



Privacy Notice

Who we are and what we do

The NHS contracts us to provide local care services. As a GP practice, all our GPs, staff, associated practitioners and IC24 are committed to protecting your privacy and will only process data in accordance with the Data Protection Legislation.

GDPR and DPA 2018

Our legal bases for processing personal data under the General Data Protection Regulation (GDPR) and Data Protection Act 2018 (DPA 2018) are:

- GDPR Article 6 (1) (c) - processing is necessary to comply with a legal obligation
- GDPR Article 6 (1) (e) - processing is necessary for the performance of a task carried out in the public interest
- GDPR Article 9 (2) (g) - processing is necessary for reasons of substantial public interest
- DPA 2018 - Schedule 1, Part 2, (6) (1) - statutory etc and government purposes
- GDPR Article 9 (2) (h) - processing is necessary for the management of health or social care systems and services
- DPA 2018 - Schedule 1, Part 1, (2) (2) (f) - Health or social care purposes
- GDPR Article 9 (2) (i) - processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health
- DPA 2018 - Schedule 1, Part 1, (3) - public health

Data we collect and have shared with us

The data that we collect and that is shared with us is needed to enable us to provide you with direct care.

This includes data not only for the reason of your contact with our practice, but also data you have previously provided, data that we retrieve from the NHS Spine and [Summary Care Record](#) and data that is shared with us from other health providers to ensure you receive the most appropriate patient led care.

Records which this GP Practice will hold or share about you will include the following:

- Personal Data - means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

This data may be held directly within our Clinical Management System or via an approved 3rd party archived storage provider either in physical form or electronically.

- Special Categories of Personal Data - this term describes personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.
- Confidential Patient Information - this term describes information or data relating to their health and other matters disclosed to another (e.g., patient to clinician) in circumstances where it is reasonable to expect that the information will be held in confidence. Including both information 'given in confidence' and 'that which is owed a duty of confidence'. As described in the Confidentiality: NHS code of Practice: Department of Health guidance on confidentiality 2003.
- Pseudonymised - The process of distinguishing individuals in a dataset by using a unique identifier which does not reveal their 'real world' identity.
- Anonymised - Data in a form that does not identify individuals and where identification through its combination with other data is not likely to take place.
- Aggregated - Statistical data about several individuals that has been combined to show general trends or values without identifying individuals within the data.

Change of Details

It is important that you tell the surgery if any of your contact details such as your name or address have changed especially if any of your other contacts details are incorrect. It is important that we are made aware of any changes **immediately** in order that no information is shared in error.

Mobile telephone number

If you provide us with your mobile phone number, we may use this to send you text reminders about your appointments or other health screening information. Please let us know if you do not wish to receive text reminders on your mobile.

Email address

Where you have provided us with your email address, with your consent we will use this to send you information relating to your health and the services we provide. If you do not wish to receive communications by email, please let us know.

How and why, we use your data

Data Protection law allows us to use your data for specific purposes where we have a legal basis to do so. We have set out the reasons and lawful basis below:

Providing healthcare in the public interest on behalf of the NHS

As a healthcare provider we are performing a task carried out in the public interest on behalf of the NHS. We are subject to statutory duty to collect (process) and to share information about our patients for their direct care.

As most of the information by its very nature of being health related is sensitive personal (special category) data we only use this for medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems.

This includes local administrative tasks which support this purpose such as:

- waiting list management
- performance against national targets
- activity monitoring
- local clinical audit
- production of datasets to submit for commissioning purposes and national collections.

It also covers instances where we participate in activities with a statutory basis such as responding to a public health emergency. For example, we encounter infectious diseases which may endanger the safety of others, such as meningitis or measles (but not HIV/AIDS).

Safeguarding children and vulnerable adults under a task carried out in the public interest.

Personal and health data is collected and shared with appropriate local authorities, other NHS bodies and if necessary, the police. This is done to ensure that patients receive the right services at the right time.

We will always be open and honest with patients and their family (where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.

Sharing data where it is necessary for IC24 to comply with a legal obligation by assisting Commissioners.

Call Recordings

Sometimes, calls may not be recorded if;

- there is a technical fault with the telephony system.
- a member of staff is using equipment which does not let calls be recorded.

