

**We understand how important it is to keep your personal information safe and secure and we take this very seriously. We have taken steps to make sure your personal information is looked after in the best possible way and we review this regularly.**

**Please read this privacy notice ('Privacy Notice') carefully, as it contains important information about how we use the personal and healthcare information we collect on your behalf.**

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

The Information Commissioner's Office (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.'

The Government have also taken action in respect of this and on 20th March 2020 the Secretary of State for Health and Social Care issued a Notice under Regulation 3(4) of The Health Service (Control of Patient Information) Regulations 2002 requiring organisations such as GP Practices to use your information to help GP Practices and other healthcare organisations to respond to and deal with the COVID-19 pandemic.

In order to look after your healthcare needs during this difficult time, we may urgently need to share your personal information, including medical records, with clinical and non-clinical staff who belong to organisations that are permitted to use your information and need to use it to help deal with the Covid-19 pandemic. This could (amongst other measures) consist of either treating you or a member of your family and enable us and other healthcare organisations to monitor the disease, assess risk and manage the spread of the disease.

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

The Secretary of State for Health and Social Care has also stated that these measures are temporary and will expire on 30th September 2020 unless a further extension is required. Any further extension will be provided in writing and we will communicate the same to you.

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.

### **How we look after your personal information during the Covid-19 pandemic when staff work from home.**

In accordance with government guidance and in order to protect the health and safety of our staff during this difficult period we will be requiring staff to work from home.

This means that staff may have access to any necessary personal and/or medical information in order to look after your healthcare needs.

We would like to assure you that our staff will be subject to all relevant security procedures and policies of the Practice to ensure that any information is kept safe, secure and confidential at all times.

If you are concerned about how your information is being used, please contact our DPO using the contact details provided in this Privacy Notice.

## 1. Where to find our Privacy Notice



A copy of this Privacy Notice is on our website, or a copy may be provided on request (ask a Patient Adviser in the first instance).

**If English is not your first language you can request a translation of this Privacy Notice. Please ask a Patient Adviser in the first instance.**

## 2. Changes to our Privacy Notice



We regularly review and update our Privacy Notice.

## 3. Under 16's



We are currently working on producing a Privacy Notice for children and this will be available as soon as we are able. If you are under 16 and wish to have a copy of the Privacy Notice, or have someone explain it to you, please ask to speak to the Data Protection Officer at [iwccg.cowesmcdpo@nhs.net](mailto:iwccg.cowesmcdpo@nhs.net)

## 4. Why are we providing this Privacy Notice?



We are required to provide you with this Privacy Notice by Law detailing how we use the personal and healthcare information we collect, store and hold about you to explain:

- **why we collect** personal and healthcare information about you;
- **how we use** any personal and/or healthcare information we hold on you;
- **what we do** with it;
- **who we share it with** or pass it on to and why; and
- **how long we can keep it for.**

## 5. Security of Your Information



We take the security of your information very seriously and we do everything we can to ensure that your information is always protected and secure.

We regularly update our processes and systems and ensure that our staff are properly trained. We also carry out assessments and audits of the information that we hold about you and make sure that if we provide any other services, we carry out proper assessments and security reviews.

## 6. Data Protection Officer



If you are unclear about how we process or use your personal and healthcare information, or you have any questions about this Privacy Notice, or any other issue regarding your personal and healthcare information, then please do contact our Data Protection Officer.

### **The Data Protection Officer can help if you:**

- have any questions about how your information is being held;
- require access to your information or if you wish to make a change to your information;
- wish to make a complaint about anything to do with the personal and healthcare information we hold about you;
- have any other query relating to this Policy and your rights as a patient.



**Our Data Protection Officer is:** Information Governance Manager and Primary Care DPO, NHS South, Central and West. **You can contact the DPO at [iwccg.cowesmcdpo@nhs.net](mailto:iwccg.cowesmcdpo@nhs.net) or on (01983) 295 251.**

7. **Data Controller**



Cowes Medical Centre ('the Surgery') at 200 Newport Road, Cowes, Isle of Wight, PO31 7ER, is the Data Controller of your information. This means we are responsible for collecting, storing and handling your personal and healthcare information when you register with us.



