

KENNET AND AVON MEDICAL PARTNERSHIP

DATA PRIVACY NOTICE

INTRODUCTION

In May 2018, a new national regulation called the General Data Protection Regulation came into force. The practice has a legal responsibility to ensure that we comply with these regulations.

This document explains who we are, why information is collected about you, the ways in which this information may be used, who it is shared with and how we keep it safe. It also explains how the practice uses the information we hold about you, how you go about accessing this information if you wish to see it and to have any inaccuracies corrected or erased.

WHO WE ARE

Kennet and Avon Medical Partnership (KAMP) provides primary care services to around 18,000 patients from surgeries in Marlborough and Pewsey. Our practice team includes General Practitioners, Nurses and other ancillary clinicians, who are supported by our administrative and managerial staff.

WHAT INFORMATION DO WE COLLECT FROM YOU?

GP Records are stored electronically and on paper and include personal details about you such as your address, carers, legal representatives, emergency contact details, as well as:

- Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments and telephone calls
- Notes and reports about your health
- Details about your treatment and care
- Details about any medication you are taking
- Results of investigations such as laboratory tests, x-rays
- Relevant information from other health professionals, relatives or those who care for you

WHY DO WE COLLECT THIS INFORMATION?

Your records are used to ensure you receive the best possible care from our clinicians and other staff. It enables us to see previous treatments, medications, etc and to make informed decisions about your care. It helps us to see lists of previous treatments and any special considerations which need to be taken into account when care is provided.

Important information is also collected to help us to remind you about specific treatment which you might need, such as health checks, or reminders for screening appointments such as cytology reminders.

Information held about you may be used to help protect the health of the public and to help us to improve NHS services. Information may be used within the GP practice for clinical audit to monitor the quality of the service provided.

Staff at the practice use your information to help deliver more effective treatment to you and to help us to provide you with proactive advice and guidance.

WHAT DO WE DO WITH YOUR INFORMATION?

The healthcare professionals who provide your care maintain records about your health. This is a record of your care history and allows health care professionals to review your care to help inform future decisions about your treatment. Sharing this information helps to improve the treatment you receive, such as a hospital consultant writing to your GP. We follow strict data sharing guidelines to keep your information safe and secure.

HOW LONG DO WE KEEP YOUR INFORMATION?

Health and social care records are subject to a nationally agreed code of practice which regulates the minimum period for which records must be kept. This specifies that GP record should be retained until 10 years after the patient's death or after the patient has permanently left the country, unless they remain in the European Union. Electronic patient records must not be destroyed or deleted for the foreseeable future. For more information, see the records management code of practice: <https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016>.

HOW DO WE KEEP YOUR INFORMATION SAFE?

Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential. We are committed to protecting your privacy and will only use information collected lawfully in accordance with:

- General Data Protection Regulation 2018
- 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

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 such as a life or death situation, or where the law requires information to be passed, or where it is in the best interest of the patient to share the information.

WHO MIGHT WE SHARE YOUR INFORMATION WITH?

There are a number of ways information collected about you is shared, which includes:

1. PATIENT REFERRALS

With your agreement, your clinician may refer you to other healthcare providers for services not provided by the practice. They may also work with other services to provide your care in the practice. Once you have been seen for your referral, the other health care provider will normally tell us about the treatment they have provided for you and any follow-up care which our clinicians may need to provide. This information is then included in your patient record.

2. LOCAL HOSPITAL, COMMUNITY OR SOCIAL CARE SERVICES

Sometimes the clinicians caring for you need to share some of your information with others who are also supporting you. This could include hospital or community based specialists, nurses, health visitors, therapists or social care services.

3. SUMMARY CARE RECORD (SCR)

A Summary Care Record (SCR) is an electronic record of important patient information, created from your GP held medical records. It contains information about medication you are taking, any allergies you suffer from and any bad reactions to medications you have previously had. It can be seen and used by authorised staff in other areas of the health and care system involved in your direct care. Giving healthcare staff access to this information can prevent mistakes being made when caring for you in an emergency or when your GP practice is closed. Your SCR also includes your name, address, date of birth and your unique NHS Number to help identify you correctly. If you and your GP decide to include more information it can be added to the SCR, but only with your express permission. For more information visit <https://digital.nhs.uk/summary-care-records/patients>

4. NATIONAL SERVICES

There are some national services like the National Cancer Screening Programme. This is how the NHS knows when to contact you about services like cervical, breast or bowel cancer screening. Often you have the right to prevent these organisations from having your information and you can find out more about how the NHS holds and shares your information for national programmes on the NHS website. Other national organisations might include the Care Quality Commission (CQC), Medicines & Healthcare products Regulatory Agency (MHRA) that collect and keep information from across the NHS.

