

Fair Processing Notice under the General Data Protection Regulations (GDPR) 2018 (formerly the Data Protection Act 1998) - How we use your personal information

This fair processing notice explains why the GP practice collects information about you and how that information may be used.

The health care professionals who provide you with care maintain records about your health and any treatment or care you have received previously (e.g. NHS Trust, GP Surgery, Walk-in clinic, etc.). These records help to provide you with the best possible healthcare.

NHS health records may be electronic, on paper or a mixture of both, and we use a combination of working practices and technology solutions to ensure that your information is kept confidential and secure. Records which this Practice holds about you may include the following information:

- Details about you, such as your address, carer, legal representative, emergency contact details, next of kin
- Any contact the surgery has had with you, such as appointments, telephone, eConsults submitted by you, etc.
- Notes and reports about your health
- Details about your treatment and care
- Results of investigations such as laboratory tests, x-rays etc.
- Relevant information from other health professionals, relatives or those who care for you

To ensure you receive the best possible care, your records are used to facilitate the care you receive. Information held about you may be used to help protect the health of the public and to help us manage the NHS. Information may be used within the GP practice for clinical audit to monitor the quality of the service provided. Some of this information will be held centrally and used for statistical purposes. Where we do this, we take strict measures to ensure that individual patients cannot be identified. Sometimes your information may be requested to be used for research purposes – if this information needs to be identifiable, the surgery will always gain your explicit consent before releasing the information for this purpose.

Risk Stratification

Risk stratification data tools are increasingly being used in the NHS to help determine a person's risk of suffering a particular condition, preventing an unplanned or (re)admission and identifying a need for preventive intervention. Information about you is collected from a number of sources including NHS Trusts and from this GP Practice. A risk score is then arrived at through an analysis of your anonymised information using software managed by our clinical system provider, and is only provided back to your GP as data controller in an identifiable form. Risk stratification enables your GP to focus on preventing ill health and not just the treatment of sickness. If necessary your GP may be able to offer you additional services. Please note that you have the right to opt out of your data being used in this way.

Medicine Management

The Practice may conduct Medicines Management Reviews of medications prescribed to its patients. This service performs a review of prescribed medications to ensure patients receive the most appropriate, up to date and cost effective treatments. This service is provided by pharmacists and Technicians employed by Kernow Clinical Commissioning Group. They are bound by the same confidentiality rules as our staff are.

Stop Smoking Service

The practice offers a Stop Smoking Service. Patients, who have expressly requested the services of our smoking cessation counsellors, will be offered counselling and other treatments with a view to ceasing smoking. This service is provided by Smoking cessation counsellors who are employed by Cornwall County Council. They are bound by the same confidentiality rules as our staff.

How do we maintain the confidentiality of your records?

We are committed to protecting your privacy and will only use information collected lawfully in accordance with:

- General Data Protection Regulations 2018 (formerly Data Protection Act 1998)
- Human Rights Act 1998
- Common Law Duty of Confidentiality
- Health and Social Care Act 2012
- NHS Codes of Confidentiality, Information Security and Records Management
- Information: To Share or Not to Share Review

Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential. Any visitor to the premises who will or could be exposed to your identifiable information will sign a confidentiality agreement.

We will only ever use or pass on information about you if others involved in your care have a genuine need for it. We will not disclose your information to any third party without your permission unless there are exceptional circumstances (i.e. life or death situations), where the law requires information to be passed on and / or in accordance with the new information sharing principle following Dame Fiona Caldicott's information sharing review (Information to share or not to share) where "The duty to share information can be as important as the duty to protect patient confidentiality." This means that health and social care professionals should have the confidence to share information in the best interests of their patients within the framework set out by the Caldicott principles. They should be supported by the policies of their employers, regulators and professional bodies.

Who are our partner organisations?

- NHS Trusts / Foundation Trusts
- GP's
- Pharmacies
- NHS Commissioning Support Units
- Independent Contractors such as dentists, opticians, pharmacists

- Private Sector Providers
- Voluntary Sector Providers
- Ambulance Trusts
- Clinical Commissioning Groups
- Social Care Services
- Health and Social Care Information Centre (HSCIC)
- Local Authorities
- Education Services
- Fire and Rescue Services
- Police & Judicial Services
- Voluntary Sector Providers
- Private Sector Providers
- Other ‘data processors’ which you will be informed of

You will be informed who your data will be shared with and in some cases asked for explicit consent for this happen when this is required. These companies are bound by contractual agreements to ensure information is kept confidential and secure.

Who are our partner software suppliers / businesses?

