**Privacy Notice**

Protecting Your Data

**IMPORTANT – COVID-19 AND YOUR INFORMATION – UPDATED 08.04.2020. Supplementary Privacy Note On COVID-19 For Patients:**

This notice describes how we may use your information to protect you and others during the COVID-19 outbreak. It supplements our main privacy notice which is available from page 2 onwards.

The health and social care system is facing significant pressures due to the COVID-19 outbreak. Health and care information is essential to deliver care to individuals, to support health and social care services and to protect public health. Information will also be vital in researching, monitoring, tracking and managing the outbreak. In the current emergency it has become even more important to share health and care information across relevant organisations.

Existing law which allows confidential patient information to be used and shared appropriately and lawfully in a public health emergency is being used during this outbreak. Using this law, the Secretary of State has required NHS Digital; NHS England and Improvement; Arm’s Length Bodies (such as Public Health England); local authorities; health organisations and GPs to share confidential patient information to respond to the COVID-19 outbreak. Any information used or shared during the COVID-19 outbreak will be limited to the period of the outbreak unless there is another legal basis to use the data. [Further information is available on gov.uk](https://www.gov.uk/government/publications/coronavirus-covid-19-notification-of-data-controllers-to-share-information) and some [FAQs on this law](https://www.nhsx.nhs.uk/information-governance/frequently-asked-questions/) are also available on the NHSX website.

During this period of emergency, opt-outs will not generally apply to the data used to support the COVID-19 outbreak, due to the public interest in sharing information. This includes [National Data Opt-outs](https://www.nhs.uk/your-nhs-data-matters/). However, in relation to the Summary Care Record, existing choices will be respected. Where data is used and shared under these laws your right to have personal data erased will also not apply. It may also take us longer to respond to Subject Access Requests, Freedom of Information requests and new opt-out requests whilst we focus our efforts on responding to the outbreak.

In order to look after your health and care needs, we may share your confidential patient information including health and care records with clinical and non-clinical staff in other health and care providers, for example neighbouring GP practices, hospitals and NHS 111. We may also use the details we have to send public health messages to you, either by phone, text or email.

During this period of emergency, we may offer you a consultation via telephone or video conferencing. By accepting the invitation and entering the consultation you are consenting to this. Your personal/confidential patient information will be safeguarded in the same way it would with any other consultation.

We will also be required to share personal/confidential patient information with health and care organisations and other bodies engaged in disease surveillance for the purposes of protecting public health, providing healthcare services to the public and monitoring and managing the outbreak. Further information is available about how health and care data is being used and shared by other NHS and social care organisations in a variety of ways to support the [COVID-19 response](https://www.nhsx.nhs.uk/covid-19-response/data-and-covid-19/how-data-supporting-covid-19-response/).

NHS England and Improvement and NHSX have developed a single, secure store to gather data from across the health and care system to inform the COVID-19 response. This includes data already collected by NHS England, NHS Improvement, Public Health England and NHS Digital. New data will include 999 call data, data about hospital occupancy and A&E capacity data as well as [data provided by patients themselves](https://www.nhs.uk/conditions/coronavirus-covid-19/). All the data held in the platform is subject to strict controls that meet the requirements of data protection legislation.

In such circumstances where you tell us you’re experiencing COVID-19 symptoms we may need to collect specific health data about you. Where we need to do so, we will not collect more information than we require, and we will ensure that any information collected is treated with the appropriate safeguards.

We may amend this privacy notice at any time so please review it frequently. The date at the top of this page will be amended each time this notice is updated.

The rest of this Privacy Notice describes how your health care data is used under normal circumstances:

**How we use your personal information**

This privacy notice explains in detail why we use your personal data which we, the GP practice, (Data Controller), collects and processes about you. A Data Controller determines how the data will be processed and used with the GP practice and with others who we share this data with. We are legally responsible for ensuring that all personal data that we hold and use is done so in a way that meets the data protection principles under the General Data Protection Regulation (GDPR) and Data Protection Act 2018. This notice also explains how we handle that data and keep it safe.

We have a Caldicott Guardian. A Caldicott Guardian is a senior person within a health or social care organisation, preferably a health professional, who makes sure that the personal information about those who use its services is used legally, ethically and appropriately, and that confidentiality is maintained. The Caldicott Guardian for the GP practice is Dr Hollie Francis. We also have an independent Data Protection Officer: Jane Hill. Jane can be contacted via email: [Jane.hilldpo@nhs.net](mailto:Jane.hilldpo@nhs.net) or Mobile: 07951 530 417.

