

Kingsway Medical Centre, Kingsway, Billingham, TS23 2LS

Dr. M.J. Gittens	MBBS DCH DRCOG MRCGP	Cleveland, TS23 2LS.
Dr. R. Sinha	MBBS DRCOG MRCGP	Tel (01642) 553738 (appointments)
Dr. M. Vijayakumar	MBBS MRCPCH	Tel (01642) 554967 (enquiries)
Dr. O.F. Taiwo	MBBS MRCGP	Fax (01642) 533011 (Reception)
Dr. K.L. Wilson	MB ChB MRCGP	Fax (01642) 533692 (Admin)

Fair Processing Notice - Kingsway Medical Centre

How we use your information

Kingsway Medical Centre holds information about you and this document outlines how that information is used, with whom we may share that information, how we keep it secure (confidential) and what your rights are in relation to this.

The Health Care Professionals (HCP) who provide you with care, maintain records about your health and any treatment or care you have received previously (e.g. NHS Trust, GP surgery, Community clinics or staff etc.). These records help to provide you with the best possible healthcare.

NHS health records may be electronic, on paper or a mixture of both and we use a combination of working practices and technology to ensure that your information is kept confidential and secure.

What kind of information do we use?

- Details about you, such as address and next of kin and carer information etc
- Any contact the surgery has had with you such as appointments, clinic visits, emergency appointments and so on
- 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 HCPs, relatives or those who care for you

To ensure you receive the best possible care, your records are used to facilitate the care you receive. Information held about you may be used to help protect the health of the public and to help us manage the NHS. Information may be used for clinical audit to monitor the quality of the service provided and to plan NHS services.

Some of this information will be held centrally and used for statistical purposes. Where we do this, we take strict measures to ensure that individual patients cannot be identified.

Sometimes your information may be requested to be used for research purposes – the surgery or organisation concerned will always endeavour to gain your consent before releasing the information.

The [NHS Care Record Guarantee](#) for England sets out the rules that govern how patient information is used in the NHS and what control patients can have over this.

The NHS Constitution <https://www.gov.uk/government/publications/the-nhs-constitution-for-england> establishes the principles and values of the NHS in England. It sets out rights to which patients, public and staff are entitled, and pledges which the NHS is committed to achieve, together with responsibilities, which the public, patients and staff owe to one another to ensure that the NHS operates fairly and effectively.

What do we use your personal and confidential/sensitive information for?

We can only use any information that may identify you (known as personal information) in accordance with the Data Protection Act 1998 and other laws such as the Health and Social Care Act 2012.

<http://www.legislation.gov.uk/ukpga/1998/29/contents> and <http://www.legislation.gov.uk/ukpga/2012/7/contents/enacted>,

However only the minimum necessary identifiers are used in processing personal information for the purpose. We also have a Common Law Duty of Confidentiality to protect your information. This means that where a legal basis for using your personal or confidential information does not exist, we will not do so.

Apart from direct health care sensitive personal information may also be used in the following cases:

- To respond to patients, carers or Member of Parliament communication
- We have received consent from individuals to be able to use their information for a specific purpose.
- There is an over-riding public interest in using the information e.g. in order to safeguard an individual, or to prevent a serious crime.
- There is a legal requirement that will allow us to use or provide information (e.g. a formal court order).
- For the health and safety of others, for example to report an infectious disease such as meningitis or measles.
- We have special permission for health and research purposes (granted by the Health Research Authority).
- We have special permission called a 'section 251 agreement' (Section 60 of the Health and Social Care Act 2001 as re-enacted by Section 251 of the NHS Act 2006) which allows the Secretary of State for Health to make regulations to set aside the common law duty of confidentiality for defined medical purposes. An example of where this is used is in risk stratification. Further information can be found on the Health Research Authority's web site here <http://www.hra.nhs.uk/about-the-hra/our-committees/section-251/what-is-section-251/>

Mobile Telephone/Email Addresses

If you provide us with your mobile phone number or email address, we may use this to send you reminders about any appointments or other health screening information, being carried out.

