

Your Medical Records and Dr Ruddell's Practice

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If you would like any further information about primary or secondary uses of your GP record, opting out, access to your medical record, confidentiality, or about any other aspect of NHS data sharing or your medical records, then please do contact the Practice's Data Controller.

Further copies of this booklet are available from the surgery or downloadable from our website updated 25/05/2018.

Confidentiality and Dr Ruddell's Practice

We provide a confidential service to all our patients, including under 16s. Even if you are under 16 nothing will be said to anyone – including parents, other family members, care workers or tutors – without your permission.

You can be sure that anything you discuss with any member of this Practice – doctor, nurse or receptionist staff – will stay confidential.

If your information is being shared with other health care professionals for your direct care, you will be informed. The only reason why we might have to consider passing on confidential information without your permission, would be to protect you or someone else from serious harm. We would always try to discuss this with you first.

If you are being treated elsewhere – for example at a hospital or clinic – it is best if you allow the doctor or nurse to inform the Practice of any treatment that you are receiving.

If you are a resident in a Nursing/Residential Home, we may need to discuss your care directly with staff.

Confidential patient data will be shared within the healthcare team at the Practice, including nursing staff, admin staff, and receptionists, and with other healthcare professionals to whom a patient is referred. Hospital staff may also contact us directly on occasions e.g. if you have had investigations like blood tests or x-rays and they are providing us with advice. Those individuals have a professional and contractual duty of confidentiality.

Confidential and identifiable information relating to patients will not be disclosed to other individuals (including NHS or Health Board management staff) without their explicit consent, unless it is a matter of life and death or there is a serious risk to the health and safety of patients or it is overwhelmingly in the public interest to do so.

In these circumstances the minimum identifiable information that is essential to serve a legal purpose may be revealed to another individual who has a legal requirement to access the data for the given purpose. That individual will also have a professional and contractual duty of confidentiality. Data will otherwise

be anonymised if at all possible before disclosure if this would serve the purpose for which the data is required.

We are sometimes asked to provide information for the purposes of education, audit or research or for the purposes of health care administration. In all cases the person to whom such information is released is bound by a duty of confidentiality. The information disclosed is kept to the minimum necessary for the purpose and is always anonymised if at all possible.

The Practice is registered as a Data Controller with the Information Commissioner.

Who can directly access medical record, if needed and if appropriate?

- All our GPs and trainee / Locum doctors
- All our Practice Nurses and Nurse Practitioners
- All our Community (District) Nurses
- All our Trust Nursing Teams (including Treatment Room, Health Visitors, Midwives)
- All our Allied Health Professionals (including podiatrists, dieticians, physiotherapists)
- All our Admin team and Receptionists
- All our Phlebotomists/Health Care Assistants
- Our visiting Psychologists and Mental Health Practitioners
- Our visiting Counsellors
- Our visiting Medicines Manager support staff
- Our Practice Pharmacist
- Our visiting specialist nurses
- Our Business Manager
- Our Visiting Health & Social Care Board (HSCB) Medical Officers
- Medical students (as part of their educational experience)
- Northern Ireland Medical & Dental Training Agency (NIMDTA)
- EMIS Support Staff (responsible for our GP software system)
- Apollo Medical Support Staff (responsible for third party IT software)
- Jayex Limited Support Staff (responsible for third party IT software)
- HSCB / Business Services Organisation IT Support Staff (BSO)
- BSO Probity Unit (responsible for verification inspections in General Practice in relation to claims made to the NHS by the Practice)

- Community pharmacies (nominated by you for collection of your prescriptions).
- Specific health care purposes (Diabetes Education Programme, Diabetic Retinopathy Screening, Cervical Cancer Screening, Aortic Aneurysm Screening, Breast Screening)

*Who **cannot** access your medical record without your explicit consent?*

Anyone else, in particular:

- The Department of Health & Social Services (DHSSPS NI)
- Medical Researchers, Pharmaceutical Companies, Journalists

You have the right to object to ways in which your data is used (for processing)

Information held about you may be shared with other health professionals involved in your care and treatment. This will be on a strictly need to know basis. We may also share your information to help protect the health of the public and to help the Department of Health manage the NHS. Some of this information will be extracted and held centrally and used for statistical purposes. Where we do this, we take strict measures to ensure that individual patients cannot be identified.

The following are examples of the types of organisations that we are likely to share information with:

- NHS and specialist hospitals, Trusts
- Independent Contractors such as dentists, opticians, pharmacists
- Private and Voluntary Sector Providers
- Ambulance Services
- Social Care Services and Local Authorities
- Education Services
- PSNI, Fire and Rescue Services

Any patient can choose to withdraw their consent to their data being used in this way. When the Practice is about to participate in any new data-sharing scheme we will make patients aware by displaying prominent notices in the

surgery and on our website at least four weeks before the scheme is due to start.

A patient can object to their personal information being shared with other health care providers but if this limits the treatment that you can receive then the doctor will explain this to you at the time.

Your information may be used within the GP practice for clinical audit to monitor the quality of the service provided or ensure we are providing appropriate care.

We will always try to respect your wishes if you do not wish for your data to be used in a particular way, unless to do so would mean that we could not provide you with safe and effective medical care.

You have the right to object to (i.e. opt-out of) the uploading of your medical record to any or all of the NHS Databases, for example the NI Electronic Care Record.

You have the right to object to (i.e. opt-out of) *primary uses* of your medical record; that is the sharing of your data with health professionals outside of the Practice for the provision of *direct medical care*, if you so wish.