There may be times where we also process your information. That means we use it for a particular purpose and, therefore, on those occasions we may also be **Data Processors**. The purposes for which we use your information are set out in this Privacy Notice.

8. **What information do we collect from you?**



The information we collect from you will include:

- Your contact details (such as your name, mobile, email address, including place of work);
- Details and contact numbers of your next of kin;
- Your age, gender, ethnicity;
- Details in relation to your medical history;
- The reason for your visit to the Surgery;
- Medical notes and details of diagnosis and consultations with our clinicians (GPs, Locums, ANPs, Practice Pharmacist, Practice Nurses or Healthcare Assistants) and other health professionals within the Surgery involved in your direct healthcare.
- This is stored on our electronic clinical system.

9. **What information do we receive about you?**



As your registered surgery we have a special responsibility for information relating to your healthcare, your healthcare record. We therefore also receive personal information about you when it is sent to us from the following:

- a hospital, a consultant or any other medical or healthcare professional, or any other person involved with your general healthcare.
- Independent Contractors such as dentists, opticians, pharmacists;
- Private Sector Providers;
- Voluntary Sector Providers;
- Social Care Services;
- Local Authorities & Education Services;
- 3rd Parties (such as friends/family/neighbour);
- Police & Judicial Services.


10. **What information is Held Nationally About You**

10.1 Your **Summary Care Record** is an electronic record available nationally to health professionals



who may care for you. It contains important information about any medicines you are taking, any allergies you suffer from, any bad reactions to medicines that you have had, and any current health conditions. Access to this information can prevent mistakes from being made when caring for you in an emergency, or when your GP Surgery is closed. Your Summary Care Record is held on a national healthcare records database run by NHS England. Additions to

this record may also be made by relevant healthcare professionals and organisations involved in your direct healthcare.

10.2  Your health and care information is also used to help **research new treatments and planning** where to locate GP surgeries or the number of doctors or nurses needed in a hospital. Wherever possible they will use data that does not identify you, but this is not always possible. It is used by the NHS, local authorities, universities and hospital researchers, medical colleges and pharmaceutical companies researching new treatments.

10.3 **If you are happy with this use of information you do not need to do anything. You may change your choice at any time.** Alternatively, you may have the right to demand that this information is not shared with anyone who is not involved in the provision of your direct healthcare. If you wish to enquire further as to your rights in respect of not sharing information then please contact our Data Protection Officer. If you do choose to opt out, you can still consent to your data being used for specific purposes.

10.4 **To find out more** about the wider use of confidential personal information and to register your choice to opt out if you do not want your data to be used, please visit:



**Summary Care Record:** <https://digital.nhs.uk/services/summary-care-records-scr/summary-care-records-scr-information-for-patients>

**Research & Planning:** [www.nhs.uk/your-nhs-data-matters/manage-your-choice](http://www.nhs.uk/your-nhs-data-matters/manage-your-choice)

## 11. **Who do we Provide Your Personal Information to and Why**



Whenever you use a health or care service, such as attending Accident & Emergency or using Community Care Services, important information about you is collected to help ensure you get the best possible care and treatment.

This information may be passed to other approved organisations where there is a legal basis, to help with planning services, improving care, research into developing new treatments and preventing illness. All of this helps in providing better care to you and your family and future generations. However, as explained in this Privacy Notice, confidential information about your health and care is only used in this way where allowed by law, and would never be used for any other purpose without your clear and explicit consent.

### 11.1 **Sharing Information for the Provision of your Direct Healthcare Needs**



We may pass your personal information on to the following people or organisations, because these organisations may require your information to assist them in the **provision of your direct healthcare needs**. It, therefore, may be important for them to be able to access your information in order to ensure they may properly deliver their services to you:

- Hospital professionals (such as doctors, consultants, nurses, etc);
- Other GPs/Doctors;
- Physiotherapists/MSK practitioners;
- Pharmacists;
- District or MacMillan Nurses and other healthcare professionals;
- Dentists;
- Social Prescribers;

- Any other person or organisation that is involved in providing services related to your general healthcare, including mental health professionals or the Medicines Optimisation Team.