Risk Stratification

Risk stratification tools are increasingly being used in the NHS to help determine a person's risks of suffering from a particular condition, preventing an unplanned or (re)admission and identifying a need for preventative intervention. Information about you is collected from a number of sources including NHS Trusts and from this GP Practice. A risk score is then arrived at through an analysis of your anonymised information using software managed by North of England Commissioning Support Service (NECS), which is based at John Snow House, Durham, DH1 3YG. The data is provided back to the GP Practice or member of your care team in an identifiable form. Risk stratification enables your GP Practice to focus on the prevention of ill health and not just the treatment of sickness. If necessary, your GP Practice may be able to offer you additional services.

Should you have any concerns about how information is managed at your GP Practice, please write to the Practice Manager so you can discuss how the disclosure of your personal information can be limited.

Invoice validation

If you have received treatment within the NHS, access to your personal information is required in order to determine which Clinical Commissioning Group (CCG) should pay for the treatment or procedure you have received. The validation of invoices is undertaken within a controlled environment for finance within the North of England CSU (NECS) which is based at John Snow House, Durham, DH1 3YG. This is carried out via a section 251 agreement and is undertaken to ensure that the CCG is paying for treatments relating to its patients only. The dedicated NECS team receives patient level information (minimal identifiers are used for this purpose, such as NHS number, post code, date of birth) direct from the hospital providers and undertakes a number of checks to ensure that the invoice is valid and that it should be paid for by the CCG. The CCG does not receive or see any patient level information relating to these invoices. Further information about invoice validation can be found on NHS England's web site here <https://www.england.nhs.uk/ourwork/tsd/ig/in-val/>

How do we maintain confidentiality of your records?

We are committed to protecting your privacy and will only use information collected lawfully in accordance with the Data Protection Act 1998 (which is overseen by the Information Commissioner's Office), Human Rights Act, the Common Law Duty of Confidentiality and the NHS Codes of Confidentiality and Security.

Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential. Anyone who received information from an NHS organisation has a legal duty to keep it confidential.

We maintain our duty of confidentiality to you at all times. 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 (e.g. life or death situations) or where the law requires information to be passed on.

The [NHS Digital Code of Practice on Confidential Information](#) applies to all of our staff, and they are 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. All practice staff are expected to make sure information is kept confidential and receive annual training on how to do this. This is monitored by the practice and can be enforced through disciplinary procedures.

We also ensure the information we hold is kept in secure locations, restrict access to information to authorised personnel only and protect personal and confidential information held on equipment such as laptops with encryption (which masks data so that unauthorised users cannot see or make sense of it).

We ensure external data processors that support us are legally and contractually bound to operate and prove security arrangements are in place where information that could or does identify a person is processed.

We have a senior person responsible for protecting the confidentiality of patient information and enabling appropriate information sharing. This person is called the Caldicott Guardian. The Caldicott Guardian for the practice is the Practice Manager, who can be contacted using the contact details at the top of this document. We also have a Senior Information Risk Owner (SIRO) who is responsible for owning the practice's information risk. The SIRO is Dr. Gittens/Practice Manager.

We are registered with the Information Commissioner's Office (ICO) as a data controller which describes the purposes for which we process personal data. A copy of the registration is available from the ICO's web site by searching on our practice name.

Who are our Partner Organisations?

We may also have to share your information, subject to strict agreements on how it will be used, with the following organisations:

- NHS Trusts
- Specialist Trusts
- Independent contractors such as dentists, opticians, pharmacists
- Private sector providers
- Voluntary sector providers
- Ambulance Trusts
- Clinical Commissioning Groups
- Social Care and Health
- Local Authorities
- Education Services
- Fire & Rescue Services
- Police
- Other data processors

What are your rights?

Where information from which you can be identified is held, you have the right to ask to:

- View this or request copies of the records by making a [subject access request](#) – also see below.
- request information is corrected
- have the information updated where it is no longer accurate
- ask us to stop processing information about you where we are not required to do so by law – although we will first need to explain how this may affect the care you receive.

Access to personal information

You have a right under the Data Protection Act 1998 to access/view what information the surgery holds about you, and to have it amended or removed should it be inaccurate. This is known as ‘the right of subject access’. If we do hold information about you we will:

- Give you a description of it
- Tell you why we are holding it
- Tell you who it could be disclosed to, and
- Let you have a copy of the information in an intelligible form
- If you would like to make a ‘subject access request’, please do so in writing to the Practice Manager.