We use a number of pieces of software and organisations outside of the NHS to facilitate your healthcare and enable our staff to contact you. These are as follows:

Name	Description	Can employees of the organisation access patient information?	GDPR statement
TPP (SystemOne & SystemOnline)	Clinical system & Patient online access holds patient demographic and medical information.	The servers are securely stored off-site, access is encrypted. TPP support staff are able to remotely connect with the consent of our staff for problem solving.	https://www.tpp-uk.com/legal/privacy-policy
Crowbytes	IT Support	Engineers can remotely connect with the consent of our staff for problem solving. Engineers attend site to resolve IT issues with the consent of our staff.	https://www.crowbytes.com/wp-content/uploads/2018/07/Privacy-Policy.pdf
Restore Datashred	Shred paper on which is recorded patient or other confidential data	Representative comes to site and collects the shredding bins full of paper and shreds on site.	Information regarding the service at https://www.restore.co.uk/Datashred/Services/Onsite-Shredding
RPM Solutions	Telephone call recording system	RPM Solutions support staff are able to dial in remotely with the consent of our staff for problem solving.	http://rpmsols.co.uk/information/privacy-policy/

MDU / MPS / MDDUS	Indemnity organisations	We will sometimes send by email or discuss by phone identifiable information when the organisation is supporting a GP in a patient complaint or litigation. Information will be redacted where possible.	https://www.themdu.com/privacy-policy https://www.medicalprotection.org/home/privacy-cookies-policy https://www.mddus.com/mddus-policies/privacy-notice
Numed	Numed provides software and support for our ECG machine.	Numed support staff can remotely dial in with the consent of our staff for problem solving.	https://www.numed.co.uk/gdpr-statement-of-compliance
AccuRx	Numed provides software and support for SMS and video consultations.	AccuRx support staff can remotely connect to our computers, only with the consent of our staff, for the purposes of problem solving.	https://www accurx.com/privacy-policy
Ardens	Ardens provides software and support for our Clinical computer system, such as templates, documents and referral letters.	Ardens support staff can remotely connect to our computers, only with the consent of our staff, for the purposes of problem solving.	https://www.ardens.org.uk/privacypolicy/
GE Healthcare (Cardiosoft)	GE Healthcare provides software (Cardiosoft) and support for our ECG machine.	GE Healthcare support staff can remotely connect to our computers, only with the consent of our staff, for the purposes of problem solving.	https://www.ge.com/privacy?_ga=2.39932706.127156187.1600172086-1074354055.1600172086
Lexacom	Lexacom provides software and support for our Dictation system.	Lexacom support staff can remotely connect to our computers, only with the consent of our staff, for the purposes of problem solving.	https://www.lexacomcloud.com/privacy-policy/
Jayex	Jayex provides software and support for our Waiting Room information screen and patient calling system.	Jayex support staff can remotely connect to our computers, only with the consent of our staff, for the purposes of problem solving.	https://www.jayex.com/gdpr-compliance-statement

LumiraDx Care Solutions (INRStar)	LumiraDx Care solutions provides software (inrsTAR) and support which enable us to provide INR readings and treatment	LumiraDx Care Solutions support staff can remotely connect to our computers, only with the consent of our staff, for the purposes of problem solving.	https://lumiradxcaresolutions.com/privacy-policy/
Novacor	Novacor provides software and support for our 24 hour ECG devices	Novacor support staff can remotely connect to our computers, only with the consent of our staff, for the purposes of problem solving.	https://www.novacor.co.uk/page-gdpr-privacy-policy.html
Phoneta (KMHS)	Phoneta provides our Out of Hours and emergency call handling service		https://phoneta.co.uk/wp-content/uploads/2020/09/Phoneta-Data-Protection-Policy.pdf
Clarity (Teamnet)	Clarity provides software (TeamNet) and support for our Practice Intranet and staff training resources	Clarity support staff can remotely connect to our computers, only with the consent of our staff, for the purposes of problem solving.	https://clarity.co.uk/policies/privacy/
e-Consult	E-consult allows patients to contact the surgery with health information and other issues such as administrative queries and medication requests.	Information is triaged by algorithms and no patient data is visible to the developers	eConsult website and communications privacy notice eConsult
Medidata (eMR+)	Medi2data process requests for records from Third Parties and SARs from patients	MediData has developed their NHS GP IT Futures accredited technology, eMR, which interfaces with our GP practice's system to extract medical records in order to produce information and send to patients and/or Third Parties eg DWP, Insurance Companies, securely.	Medi2data Privacy Policy v2.0 MASTER