#### 11.2 Other people who we provide information to are:

- Commissioners;
- Clinical Commissioning Groups;
- Local authorities;
- Community health services;
- For the purposes of complying with the law e.g. Police, Solicitors, Insurance Companies;
- Anyone you have given your consent to, to view or receive your record, or part of your record.

#### 11.3 If You Give Consent to Share your Information



**If you give another person (such as your partner or next of kin) or organisation (such as your solicitor) consent to access your record we will need to contact you to verify your consent before we release that record. It is important that you are clear and understand how much and what aspects of, your record you give consent to be disclosed.**

#### 11.4 Extended Access

We provide extended access services to our patients which means you can access medical services outside of our normal working hours. In order to provide you with this service, we have formal arrangements in place with the Clinical Commissioning Group and with other practices whereby certain key “hub” practices offer this service on our behalf for you as a patient to access outside of our opening hours. This means, those key “hub” practices will have to have access to your medical record to be able to offer you the service. Please note to ensure that those practices comply with the law and to protect the use of your information, we have very robust data sharing agreements and other clear arrangements in place to ensure your data is always protected and used for those purposes only.

The key **Extended Access Hub** practices are as follows: Shanklin Medical Centre, Tower House (Ryde), Sandown Health Centre & Lighthouse Medical (Newport).

#### 11.5 Data Extraction

The Clinical Commissioning Group at times extracts medical information about you, but the information we pass to them via our computer systems cannot identify you to them. This information only refers to you by way of a code that only your practice can identify (it is pseudo-anonymised). This therefore protects you from anyone who may have access to this information at the Clinical Commissioning Group from ever identifying you as a result of seeing the medical information and we will never give them the information that would enable them to do this.

There are good reasons why the Clinical Commissioning Group may require this pseudo-anonymised information, these are as follows:

- Understanding of population activity at a Practice, Super Practice, Federation, Primary Care Home, CCG and STP Level;
- Grouping the population into patient cohorts (segments) based on demographic and clinical features; using these cohorts as a lens through which to understand current and

future activity, financial impact and long term outcomes. Monitoring of bespoke cohorts of patients e.g. frail elderly;

- Understand and forecast costs;
- “Business as Usual” analytical support for commissioning;
- Analysis to enable services and contracts to be better aligned with the population and their needs;
- Opportunity identification using case mix adjusted benchmarking;
- Service evaluation as a resource to undertake match case control analysis.
- Population Health Analytics as follows:
  - Medicines Management, to identify cohorts of patients where prescribing could be improved, and monitoring progress with agreed changes to prescribing;
  - Monitoring progress with schemes to improve care, e.g. long-term conditions, completion of direct and local enhanced services;
  - Supporting Practices with data quality Improvements by identifying data quality issues or inconsistencies;
  - Understanding activity in Primary Care for specific conditions to identify service improvements;
  - Surveillance e.g. monitoring flu-like illness
  - Health needs assessment, for example, identifying numbers of patients with specific health conditions, or combinations of conditions;
  - Health services research including identification of patients eligible to be invited to participate in research, where patient consent has been obtained.

## 11.6 Skyguard



For the personal safety of our clinicians when conducting home visits they may carry a personal safety device (Skyguard). In the course of providing personal safety service (for instance, in an emergency situation) Skyguard may need to pass personal data on to third-party service providers contracted to Skyguard as well as to the Emergency Services. Any third parties that Skyguard may share personal data with are obliged to keep your details securely, and to use them only to fulfil the service required at the time. When they no longer need your data to fulfil this service, they require them to dispose of the details in line with Skyguard’s procedures.

## 11.7 Research Studies

11.7.1 The Practice, through National Institute for Health Research (NIHR) Clinical Research Network (CRN), provides data to support a small number of research studies each year. More information about the NIHR privacy policy can be found at: <https://www.nihr.ac.uk/privacy-policy.htm>. If you have any questions about the NIHR Privacy Policy please write to NIHR Service Desk, Back Lane, Melbourn, Royston, SG8 6DP or email [gdp\\_requests@nihr.ac.uk](mailto:gdp_requests@nihr.ac.uk)

11.7.2 There are good reasons why we support research studies, these are as follows:

- Ongoing development of healthcare treatments and monitoring
- Improvements in quality or safety of health care and of medical products or devices
- In the interest of public health