All calls and the records created are maintained securely and will only be shared with others directly involved with your care and IC24's Clinical Governance Team in the unlikely event that you are unhappy with your experience, and they are investigating a complaint on your behalf.

You are able to advise that you do not want for them to do this, but this may restrict the investigation and therefore affect the outcome.

For more information on complaints, visit our contact page for contact details.

EPS

Please note in the event you are prescribed an Electronic Prescription, EPS, NHS Digital manages the Electronic Prescription Service. NHS Digital is the controller for any personal information you provide to enable the transmission of a prescription electronically from a prescribing system through to a dispensing system and uses that personal information solely for that single purpose. For this personal information, our role is a "processor" only and we must act under the instructions provided by NHS Digital (as the "controller") when using this service.

To see NHS Digital's Privacy Notice and Terms and Conditions, please visit: <https://digital.nhs.uk/about-nhs-digital/terms-and-conditions>

This restriction does not apply to any personal information you provide to us separately which is managed in accordance with our Privacy Policy.

Secondary uses

Commissioners

Clinically led statutory NHS bodies responsible for the planning and commissioning of health care services for their local area use this data to assess local needs, decide priorities and strategies and then buy services on behalf of the local population from providers such as hospitals, clinics etc to meet the need.

Only the minimum data necessary is shared for each purpose and this is reviewed regularly. Where it is possible to offer a choice over this sharing of data under the common law duty of confidentiality, we will make this clear.

Sharing and using data for research purposes in the public and our legitimate interests

IC24 shares data with other NHS bodies and Clinical Commissioning Groups to assist health research for scientific research purposes, statistical purposes to develop and monitor NHS performance.

Where data is used for statistical purposes, stringent measures are taken to ensure individual patients cannot be identified.

Where it is not sufficient to use anonymised information, personal or sensitive (special category) data will be used, but only for essential NHS purposes.

In these circumstances, where it is not practical to obtain your explicit consent, we are informing you through this notice.

Where research is being conducted by IC24 it is in line with our legitimate interests as a business to enable us to be innovative and assist the NHS in creating new systems and services. You will be fully informed and asked for your consent under the common law duty of confidentiality, in these circumstances to proceed.

Duty of Confidentiality

Everyone working for the NHS is subject to the Common Law Duty of Confidentiality. Information provided in confidence will only be used for the purposes described below, unless there are other circumstances covered by the law.

Under the NHS Confidentiality Code of Conduct, all our staff are also required to protect your information, inform you of how your information will be used, and allow you to decide if and how your information can be shared.

Organisation's with whom we share your personal information

Unless you tell us not to, we will share information with the following main partner organisation's:

- Your new GP practice should you wish to transfer
- NHS Digital
- NHS England
- NHS trusts
- Your local hospital
- Ambulance services
- Pharmacies

- Local Clinical Commissioning Groups
- Any other health care service as identified for the purpose of ongoing care or treatment.

Your individual rights

The following will explain your rights over your data with IC24.

- **the right to be informed.**

You have a right to be informed about the collection and use of your data. This notice is one of the ways that we are informing you but if at any time you wish to have further details on the categories of data we are processing or the purposes for a specific instance then you have a right to ask for this.

- **the right of access.**

You have the right to obtain confirmation that we are processing your personal data and a copy of that data.

This includes the right to ask for supplementary information about the third parties it is shared with, the parties we have collected it from, if any and how long it is stored for.

We will provide you with the information within one calendar month of your request.

You should be aware that in certain circumstances your right to see some details in your health records may be limited in your own interest or where it adversely affects the rights and freedoms of other (e.g., another person's confidentiality). We will, however, tell you if we cannot meet your request for that reason.

If you want to access your health records you should make a written request to the Clinical Governance Team at IC24, Kingston House, The Long Barrow, Orbital Park, Ashford, Kent, TN24 0GP or via email to CG.admin@nhs.net

Your right to opt out of data sharing and processing

The NHS Constitution states, 'You have a right to request that your personal and confidential information is not used beyond your own care and treatment and to have your objections considered'. For further information please visit: [The NHS Constitution](#)

Type 1 Opt Out

This is an objection that prevents an individual's personal confidential information from being shared outside of their general practice except when it is being used for the purposes of direct care, or in particular circumstances required by law, such as a public health emergency like an outbreak of a pandemic disease. If you wish to apply a Type 1 Opt Out to their record, they should make their wishes known to the practice manager.

