

## **Fair Processing Notice**

### **Your Information, Your Rights**

Being transparent and providing accessible information to patients about how we will use your personal information is a key element of the Data Protection Act 2018 and the General Data Protection Regulations (GDPR).

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.

### **Data Controller**

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?**

All personal data must be processed fairly and lawfully, whether is it received directly from you or from a third party in relation to your care.

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:

- Personal data - which includes, but is not limited to name, date of birth, full postcode, address, next of kin and NHS Number; and
- Special category / sensitive data - such as medical history, appointments, medication, emergency admissions, clinical notes, treatments, results of investigations, supportive care arrangements, social care status, race, ethnic origin, genetics and sexual orientation.

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 maybe 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?**

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 England, 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 interests;
- Pursue our legitimate interests as a provider of medical care, particularly where the individual is a child or a 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 services.

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**How do we use this information?**

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?**

Your information will be collected either in hard copy, electronically using secure email or by transfer over an NHS encrypted network. This information will be retained within your GP's electronic or paper medical record.

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

In order to deliver and coordinate your health and social care, we may share information with other health care organisations. 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.

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

**Who do we receive information from?**

Whilst we might share your information with other health care organisations, we may also receive information from them to ensure that your medical records are kept up to date and so that your GP can provide the appropriate care.

In addition we receive data from NHS Digital 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?**

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 information about you 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 a legitimate and legal basis for access.

Information is not held for longer than is necessary. We will hold your information in accordance with the Records Management Code of Practice for Health and Social Care 2016.

**Consent and Objections**

**Do I need to give my consent?**

The GDPR sets a high standard for consent. Consent means offering people genuine choice and control over how their data is used. When consent is used properly, it helps you build trust and enhance your reputation. However consent is only one potential lawful basis for processing information. Therefore your GP practice may not need to seek your explicit consent for every instance of processing and sharing your information, on the condition that the processing is carried out in accordance with this notice. Your GP Practice will contact you if they are required to share your information for any other purpose which is not mentioned within this notice. Your consent will be documented within your patient record.

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**What will happen if I withhold my consent or raise an objection?**

You have the right to write to withdraw your consent at any time for any particular instance of processing, provided consent is the legal basis for the processing. Please contact your GP Practice for further information and to raise your objection.

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

NHS England has implemented a Summary Care Record which contains information about your medication, allergies and reactions to medication.

Your electronic health record contains lots of information about you. In most cases, particularly for patients with complex conditions and care arrangements, the shared record plays a vital role in delivering the best care to you.

Your record will be automatically setup to be shared with other NHS organisations but you have the right to ask your GP to disable/restrict this function. This will mean that the information recorded by your GP will not be visible at any other care setting.

You can also reinstate your consent at any time by contacting your GP.

**Your Right of Access to Your Records**

The Data Protection Act 2018 and General Data Protection Regulation allow you to find out what information is held about you within your medical records. If you would like to have access to all or part of your records, you can make a request in writing to the organisation that you believe holds your information.

If you would like access to your GP record please submit your request in writing to:

Practice Manager, Orchard House Surgery, Fred Archer Way, Newmarket, CB8 8NU

**Complaints**

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.

If you remain dissatisfied with our response you can contact:

The Information Commissioner's Office

Enquiry Line: **0303 123 1113**

or online at [www.ico.org.uk](http://www.ico.org.uk)