11.7.3 We do this under Article 6(1)(f) which is a legitimate interest, and Article 9(2)(j) for reasons of public interest in the area of public health. The data will only be used to support legitimate

research activities that are considered to be in the public interest, and that patients interests are safeguarded/protected with appropriate governance, transparency and consent process. If you would like more information please contact our Data Protection Officer at iwccg.cowesmcdpo@nhs.net

- 11.7.4 Research is not an incompatible purpose with that of a GP practice, and screening patient records to identify potential participants for research is allowable under the General Data Protection Regulation (GDPR).
- 11.7.5 If the data required for a research study is anonymised (a patient is not identifiable from the data) consent will not be requested. However, if a patient is identifiable, from the data requested, we will be open and honest with potential research participants about how we intend to use their personal data, and the types of data, and your consent will be requested. If you originally agreed to participate and then decide to opt-out, please contact the researcher at the practice who requested consent in the first instance. It may not always be possible to opt-out depending on how far along the research is at that time.
- 11.7.6 We will seek assurance that research involving our patients will only be published in the public domain if our patients cannot be identified.
- 11.7.7 The Information Commissioners Office (ICO) states that data for research purposes can be held indefinitely, and you should be aware that long-term storage of your data is likely for research purposes. However, safeguards to protect your privacy are detailed in the research institutions protocols (see <https://www.nihr.ac.uk/privacy-policy.htm>), and we will store patient information in accordance with this Privacy Notice.

**12. Anonymised Information**



Sometimes we may provide information about you in an anonymised form. If we do so, then none of the information we provide to any other party will identify you as an individual and cannot be traced back to you.

**13. Your Rights as a Patient**

The Law gives you certain rights to your personal and healthcare information that we hold, as set out below.

**13.1 Access and Subject Access Requests**



You have the right to see what information we hold about you and to request a copy of this information. If you would like a copy of the information we hold about you please email our Data Protection Officer. We will provide this information free of charge however, we may in some limited and exceptional circumstances have to make an administrative charge for any extra copies if the information requested is excessive, complex or repetitive.

We have one month from the day after the date of receipt to reply to you and give you the information that you require. We would ask, therefore, that any requests you make are in writing and it is made clear to us what and how much information you require.

13.2 **Online Access**



You may ask us if you wish to have online access to your medical record. However, there will be certain protocols that we have to follow in order to give you online access, including written consent and production of documents that prove your identity.

Please note that when we give you online access, the responsibility is yours to make sure that you keep your information safe and secure if you do not wish any third party to gain access.

13.3 **Correction**



We want to make sure that your personal information is accurate and up to date. You may ask us to correct any information you think is inaccurate. It is very important that you make sure you tell us if your contact details including your mobile phone number has changed.

13.4 **Removal**



You have the right to ask for your information to be removed however, if we require this information to assist us in providing you with appropriate medical services and diagnosis for your healthcare, then removal may not be possible.

13.5 **Objection**



We cannot share your information with anyone else for a purpose that is not directly related to your health, e.g. medical research, educational purposes, etc. We would ask you for your consent in order to do this however, you have the right to request that your personal and healthcare information is not shared by the Surgery in this way. Please note the Anonymised Information section in this Privacy Notice.

13.6 **Transfer**



You have the right to request that your personal and/or healthcare information is transferred, in an electronic form (or other form), to another organisation, but we will require your clear consent to be able to do this.

14. **Third Parties Mentioned on your Medical Record**



Third parties can include: spouses, partners, and other family members. Sometimes we record information about third parties mentioned by you to us during a consultation. We are under an obligation to make sure we also protect that third party's rights as an individual and to ensure that references to them which may breach their rights to confidentiality are removed, before we send any information to any other party including you.

15. **How we use the Information About You**

15.1 We use your personal and healthcare information in the following ways:



- when we need to speak to, or contact other doctors, consultants, nurses or any other medical/healthcare professional or organisation during the course of your diagnosis or treatment or on-going healthcare;
- when we are required by Law to hand over your information to any other organisation, such as the police, by court order, solicitors, or immigration enforcement.