We will continually review and update this privacy notice to reflect changes in our services and to comply with changes in the Law.  When such changes occur, we will revise the last updated date as documented in the version status in the header of this document.

**What we do?**

We are here to provide care and treatment to you as our patients. In order to do this, we keep personal demographic data about you such as your name, address, date of birth, telephone numbers, email address, NHS Number etc and your health and care information.

Information is needed so we can provide you with the best possible health and care. We also use your data to:

* Confirm your identity to provide these services and those of your family / carers
* Understand your needs to provide the services that you request
* Obtain your opinion on our services (with consent)
* Prevent and detect fraud and corruption in the use of public funds
* Make sure we meet our statutory obligations, including those related to diversity and equalities
* Adhere to a legal requirement that will allow us to use or provide information (e.g. a formal Court Order or legislation)

**Definition of Data Types**

We use the following types of information / data:

Personal Data  
This contains details that identify individuals even from one data item or a combination of data items. The following are demographic data items that are considered identifiable such as name, address, NHS Number, full postcode, date of birth. Under GDPR, this now includes location data and online identifiers.

Special categories of data (previously known as sensitive data)  
This is personal data consisting of information as to: race, ethnic origin, political opinions, health, religious beliefs, trade union membership, sexual life and previous criminal convictions. Under GDPR, this now includes biometric data and genetic data.

Personal Confidential Data (PCD)  
This term came from the [Caldicott review](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/192572/2900774_InfoGovernance_accv2.pdf) undertaken in 2013 and describes personal information about identified or identifiable individuals, which should be kept private or secret. It includes personal data and special categories of data but it is adapted to include dead as well as living people and ‘confidential’ includes both information ‘given in confidence’ and ‘that which is owed a duty of confidence’.

Pseudonymised Data or Coded Data  
Individual-level information where individuals can be distinguished by using a coded reference, which does not reveal their ‘real world’ identity. When data has been pseudonymised it still retains a level of detail in the replaced data by use of a key / code or pseudonym that should allow tracking back of the data to its original state.

Anonymised Data  
This is data about individuals but with all identifying details removed. Data can be considered anonymised when it does not allow identification of the individuals to whom it relates, and it is not possible that any individual could be identified from the data by any further processing of that data or by processing it together with other information which is available or likely to be available.

Aggregated Data  
This is statistical information about multiple individuals that has been combined to show general trends or values without identifying individuals within the data.

**Our data processing activities**

The law on data protection under the GDPR sets out a number of different reasons for which personal data can be processed for. The law states that we have to inform you what the legal basis is for processing personal data and also if we process special category of data such as health data what the condition is for processing.

The types of processing we carry out in the GP practice and the legal bases and conditions we use to do this are outlined below:

**Provision of Direct Care and administrative purposes within the GP practice**

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| **Type of Data** | Personal Data – demographics  Special category of data – Health data |
| **Source of Data** | Patient and other health and care providers |
| **Legal basis for processing personal data   and  Condition for processing special category of data** | Article 6 (1)(e) - Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority  Article 9(2)(h) - Processing is 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 and social care or treatment or the management of health and social care systems |
| **Common Law Duty of Confidentiality basis** | Implied Consent |

Direct care means a clinical, social or public health activity concerned with the prevention, investigation and treatment of illness and the alleviation of suffering of individuals. This is carried out by one or more registered and regulated health or social care professionals and their team with whom the individual has a legitimate relationship with. In addition, this also covers administrative purposes which are in the patient’s reasonable expectations.

To explain this, a patient has a legitimate relationship with a GP in order for them to be treated and the GP practice staff process the data in order to keep up to date records and to send referral letters etc.

Other local administrative purposes include waiting list management, performance against national targets, activity monitoring, local clinical audit and production of datasets to submit for national collections.

This processing covers the majority of our tasks to deliver health and care services to you. When we use the above legal basis and condition to process your data for direct care, consent under GDPR is not needed. However, we must still satisfy the common law duty of confidentiality and we rely on implied consent. For example, where a patient agrees to a referral from one healthcare professional to another and where the patient agrees this implies their consent.