5. OTHER NHS ORGANISATIONS

Sometimes the practice shares information with other organisations that do not directly treat you, for example, Clinical Commissioning Groups (CCG) and NHS Digital. Normally, it will not be possible to identify you from this information. This information is used to plan and improve services. The information collected includes data such as the area patients live, age, gender, ethnicity, language preference, country of birth and religion. They may also collect information about whether patients have long-term conditions such as diabetes; high blood pressure, atrial fibrillation, cholesterol levels and medication. However, this information is anonymous and does not include anything written as notes by the GP and so cannot be linked to you.

6. LOCAL DATA SHARING AGREEMENTS

The practice currently has data sharing agreements with Wiltshire Clinical Commissioning Group (WCCG) that covers the extraction of anonymous data held by the practice, for the purposes of audit, service reviews and payments in-line with service contracts held between by the practice with WCCG.

YOUR INDIVIDUAL RIGHTS

Data Protection laws give you rights with regard to your information, below are details of how we will manage requests you might make. If you have any concerns about the use of your data and your rights, please contact us. The practice does not engage in any direct marketing, profiling or use any automated decision making tools.

1. HOW CAN I ACCESS THE INFORMATION YOU HOLD ABOUT ME?

You have a right under the Data Protection laws to access copies of the information the practice holds about you and to have it amended should it be inaccurate. In order to request this, you need to do the following:

Contact us in writing, by letter, email to kamp.practice@nhs.net or through our website. We also have a form you could complete, which is available from reception

It will be very helpful to the practice if you could specify any particular information you need so we can provide the information to you as soon as possible. We have designed a form for patients to help them to identify the information they require and completing this form will help us process this information efficiently.

The practice will endeavour to complete your request within one month of receipt of your request. You must ensure you provide adequate information, such as your full name, address, date of birth, NHS number and details of your request, so that your identity can be verified and your records located. An initial copy of your record is generally free, but we will charge for additional copies.

We will make the information available for you to collect from either of our practice sites, and you will be required to bring photographic ID with you. Further details are available in a leaflet available from Reception, or from our website.

For information from a hospital or other organisations you should contact them directly.

2. HOW CAN I HAVE INACCURACIES CORRECTED OR ERASED?

If you feel that the personal data that we hold about you is inaccurate or incomplete then please let us know in writing and we will investigate and update your records as appropriate within one month of notification. If this incorrect information has been sent onwards, we will also inform any other organisations of this. If it is not possible to correct the information then we will write to you to let you know the reason behind the decision and inform you how you can complain about this.

If you feel information in your health record should not be there, you can ask the practice to erasure that information. We will look at each request specifically. Please bear in mind there may well be legal reasons why we will need to keep data even if you request it to be erased. We will explain this to you in detail in our response.

3. DATA PORTABILITY

You have the right to access your data in a format which allows you to re-use and share it with other organisations should you wish. As such, we will provide your data in a structured, commonly used and machine readable form.

4. YOUR RIGHT TO OBJECT – RESTRICT PROCESSING

As a patient, you have the right to object to personal data about you being used or shared. We will always listen to your concerns and endeavour to manage them to your satisfaction, however we have to balance your concerns with our ability to provide you with safe and effective care.

You also have the right to restrict the use of data the practice holds about you. If you do wish to object, please contact the practice. This will prevent your confidential information being used other than where necessary by law.

If you are a carer and have a Lasting Power of Attorney for health and welfare then you can also object to personal data being used or shared on behalf of the patient who lacks capacity.

If you do not hold a Lasting Power of Attorney then you can raise your specific concerns with the patient's GP. If you have parental responsibility and your child is not able to make an informed decision for themselves, then you can make a decision about information sharing on behalf of your child. If your child is competent then this must be their decision.

OBJECTIONS AND COMPLAINTS

Should you have any concerns about how your information is managed at the practice, please write to the Patient Services Manager, who will organise an internal review. If you are still unhappy following this review, you can then complain to the Information Commissioners Office (ICO) via their website: www.ico.org.uk. Further information about the practice complaints procedure is available from the reception or on our website.

CHANGES TO PRIVACY POLICY

We keep our privacy policy under regular review and we will place any updates in this leaflet and on our web site.

Document Details

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