Access to personal information / Subject Access Requests

You have a right under the General Data Protection Regulations 2018 to request access to view or to obtain copies of what information the surgery holds about you and to have it amended should it be inaccurate. In order to request this, you need to do the following:

- Your request must be made in writing to the GP, this can be made by email or letter (note for information from the hospital you should write direct to them)
- You can access your fully medical record via the NHS App. The advantage of this record is that it updates as your medical record updates, so you will always have the most current information.
- If the NHS App is not adequate for your needs, we will email you a copy of your medical record. If you are not able to receive an email containing your medical record, we will print a copy for you. There may be a charge to have a printed copy of the information held about you if the administrative burden of photocopying and printing is excessive.
- We are required to respond to you within 1 calendar month.
- You will need to give adequate information (for example full name, address, date of birth, NHS number and details of your request) so that your identity can be verified and your records located
- The request be processed by MediData.

Medical Reporting

Our practice has decided to outsource our medical reporting to MediData, who will process your medical report using their system, eMR.

What is eMR/MediData?

MediData is a NHS Digital accredited company who have developed a digital system called eMR, which enables GP practices to create digital, GDPR compliant medical reports.

eMR helps GP Surgeries with data security, speed, and efficiency.

eMR also helps you to easily see your medical data, stay in control of it and decide who you want to share it with.

MediData has worked hard to develop their NHS GP IT Futures accredited technology, eMR, which interfaces with our GP practice's system to extract your medical record. This means you can receive a full copy of that information securely and share it with others as you wish, keeping your data safe.

If you wish to speak to a member of the MediData team regarding your medical report, or any concerns you may have regarding your data, please contact MediData directly on:

Phone - 0333 3055 774

Email - connect@medi2data.com

LiveChat - to access this, go to <https://www.medi2data.com/> and select the speech bubble in the bottom right-hand corner of the page

Objections / Complaints

Should you have any concerns about how your information is managed at the GP, please contact the Practice Complaints Manager by email, telephone or letter.

If you are still unhappy following a review by the GP practice, you can then complain to the Information Commissioners Office (ICO) www.ico.gov.uk, casework@ico.org.uk, telephone: 0303 123 1113 (local rate) or 01625 545 745.

If you are happy for your data to be extracted and used for the purposes described in this privacy notice then you do not need to do anything. If you have any concerns about how your data is shared then please contact the practice.

Cookies

Our practice website uses cookies to function correctly. You may delete cookies at any time but doing so may result in some parts of the site not working correctly.

Change of Details

It is important that you tell the person treating you if any of your details such as your name, address, contact telephone numbers or email address have changed or if any of your details such as date of birth is incorrect in order for this to be amended. You have a responsibility to inform us of any changes so our records are accurate and up to date for you.

Notification

The General Data Protection Regulations 2018 requires organisations to register a notification with the Information Commissioner to describe the purposes for which they process personal and sensitive information.

This information is publicly available on the Information Commissioners Office website www.ico.org.uk

The practice is registered with the Information Commissioners Office (ICO).

Devon And Cornwall Care Record

Health and social care services in Devon and Cornwall have developed a system to share patient data efficiently and quickly and, ultimately, improve the care you receive.

This shared system is called the Devon and Cornwall Care Record.

It's important that anyone treating you has access to your shared record so they have all the information they need to care for you. This applies to your routine appointments and also in urgent situations such as going to A&E, calling 111 or going to an out-of-hours appointment.

It's also quicker for staff to access a shared record than to try to contact other staff by phone or email.

Only authorised health and care staff can access the Devon and Cornwall Care Record and the information they see is carefully checked so that it relates to their job. Also, systems do not share all your data – just data that services have agreed is necessary to include.

For more information about the Devon and Cornwall Care Record, please go to <https://www.devonandcornwallcarerecord.nhs.uk/>

Who is the Data Controller?

The Data Controller, responsible for keeping your information secure and confidential is: The Clays Practice

If you are still unhappy following a review by the Practice you can then complain to the Information Commissioners Office (ICO). www.ico.org.uk, casework@ico.org.uk, telephone: 0303 123 1113 (local rate) or 01625 545 745.

Who is the Data Protection Officer?

As a public authority, we have to appoint an external Data Protection Officer (DPO). Our DPO is Kernow Health CIC's nominated Data Protection Officer, who is:

Beverly Gallagher
Cornwall and Isles of Scilly ICB
Room 210, Cornwall Council Offices,
39 Penwinnick Road,
St Austell PL25 5DR
beverley.gallagher@nhs.net
01726 627800

Our DPO monitors internal compliance, provides advice regarding Data Protection Impact Assessments (DPIAs), and helps us demonstrate compliance with an enhanced focus on accountability.