**Medicines Management and Optimisation**

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| **Type of Data** | Personal Data – demographics  Special category of data – Health data |
| **Source of Data** | GP Practice |
| **Legal Basis and Condition for processing special category of data under GDPR** | Article 6 (1)(e) - Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority   Article 9 (2)(h) - Processing is 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 and social care or treatment or the management of health and social care systems |
| **Common Law Duty of Confidentiality basis** | Implied Consent |

NHS Oldham CCG pharmacists work with GP practices to provide advice on medicines and prescribing queries, process repeat prescription requests and review prescribing of medicines to ensure that it is safe and cost-effective. This may require the use of identifiable information.

In cases where identifiable data is required, this is done with practice agreement and in the case of repeat prescription processing with patient consent. No data is removed from the practice’s clinical system and no changes are made to patient's records without permission from the GP. Patient records are viewed in the GP practice.

Where specialist support is required (e.g. to order a drug that comes in solid form in gas or liquid form) medicines optimisation pharmacists will order this on behalf of a GP to support your care. Identifiable data is used for this purpose.

Identifiable data is also used by our pharmacists in order to review and authorise (if appropriate) requests for high cost drugs which are not routinely funded. In cases where identifiable data is used, this is done with the consent of the patients.

**Purposes other than direct care (secondary use)**

This is information which is used for non-healthcare purposes. Generally this could be for research purposes, audits, service management, safeguarding, commissioning, complaints and patient and public involvement.

When your personal information is used for secondary use this should, where appropriate, be limited and de-identified so that the secondary uses process is confidential.

**Safeguarding**

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| **Type of Data** | Personal Data – demographics  Special category of data – Health data |
| **Source of Data** | Patient and other health and care providers |
| **Legal Basis and Condition for processing special category of data under GDPR** | Article 6 (1)(e) - Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority  Article 9 (2)(b) - Processing is necessary for the purposes of carrying out the obligations and exercising the specific rights of the controller or the data subject in the field of …social protection law |
| **Common Law Duty of Confidentiality basis** | Overriding Public Interest / children and adult safeguarding legislation |

Information is provided to care providers to ensure that adult and children's safeguarding matters are managed appropriately. Access to personal data and health information will be shared in some limited circumstances where it's legally required for the safety of the individuals concerned. For the purposes of safeguarding children and vulnerable adults, personal and healthcare data is disclosed under the provisions of the Children Acts 1989 and 2006 and Care Act 2014.

**National Screening Programmes**

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| **Type of Data** | Personal Data – demographics  Special category of data – Health data Pseudonymised Anonymised |
| **Source of Data** | GP Practice and other care providers |
| **Legal Basis and Condition for processing special category of data under GDPR** | Article 6 (1)(c) - Processing is necessary for compliance with a legal obligation  Article 9(2)(h) - Processing is 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 and social care or treatment or the management of health and social care systems  Section 251 NHS Act 2006, NHS Constitution (Health and Social Care Act 2012) |

The NHS provides national screening programmes so that certain diseases can be detected at an early stage.

These screening programmes include bowel cancer, breast cancer, cervical cancer, aortic aneurysms and a diabetic eye screening service. The law allows us to share your contact information with Public Health England so that you can be invited to the relevant screening programme.

**Risk Stratification**

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| **Type of Data** | Personal Data – demographics  Special category of data – Health data |
| **Source of Data** | GP Practice and other care providers |
| **Legal Basis and Condition for processing special category of data under GDPR** | Article 6 (1)(c) - Processing is necessary for compliance with a legal obligation  Article 9(2)(h) - Processing is 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 and social care or treatment or the management of health and social care systems  Section 251 NHS Act 2006 |

Risk stratification entails applying computer based algorithms, or calculations to identify those patients who are most at risk from certain medical conditions and who will benefit from clinical care to help prevent or better treat their condition. To identify those patients individually from the patient community would be a lengthy and time-consuming process which would by its nature potentially not identify individuals quickly and increase the time to improve care. A GP / health professional reviews this information before a decision is made.

The use of personal and health data for risk stratification has been approved by the Secretary of State, through the Confidentiality Advisory Group of the Health Research Authority (known as Section 251 approval). Further information on Section 251 can be obtained by clicking here. This approval allows your GP or staff within your GP Practice who are responsible for providing your care, to see information that identifies you, but CCG staff will only be able to see information in a format that does not reveal your identity.