You have the right to object to (i.e. opt-out of) *secondary uses* of your medical record; that is the sharing of your data for purposes *unrelated to your direct medical care* (e.g. health care planning, audit, research, or commercial uses), if you so wish. Opting out of secondary uses will prevent *all* such extractions of data and their processing for secondary purposes.

You can opt-out of any or all of these data sharing schemes. Patients need to let us know if they wish to opt out of anything otherwise we will assume there are objections.

Opting back into data sharing

You can opt back into any or all of these schemes, at any time, if you have previously opted out.

To do so, please notify the Practice in writing.

Your right to see your health records

A health record is any record of information relating to someone's physical or mental health that has been made by (or on behalf of) a health professional. This could be anything from the notes made by a GP in your Practice to results of an MRI scan or X-rays.

Health records are extremely personal and sensitive. They can be held electronically or as paper files, and are kept by a range of different health professionals both in the NHS and the private sector.

You have a right under GDPR to access/view information the Practice holds about you. This is known as a 'Subject Access Request' (SARs).

For details on how to access your health records, please refer to the Practice GDPR Access to Records Policy, available on website or ask at Reception for a copy. We have a calendar month to respond and you will not normally be charged a fee.

Your right to rectify your records

You have a right to have any incomplete or inaccurate information we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us. We have one calendar month to respond to a request and in some circumstances the request may be refused.

Your right to erasure

This enables you to ask us to remove or delete personal data. However we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Rights in relation to automated decision-making

This enables you not to be subject to a decision based solely on automated decision making, including profiling, where the decision would have a legal effect on you or produce a similarly significant effect.

The Practice does not undertake any type of automated decision making or profiling.

Right to data portability

This enables you to transfer personal data from one Data Controller to another Data Controller but this does not apply to medical records.

Secondary uses of your medical records

Risk Stratification

You have the right to control how medical information about you is processed, used, shared, disseminated or sold, for purposes other than your direct medical care – so called *secondary uses (or purposes)*.

Secondary uses include projects involved in risk stratification, “population health management”, national clinical audits, research, healthcare planning, commissioning of healthcare services by Health Authorities, commercial and even political uses.

Risk stratification is a process for identifying and managing patients who are at a higher risk of emergency hospital admission. This may be because patients have a long term condition such as COPD, cancer or are very frail. The Department of Health encourages GPs to use risk stratification tools as part of their local strategies for supporting patients with long-term conditions and help reduce the patients’ risk of hospital admissions.

Information about you is collected from a number of sources including NHS Trusts and from this GP Practice. Your risk is then ‘scored’ after analysis of your anonymous information using computer programmes. Your information is only provided back to your GP or member of your care team in an identifiable form. Risk stratification enables your GP to focus on the prevention of ill health and not just the treatment of sickness.

Our Privacy Notice on Risk Stratification is available on website or ask at Reception for a copy.

Data Processors

The Practice uses data processors to perform certain administrative and technical functions for us, particularly where these involve large numbers of patients. All our information is stored on a secure server and protected by appropriate security and restricted access.

EMIS Health Ltd

EMIS Health hosts our electronic GP patient records database. As such, they are acting as the data processor.

Apollo Medical

Apollo Medical enables the Practice to digitise all correspondence and receive digital information about patients for inclusion in the health record.

Jayex Technology Ltd

Jayex Technology enables the Practice to operate an automated patient check-in system and information board.

My Surgery Website

My Surgery Website enables the Practice to provide a website service for our patients.

Secure online access to your GP medical record

Patient Access is the name of the software module offered by GP Practices running the EMIS GP records system.

Patient Access enables you to do the following online (or via a smartphone app):

- Book appointments
- Order repeat prescriptions
- Update your contact details (address, phone numbers etc.)

This facility is free, both to the Practice and to patients. To apply for Patient Access, ask at Reception for a registration form.

- With Patient Access, no data is uploaded to any database, government-controlled or not.

- With Patient Access, the only person with access to your record via the secure website is you
- With Patient Access, your GP remains the data controller for your information

Our Practice website may include links to third party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third party websites and are not responsible for their privacy statements. When you leave our website we encourage you to read the privacy notice of every website you visit.

The Electronic Care Summary

The Electronic Care Summary (ECS) is a Northern Irish NHS development. It consists of a basic medical record held on every patient registered with a GP surgery in Northern Ireland. The basic data is automatically extracted from the GP's electronic record system and uploaded to the Northern Ireland Electronic Healthcare Record (NIECR). The basic upload consists of current medication, allergies and details of any previous bad reactions to medicines, the name, address, date of birth and NHS number of the patient. NIECR will also contain information that hospitals have provided.

Electronic Care Summaries can only be viewed within the NHS on NHS networked and secure computer screens or by organisations, such as the GP Out of Hours Services, contracted to the NHS.

You can find out more about the ECS at
<https://www.nidirect.gov.uk/articles/emergency-care-summary-record>

You have the right to object to the Practice sharing your data in these circumstances and you can ask the Practice to block uploads.

Our Privacy Notice on NIECR is available on our website or ask at Reception for a copy.

Keeping your records up to date

GDPR requires that the information we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us such as a house move or name change.

How long do we keep patient data

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve these purposes through other means, and the applicable legal requirements.

In some circumstances you can ask us to delete your data. In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

Complete medical records are returned to the Business Services Organisation (BSO) when a patient leaves the Practice or dies. At present digital records remain on our clinical system indefinitely.