15.2 **We will never pass on your personal information to anyone else who does not need it, or has no right to it, unless you give us clear consent to do so.**



16. **Legal Justification for Collecting and Using Your Information**



The Law says we need a legal basis to handle your personal and healthcare information. This falls into the following four categories:

- **CONTRACT** - we have a contract with NHS England to deliver healthcare services to you. This contract provides that we are under a legal obligation to ensure that we deliver medical and healthcare services to the public.
- **CONSENT** - sometimes we also rely on the fact that you give us consent to use your personal and healthcare information so that we can take care of your healthcare needs. Please note that you have the right to withdraw consent at any time if you no longer wish to receive services from us.
- **NECESSARY CARE** - providing you with the appropriate healthcare, where necessary. The Law refers to this as 'protecting your vital interests' where you may be in a position not to be able to consent.
- **LAW** - sometimes the Law obliges us to provide your information to an organisation (see above).

17. **Special Categories**



The Law states that personal information about your health falls into a special category of information because it is very sensitive. Reasons that may entitle us to use and process your information are as follows:

- **PUBLIC INTEREST** - where we may need to handle your personal information when it is considered to be in the public interest. For example, when there is an outbreak of a specific disease and we need to contact you for treatment, or we need to pass your information to relevant organisations to ensure you receive advice and/or treatment;
- **CONSENT** - when you have given us consent;
- **VITAL INTEREST** - if you are incapable of giving consent, and we have to use your information to protect your vital interests (e.g. if you have had an accident and you need emergency treatment);
- **DEFENDING A CLAIM** - if we need your information to defend a legal claim against us by you, or by another party;
- **PROVIDING YOU WITH MEDICAL CARE** - where we need your information to provide you with medical and healthcare services.

18. **How long do we Keep your Personal Information**



We carefully consider any personal information that we store about you, and we will not keep your information for longer than is necessary for the purposes as set out in this Privacy Notice. If you transfer to another Practice your medical record will be sent on registration with your

new Practice to your new Practice, via Primary Care Support England (PCSE). PCSE are also responsible for your record once you no longer require, or are eligible for, NHS services.

19. **Our Website**



The only website this Privacy Notice applies to is the Surgery’s website. If you use a link to any other website from the Surgery’s website, or from this Privacy Notice, then you will need to read their respective privacy notice. We take no responsibility (legal or otherwise) for the content of other websites.

19.1 **Cookies**

The Surgery’s website is provided by “My Surgery Website”. My Surgery Website does not use cookies to track your activity online. My Surgery Website Limited does not set first party cookies on this website containing any personal data unless specifically instructed to do so by the user. For example, if a user requests to be remembered on a form then a cookie is set to retain the form data for next time.

The Web Site uses third-party Cookies to collect anonymous traffic data about your use of this website. This information is stored by Google and subject to their privacy policy, which can be viewed here: <http://www.google.com/privacy.html>. Google Analytics collects information such as pages you visit on this site, the browser and operating system you use and time spent viewing pages. The purpose of this information is to help us improve the site for future visitors. These cookies are not used to track you or your activity but if you do not wish these cookies to be stored on your computer, disable cookies in your browser settings. You may delete Cookies at any time. See the help in your internet browser to find out how to delete your cookies.

20. **CCTV**



For building security only, there are CCTV cameras on the outside of the building. These images are stored on dedicated storage for 2 weeks and then automatically overwritten. It is our policy not to release any images to third parties unless it forms part of a criminal investigation.

21. **Contacting You**



Because we are obliged to protect any confidential information we hold about you and we take this very seriously, it is imperative that you let us know immediately if you change any of your contact details.



We may contact you using SMS texting to your mobile phone in the event that we need to notify you about appointments and other services that we provide to you involving your direct care, therefore you must ensure that we have your up to date details. This is to ensure we are actually contacting you and not another person.

22. **Complaints**



If you have a concern about the way we handle your personal data or you have a complaint about what we are doing, or how we have used or handled your personal and/or healthcare information, then please contact our Complaints Manager at the Practice address. However, you also have a right to raise any concern or complaint with the UK information regulator, at the Information Commissioner’s Office: <https://ico.org.uk/global/contact-us/>.