NHS England encourages GPs to use risk stratification tools as part of their local strategies for supporting patients with long-term conditions and to help and prevent avoidable admissions.

Knowledge of the risk profile of our population helps to commission appropriate preventative services and to promote quality improvement.

Risk stratification tools use various combinations of historic information about patients, for example, age, gender, diagnoses and patterns of hospital attendance and admission and primary care data collected in GP practice systems.

If you do not wish information about you to be included in our risk stratification programme, please contact us. We can add a code to your records that will stop your information from being used for this purpose. Please see the section below regarding objections for using data for secondary uses.

**Invoice Validation**

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| **Type of Data** | Personal Data – demographics Pseudonymised – coded health care data |
| **Source of Data** | GP Practice and other care providers |
| **Legal Basis and Condition for processing special category of data under GDPR** | Article 6 (1)(c) - Processing is necessary for compliance with a legal obligation  Article 9(2)(h) - Processing is 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 and social care or treatment or the management of health and social care systems  Section 251 NHS Act 2006, NHS Constitution (Health and Social Care Act 2012) |

If you have received treatment within the NHS, an NHS invoice validation service may require access to your personal information in order to determine which Clinical Commissioning Group is responsible for paying for the treatment or procedure you have received.

Information such as your NHS Number and details of treatment may be passed on to enable the billing process. These details are held in a secure environment and kept confidential. This information will only be used to validate invoices, and will not be shared for any further commissioning purposes.

**National Clinical Audits**

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| **Type of Data** | Personal Data – demographics  Special category of data – Health data Pseudonymised Anonymised |
| **Source of Data** | GP Practice and other care providers |
| **Legal Basis and Condition for processing special category of data under GDPR** | Article 6 (1)(c) - Processing is necessary for compliance with a legal obligation  Article 9(2)(h) - Processing is 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 and social care or treatment or the management of health and social care systems  Section 251 NHS Act 2006, NHS Constitution (Health and Social Care Act 2012) |

We contribute to national clinical audits and will send the data which are required by NHS Digital when the law allows. This may include demographic data such as date of birth and information about your health which is recorded in coded form, for example, the clinical code for diabetes or high blood pressure.

**Compliance with legal obligations**

The law requires us to share information from your medical records in certain circumstances. In these circumstances the minimum identifiable information that is essential to serve that legal purpose will be disclosed.

The organisation receiving the information will also have a professional and contractual duty of confidentiality. Data will be anonymised if at all possible before disclosure if this would serve the purpose for which the data is required.

We must also share your information if a court of law orders us to do so.

Organisations that we are sometimes obliged to release information to include:

* NHS Digital
* CQC
* DVLA
* GMC
* HMRC
* NHS Counter Fraud
* Police
* The Courts
* Public Health England
* Local Authorities (Social Services)
* The Health Service Ombudsman

**NHS Digital**

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| **Type of Data** | Personal Data – demographics  Special category of data – Health data Pseudonymised Anonymised |
| **Source of Data** | GP Practice and other care providers |
| **Legal Basis and Condition for processing special category of data under GDPR** | Article 6 (1)(c) - Processing is necessary for compliance with a legal obligation  Article 9(2)(h) - Processing is 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 and social care or treatment or the management of health and social care systems  Section 251 NHS Act 2006, NHS Constitution (Health and Social Care Act 2012) |

NHS Digital is a national body which has legal responsibilities to collect information about health and social care services. It collects information from across the NHS in England and provides reports on how the NHS is performing. These reports help to plan and improve services to patients.

We must comply with the law and will send data to NHS Digital, for example, when we are told to do so by the Secretary of State for Health or NHS England under the Health and Social Care Act 2012.

**Care Quality Commission (CQC)**

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| **Type of Data** | Personal Data – demographics  Special category of data – Health data Pseudonymised Anonymised |
| **Source of Data** | GP Practice and other care providers |
| **Legal Basis and Condition for processing special category of data under GDPR** | Article 6 (1)(c) - Processing is necessary for compliance with a legal obligation  Article 9(2)(h) - Processing is 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 and social care or treatment or the management of health and social care systems  Section 251 NHS Act 2006, NHS Constitution (Health and Social Care Act 2012) |

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.

