II: Retention Schedule*.

Please see:

<https://transform.england.nhs.uk/information-governance/guidance/records-management-code/>
for a copy of the 2023 NHS retention period policy.

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 conducted 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 at 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.

Complaints

In the event that you feel Central Durham GP Providers have 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 Cindy Kelly at:

FAO: Cindy Kelly
Central Durham GP Providers
c/o Belmont Surgery
Broomside Lane, Belmont
Durham
DH1 2QW



If you remain dissatisfied with our response you can contact the Information Commissioner's Office.

Wycliffe House,
Water Lane,
Wilmslow,
Cheshire
SK9 5AF
Enquiry Line: 01625 545700
or online at www.ico.org.uk

Changes

It is important to point out that we may amend this Privacy Notice from time to time. If you are dissatisfied with any aspect of our Privacy Notice, please contact Cindy Kelly at the address above.