National Data Opt Out

Information about you can also be used and provided to other organisations for purposes beyond your individual care, for research

and planning to help provide better health and care for you, your family and future generations. This may only take place when there is a clear legal basis to use this information.

Most of the time, anonymised data is used for research and planning so that you cannot be identified in which case your confidential patient information is not needed.

You have a choice about whether you want your confidential patient information to be used in this way. If you are happy with this use of information you do not need to do anything. If you do choose to opt out, your confidential patient information will still be used to support your individual care.

To find out more or to register your choice to opt out, please visit www.nhs.uk/your-nhs-data-matters. On this web page you will:

- See what is meant by confidential patient information.
- Find examples of when confidential patient information is used for individual care and examples of when it is used for purposes beyond individual care.
- Find out more about the benefits of sharing data.
- Understand more about who uses the data.
- Find out how your data is protected.
- Be able to access the system to view, set or change your opt-out preferences.
- Find the contact telephone number if you want to know any more or to set/change your opt-out by phone.
- See the situations where the opt-out will not apply.

You can also find out more about how patient information is used at:

- <https://www.hra.nhs.uk/information-about-patients/> (which covers health and care research)
- <https://understandingpatientdata.org.uk/what-you-need-know> (which covers how and why patient information is used, the safeguards and how decisions are made)

You can change your mind about your choice at any time

Health and care organisation's had until 2020 to put systems and processes in place so they can be compliant with the national data opt-out and apply your choice to any confidential patient information they use or share for purposes beyond your individual care.

If at any time you have changed your mind about the choices, you had made previously you have the right to change your preferences at any time.

The right to rectification

You have a right for to have inaccurate personal data rectified, or completed if it is incomplete. You can make a request verbally or in writing and we will respond to you within a month.

- **the right to erasure.**

This right is to have personal data erased; however, where we are

processing data for public health purposes in the public interest this right does not apply. You can make a request and we will advise accordingly.

- **the right to restrict processing.**

You have the right to request the restriction or suppression of your personal data.

- **the right to data portability.**

You have a right to have your data transferred to another service, as we do not currently use online portals, we do not have information we can transfer to another service.

- **the right to object.**

You have the right to object to the processing of your personal data in certain circumstances. We will adhere to this in circumstances where we do not believe we have a compelling reason for doing so.

You can make an objection verbally or in writing and we have one calendar month to respond to an objection.

You have the right to lodge a complaint regarding our use of your data

Please tell us first, so we have a chance to address your concerns. If we fail in this, you can address any complaint to the UK Information Commissioner's Office, either by calling their [helpline](tel:03031231113) 0303 123 1113 or directed on their website at www.ico.org.uk or via post:

Information Commissioner's Office
Wycliffe House
Water
Lane
Wilmslow
Cheshire
SK9 5AF

How secure is the data we collect?

We have physical, electronic, and Information Governance procedures in place to safeguard and secure the information we collect.

We have a whole host of managers that take responsibility and are accountable for ensuring that the data we collect, and use is done so in a lawful and ethical manner. They ensure that all of the relevant and most up to date security measures are taken to protect the data and question each secondary use regularly.

The Information Governance Team, including the Data Protection Officer, a Caldicott Guardian and a Senior Information Risk Officer (SIRO).

All new, or changes to existing, information systems or information sharing processes, for healthcare purposes, will undergo a Data Protection Impact Assessment to ensure the security and

confidentiality of personal confidential data. These are reviewed throughout the use of the data to ensure that the data remains the same as does the purpose of the use.

With all of the above in place we hope to reduce the possibility of any breaches of data however if you believe your privacy has been breached, please contact us immediately on IGteam.ic24@nhs.net

For further information see our [Security](#)

[Policy](#). Retention

In general, we don't transfer your data outside the UK. We may transfer data outside the UK in exceptional circumstances and only under contract or with agreed principles in line with confidentiality, privacy and all relevant UK data protection legal protections.

IC24 has adopted the retention periods set out in the Records Management Code of Practice for Health and Social Care 2016, Appendix 3.

The retention schedule will be reviewed annually or as necessary to reflect changes in law.

The retention schedule as set out in the Records Management Code of Practice for Health and Social Care 2016 can be found here:

<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>

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