**Public Health**

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| **Type of Data** | Personal Data – demographics  Special category of data – Health data Pseudonymised Anonymised |
| **Source of Data** | GP Practice and other care providers |
| **Legal Basis and Condition for processing special category of data under GDPR** | Article 6 (1)(c) - Processing is necessary for compliance with a legal obligation  Article 9(2)(h) - Processing is 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 and social care or treatment or the management of health and social care systems  Section 251 NHS Act 2006, NHS Constitution (Health and Social Care Act 2012) |

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.

**Purposes requiring consent**

There are also other areas of processing undertaken where consent is required from you. Under GDPR, consent must be freely given, be specific, you must be informed and a record must be made that you have given your consent, to confirm you have understood.

Those requesting information for which you need to give your explicit consent may include:

* Your employer
* Insurance companies
* Solicitors
* Local Authorities
* Police

**Patient and Public Involvement**

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| --- | --- |
| **Type of Data** | Personal Data – demographics |
| **Source of Data** | GP Practice |
| **Legal Basis and Condition for processing special category of data under GDPR** | Article 6 (1)(a) – Explicit Consent  Article 9 (2)(a) – Explicit Consent |

If you have asked us to keep you regularly informed and up to date about the work of the GP Practice or if you are actively involved in our engagement and consultation activities or patient participation groups, we will collect and process personal confidential data which you share with us.

We obtain your consent for this purpose. Where you submit your details to us for involvement purposes, we will only use your information for this purpose. You can opt out at any time by contacting us using our contact details at the end of this document.

**Medical Research**

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| **Type of Data** | Personal Data – demographics  Special category of data – health data |
| **Source of Data** | GP Practice |
| **Legal Basis and Condition for processing special category of data under GDPR** | Article 6 (1)(a) – Explicit Consent  Article 9 (2)(j) - Processing is necessary for…scientific or historical research purposes…  Common law duty of confidentiality – explicit consent or if there is a legal statute for this which you will be informed of |

If you wish to take part in a research study, we obtain your consent for this purpose. Where you submit your details to us for research purposes, we will only use your information for this purpose. You can opt out at any time by contacting us using our contact details at the end of this document.

**Training Practice**

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| **Type of Data** | Personal Data – demographics  Special category of data – health data |
| **Source of Data** | GP Practice |
| **Legal Basis and Condition for processing special category of data under GDPR** | Article 6 (1)(a) – Explicit Consent  Article 9 (2)(h) - Processing is 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 and social care or treatment or the management of health and social care systems  Common law duty of confidentiality – explicit consent |

You may occasionally see a GP Trainee at the practice who may ask you if it okay to record the consultation for use in their training or exams. The recording will only be shared with the Royal College of General Practitioners (RCGP) and the information on how this is shared and used can be found here: <https://www.rcgp.org.uk/training-exams/mrcgp-exam-overview/-/media/F0C813F4063D4496A5231FD723938AB8.ashx>

**Complaints**

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| **Type of Data** | Personal Data – demographics  Special category of data – health data |
| **Source of Data** | Data Subject, Primary Care, Secondary Care and Community Care |
| **Legal Basis and Condition for processing special category of data under GDPR** | Article 6 (1)(a) – Explicit Consent  Article 9 (2)(h) - Processing is 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 and social care or treatment or the management of health and social care systems  Common law duty of confidentiality – explicit consent |

If you contact the GP Practice about a complaint, we require your explicit consent to process this complaint for you. You will be informed of how and with whom your data will be shared by us, including if you have or you are a representative you wish the GP practice to deal with on your behalf.

**Text Messaging Reminders**

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| **Type of Data** | Personal Data – demographics  Special category of data – health data |
| **Source of Data** | GP Practice |
| **Legal Basis and Condition for processing special category of data under GDPR** | Article 6 (1)(a) – Explicit Consent  Article 9 (2)(h) - Processing is 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 and social care or treatment or the management of health and social care systems  Common law duty of confidentiality – explicit consent |

With your consent the surgery can send you text messages to remind you about appointments. We need your signed consent beforehand as there is risk that your family and friends could see the messages and you may not want them to.

Please come in to reception to complete and sign a short form if you want us to send text messages to you.

If you change your mobile telephone number, please tell us as soon as possible so we can continue the reminder service to your mobile phone.

**Using anonymous or coded information**

This type of data may be used to help assess the needs of the general population and make informed decisions about the provision of future services. Information can also be used to conduct health research and development and monitor NHS performance where the law allows this. Where information is used for statistical purposes, stringent measures are taken to ensure individual patients cannot be identified. Anonymous statistical information may also be passed to organisations with a legitimate interest, including universities, community safety units and research institutions.

