



# PATIENT PRIVACY NOTICE

## How we use your personal information

1. Being transparent and providing accessible information to patients about how we will use your personal information is a key element to the GDPR Regulations.
2. The following notice reminds you of your rights in respect of the above legislation and how your GP Practice will use your information for lawful purposes in order to deliver your care and the effective management of the local NHS system.
3. This notice reflects how we use information for:
  - The management of patient records;
  - Communication concerning your clinical, social and supported care;
  - Ensuring the quality of your care and the best clinical outcomes are achieved through clinical audit and retrospective review;
  - Participation in health and social care research; and
  - The management and clinical planning of services to ensure that appropriate care is in place.

## Data Controller

4. As your registered GP practice, we are the data controller for any personal data that we hold about you.

## What information do we collect and use?

5. We are committed to protecting your privacy and will only use information collected lawfully in accordance with: -
  - The General Data Protection Regulations Legislation (GDPR)
  - Human Rights Act 1998
  - Common Law Duty of Confidentiality
  - Health and Social Care Act 2012
  - NHS Codes of Confidentiality and Information Security
6. Personal data must be processed fairly and lawfully, whether it is received directly from you or from a third party in relation to your care. 'Personal data' means and information relating to an identifiable person who can be directly or indirectly identified from the data. This includes, but is not limited to name, date of birth, full postcode, address, next of kin and NHS number; and 'Special category / sensitive personal data' includes such as medical history including details of appointments and contact with you, medication, emergency appointments and admissions, clinical notes, treatments, results of investigations, supportive care arrangements, social care status, race, ethnic origin, genetics and sexual orientation.



7. We will collect the following types of information from you or about you from a third party (provider organisation) engaged in the delivery of your care:
  - Details about you, such as your address, legal representative, emergency contact details
  - Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments, 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
  - Your records will be retained in accordance With the NHS Code of Practice for Records Management
  
8. Your healthcare records contain information about your health and any treatment or care you have received previously (e.g. from an acute hospital, GP surgery, community care provider, mental health care provider, walk-in centre, social services). These records may be electronic, a paper record or a mixture of both. We use a combination of technologies and working practices to ensure that we keep your information secure and confidential.

#### **Why do we collect this information?**

9. The NHS Act 2006 and the Health and Social Care Act 2012 invests statutory functions on GP Practices to promote and provide the health service in Wales, improve quality of services, reduce inequalities, conduct research, review performance of services and deliver education and training. To do this we will need to process your information in accordance with current data protection legislation to:
  - Protect your vital interest;
  - Pursue our legitimate interests as a provider of medical care, particularly where the individual is a child or vulnerable adult;
  - Perform tasks in the public's interest;
  - Deliver preventative medicine, medical diagnosis, medical research; and
  - Manage the health and social care system and service

#### **Lawful Basis for processing your information under GDPR**

As a part of the NHS, St David's Clinic is deemed a public authority and the lawful basis used for processing your data, is that this is necessary for the performance of a task carried out in the public interest (Article 6 (1)(e)). In addition, we also process your data health and social care reasons (Article 9 (2)(h)).

Occupational health data is processed as it is necessary for the purpose of legitimate interests (Article 6 (1)(f) and Article 9 (2)(h)).



### **How do we use this information?**

10. To ensure that you receive the best possible care, your records will be used to facilitate the care you receive. Information held about you may be used to protect the health of the public and to help us manage the NHS. Information may also be used for clinical audit to monitor the quality of the service provided. In addition, your information will be used to identify whether you are at risk of a future unplanned hospital admission and /or require support to effectively manage a long term condition.

### **How is the information collected?**

11. Your information will be collected either electronically using secure NHS Mail or a secure electronic transfer over an NHS encrypted network connection. In addition physical information will be sent to your practice. This information will be retained within your GP's electronic patient record or within your physical medical records.

### **Who will we share your information with?**

12. In order to deliver and coordinate your health and social care, we may share information with the following organisations;

- NHS Trusts / Foundation Trusts
- GP's
- 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
- NHS Digital
- Local Authorities
- Education Services
- Fire and Rescue Services
- Police & Judicial Services
- Other 'data processors' which you will be informed of.

13. Your information will only be shared if it is appropriate for the provision of your care or required to satisfy our statutory function and legal obligations.

14. Your information will not be transferred outside of the European Union.



### **Why do we receive information from?**

15. Whilst we might share your information with the above organisations, we may also receive information from them to ensure your medical records are kept up to date, so that your GP can provide the appropriate care.
16. In addition we receive data from NHS Digital (as directed by the Department of Health) such as the uptake of flu vaccinations and disease prevalence in order to assist us to improve "out of hospital care".

### **How do we maintain the confidentiality of your records?**

17. We are committed to protecting your privacy and will only use information that has been collected lawfully. Every member of staff who works for an NHS organisation has a legal obligation to keep your information about your confidential. We maintain our duty of confidentiality by conducting annual training and awareness, ensuring access to personal data is limited to the appropriate staff and information is only shared with organisations and individuals that have legitimate and legal basis for access.
18. Information is not held for longer than necessary. We will hold your information in accordance with the Records Management Code of Practice for Health and Social Care 2016.

### **Sharing of Electronic Patient Records within the NHS**

19. Electronic patient records are kept in most places where you receive healthcare. Our local electronic system VISION enables your record to be shared with organisations involved in your direct care, such as:
  - GP Practices
  - Community services such as district nurses, rehabilitation services, telehealth and out of hospital services.
  - Child health services that undertake routine treatment or health screening
  - Urgent care organisations, minor injury units or out of hours services
  - Community hospitals
  - Palliative care hospitals
  - Care Homes
  - Mental Health Trusts
  - Hospitals
  - Social Care organisations
  - Pharmacies



### **Change of Details**

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

### **Your Right of Access to Your Records**

21. The General Data Protection Regulations allows you to find out what information is held about you including information held within your medical records, either in electronic or physical format. This is known as the "right of subject access". If you would like to have access to all parts of your records, you can make the request to the organisation that you believe holds your information. This can be your GP, or a provider that is or had delivered your treatment and care. You should however be aware that some details within your health records may be exempt from disclosure, however this will be in the interests of your wellbeing or to protect the identity of a third party. If you would like access to your GP record please submit your request in writing to:

Administrator  
St David's Clinic  
Bellevue terrace  
Newport  
NP20 2LB

Under GDPR Regulation you have the right to:

- Be informed
- To have access to your information
- To rectify your information
- To restrict processing
- To object

### **Complaints**

22. In the event that you feel your GP Practice has not complied with the current data protection legislation, either in responding to your request or in our general processing of your personal information, you should raise your concerns in the first instance in writing to the Practice Manager at the address above.

23. If you remain dissatisfied with our response you can contact the Information Commissioner's Office at Wycliffe House, Water Lane, Wimslow, Cheshire, SK9 5AF – Enquiry Line: 01625 545700 or online at [www.ico.gov.uk](http://www.ico.gov.uk)