**How we protect your personal data**

We will use the information in a manner that conforms to the General Data Protection Regulations (GDPR) and Data Protection Act 2018.   The information you provide will be subject to rigorous measures and procedures to make sure it can’t be seen, accessed or disclosed to any inappropriate persons. We have an Information Governance Framework that explains the approach within the GP practice, our commitments and responsibilities to your privacy and cover a range of information and technology security areas.

Access to your personal confidential data is password protected on secure systems and securely locked in filing cabinet when on paper.

Our IT Services provider, Greater Manchester Shared Service, regularly monitor our system for potential vulnerabilities and attacks and look to always ensure security is strengthened.

All our staff have received up to date data security and protection training. They are obliged in their employment contracts to uphold confidentiality, and may face disciplinary procedures if they do not do so. We have incident reporting and management processes in place for reporting any data breaches or incidents. We learn from such events to help prevent further issues and inform patients of breaches when required.

**How long do we keep your personal data?**

Whenever we collect or process your data, we will only keep it for as long as is necessary for the purpose it was collected. For a GP practice, we comply with the [Records Management NHS Code of Practice](https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-practice-for-handling-information-in-health-and-care/records-management-code-of-practice-for-health-and-social-care-2016) which states that records are kept for 10 years after date of death. Following this time, the records are securely destroyed if stored on paper or archived if electronic.

Destruction

This will only happen following a review of the information at the end of its retention period. Where data has been identified for disposal we have the following responsibilities:

* to ensure that information held in manual form is destroyed using a cross cut shredder or contracted to a reputable confidential waste company [Shred-It] that complies with European Standard EN15713 and obtain certificates of destruction.
* to ensure that electronic storage media used to hold or process information are destroyed or overwritten to national standards.

**Who we share your data with?**

As stated above, where your data is being processed for direct care this will be shared with other care providers who are providing direct care to you such as:

* NHS Trusts / Foundation Trusts
* GP’s
* Independent Contractors such as dentists, opticians, pharmacists
* Private Sector Providers
* Voluntary Sector Providers
* Ambulance Trusts
* Social Care Services
* Out of hours providers
* Walk in centres
* Clinics

We work with third parties and suppliers (data processors) to be able for us to provide a service to you. These include:

* EMIS (who provide our electronic clinical system)
* NHS Greater Manchester Shared service (who provide our IT services)
* The National Summary Care Record (SCR)
* Graphnet Health (who provide a Clinical Portal)
* EMIS Web data streaming (used only with explicit consent)
* Remote Consultations (GP Federation – used only with explicit consent)
* Adastra Web Access (GP out of hours)
* ERISS (Ambulance service)
* Symphony (Royal Oldham Hospital)
* iPlato (text reminder service)
* Docman (for electronic clinical letters)

There may be occasions whereby these organisations have potential access to your personal data, for example, if they are fixing an IT fault on the system. To protect your data, we have contracts and / or Information Sharing Agreements in place stipulating the data protection compliance they must have and re-enforce their responsibilities as a data processor to ensure you data is securely protected at all times.

We will not disclose your information to any 3rd party without your consent unless:

* there are exceptional circumstances (life or death situations)
* where the law requires information to be passed on as stated above
* required for fraud management – we may share information about fraudulent activity in our premises or systems. This may include sharing data about individuals with law enforcement bodies.
* It is required to be disclosed to the police or other enforcement, regulatory or government body for prevention and / or detection of crime

**Where is your data processed?**

Your data is processed within the GP surgery and by other third parties as stated above who are UK based. Your personal data is not sent outside of the UK for processing.

Where information sharing is required with a country outside of the EU you will be informed of this and we will have a relevant Information Sharing Agreement in place. We will not disclose any health information without an appropriate lawful principle, unless there are exceptional circumstances such as when the health or safety of others is at risk, where the law requires it, or to carry out a statutory functions i.e. reporting to external bodies to meet legal obligations

**What are your rights over your personal data?**

You have the following rights over your data we hold:

* Subject Access Rights – you can request access to and or copies of personal data we hold about you, free of charge (subject to exemptions) and provided to you within 1 calendar month. We request that you provide us with adequate information in writing to process your request such as full name, address, date of birth, NHS number and details of your request and documents to verify your identity so we can process the request efficiently. On processing a request, there may be occasions when information may be withheld if the organisation believes that releasing the information to you could cause serious harm to your physical or mental health. Information may also be withheld if another person (i.e. third party) is identified in the record, and they do not want their information disclosed to you. However, if the other person was acting in their professional capacity in caring for you, in normal circumstances they could not prevent you from having access to that information.
* Right to rectification - The correction of personal data when incorrect, out of date or incomplete which must be acted upon within 1 calendar month of receipt of such request. Please ensure the GP practice has the correct contact details for you.
* Right to withdraw consent - If we have your explicit consent for any processing we do, you have the right to withdraw that consent at any time and have the right to have data portability (data provided to you in a commonly used and machine readable format) and erasure (right to be ‘forgotten’)
* Right to object to processing – you have the right to object to processing however please note if we can demonstrate compelling legitimate grounds which outweighs the interest of you then processing can continue. If we didn’t process any information about you and your health care if would be very difficult for us to care and treat you.

To request a copy or request access to information we hold about you and / or to request information to be corrected if it is inaccurate, please contact us on [ch.medical@nhs.net](mailto:ch.medical@nhs.net).

**Objections to processing for secondary purposes (other than direct care)**

The NHS Constitution states "You have the right to request that your confidential information is not used beyond your own care and treatment and to have your objections considered". The possible consequences (i.e. lack of joined up care, delay in treatment if information has to be sourced from elsewhere, medication complications which all lead to the possibility of difficulties in providing the best level of care and treatment) will be fully explained to you to allow you to make an informed decision.

**National Data Opt-out**

You can choose whether your confidential patient information is used for research and planning. To find out more visit <https://www.nhs.uk/your-nhs-data-matters/>.

You do not need to do anything if you are happy about how your confidential patient information is used. You can change your choice at any time.

The following types of Opt Outs are being phased out this year and replaced by the National Data Opt-out. You can read more about it here.

**Type 1 opt-out: medical records held at your GP Practice**

You can also tell your GP Practice if you do not want your confidential patient information held in your GP medical record to be used for purposes other than your individual care. This is commonly called a type 1 opt-out. This opt-out request can only be recorded by your GP surgery.

**Type 2 opt-out: information held by NHS Digital (now the National Data Opt-out)**

Previously you could tell your GP surgery if you did not want, NHS Digital, to share confidential patient information that we collect from across the health and care service for purposes other than your individual care. This was called a type 2 opt-out.

From 25 May 2018 the type 2 opt-out has been replaced by the National Data Opt-out. Type 2 opt-outs that have been recorded previously have been automatically converted to National Data Opt-outs.

As of October 2018 the National Data Opt-out can only be set by NHS Digital and there are three options:

Online – via the following link: <https://www.nhs.uk/your-nhs-data-matters/manage-your-choice/>. You must have an email address or mobile phone number registered with an NHS Service to use this method.

Telephone – via 0300 303 5678. The NHS Digital Contact Centre will verify your identity and discuss your data sharing choices. The Contact Centre may be able to guide you through the online service or set a choice on your behalf.

Print and post – if you are unable to use the online or telephone service, you can use a paper print and-post form to set a choice instead via the following link: <https://assets.nhs.uk/prod/documents/Non-Digital_Opt-Out_Form_v15.pdf>

**Complaints / Contacting the Regulator**

If you feel that your data has not been handled correctly or you are unhappy with our response to any requests you have made to us regarding the use of your personal data, please contact our Practice Manager at [jenniferrichards@nhs.net](mailto:jenniferrichards@nhs.net) or our Complaint’s Manager at [alyson.gledhill@nhs.net](mailto:alyson.gledhill@nhs.net)

If you are not happy with our responses and wish to take your complaint to an independent body, you have the right to lodge a complaint with the Information Commissioner’s Office. You can contact them by calling 0303 123 1133. Or go online to [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns) (opens in a new window, please note we can’t be responsible for the content of external websites).

**Further Information / Contact Us**

We hope that the Privacy Notice has been helpful in setting out the way we handle your personal data and your rights to control it. Should you have any questions / or would like further information, please contact us at the following contact details:

Email us at: [ch.medical@nhs.net](mailto:ch.medical@nhs.net)

Phone us on: 0161 785 9240

Or write to us at: CH Medical, Fields New Road Primary Care Centre, Chadderton, Oldham, OL9 8NH