Summary Care Records (SCR)

The Summary Care Record is a national scheme to share information about the medicines you are prescribed and any allergies or other adverse reactions you have experienced. Health Professionals at other organisations will only be able to access this information with your permission. You can opt-out of the scheme; please ask at the surgery if you need more information or follow the appropriate link on our website.

Summary Care Record with Additional Information

This is a national scheme to share more detailed information including your current medical problems and your care wishes. Health Professionals at other organisations will only be able to access this information with your permission. This information will only be available to other agencies if you have given us your permission to share it.

How we share your personal data

As your GP practice we have set the following practice settings for all our registered patients whose detailed electronic health (and where applicable social care) record is in our possession and within the clinical computer system, SystmOne. However, we recognise that each of our patients have differing health and social care needs and you may wish to control yourself how your personal data is shared. This can be done via 'Your Choices' stated below.

We assume that you are happy to share your detailed electronic health (and where applicable social care) record to anyone that cares for you. We therefore make your record available to all NHS commissioned services and local authorities providing health and social care services, using the clinical record computer system, SystmOne.

This allows for anyone at these organisations who have the appropriate controls to retrieve your electronic record, once you are registered for care. **However, these individuals should only legitimately access your record to provide you with care services. They must also record your permission to view your record.**

The types of organisation, which could be involved in your direct care and therefore need access to your electronic record are:

- GP practices
- Community services (for example, physiotherapy, diabetic clinics, district nursing, rehabilitation centres)
- Referral triage centres (services determining which organisation should care for you)
- Child Health
- Urgent Care (for example, A&E, Minor Injury Units (MIU) and Out of Hours services)
- Community Hospitals
- Palliative Care
- Care Homes
- Offender Health (care providers within organisations such as Prisons and Custody Suites)
- NHS Hospitals
- NHS Mental Health Services
- Social Care– registered and regulated professionals within social care organisations coordinating care (not social care providers)
- Community Pharmacy

To find out more about these types of organisation please go to the following webpage: <http://www.tpp-uk.com/products/systmone/modules> or talk to a member of your GP Practice.

If you are not happy to share your electronic record in this way, please let us know as soon as possible so that we can record your dissent (refusal of permission) and stop your record from being accessed outside of the GP practice. You can choose to refuse your permission for any organisation having access to your GP record.

Your choice

You may not agree with the health and social care organisations we have chosen to have access to your detailed electronic health (and where applicable social care) record (the practice default). You can therefore control this yourself. Your choice will override our settings. You have the following options:

- **No organisations require you to provide a security code** - You can give your permission to allow all NHS commissioned services and local authorities providing health and social care services, using the clinical record computer system, SystmOne, to access your record. This allows for any individual at these organisations (who have the appropriate access controls) to retrieve your electronic record, only after you are registered with them for care. These individuals should only legitimately access your record to provide you with care services and they should always request and gain your consent before doing so.
- **Dissent/Refusal of your permission** - You can refuse your permission for your record to become available to all NHS commissioned services and local authorities providing health and social care services, using the clinical record computer system, SystmOne,, which prevents us sharing your clinical record to any other organisation involved in your care. Please carefully consider the benefits of sharing your record before choosing this option.
- **All organisations require you to provide a security code** - You can require that all health and social care organisations must ask you for a PIN number on your first visit to that service. This allows you to verify/confirm that each individual organisation should have access to your record, as they are legitimately involved in your care. You will require access to either a mobile phone or email account, as a PIN will be sent to you. [Alternatively, you will need access to SystmOnline to accept or reject a share request sent to your account by the organisation wishing to view your record. Please contact your GP or GP receptionist to request to be enabled for SystmOnline]
- **Custom lists** - You can put together your own personal lists for access, adding organisations to each of the 3 lists i.e. does not require a security code (allowed list), requires a security code (verification list) and cannot access (prohibited list). The functionality for each list will act as described above, but it is you who can determine the level of access, which applies to them. This should be done in conjunction with your GP to ensure you understand the full implications of your decisions.
- **Marking items as private** – If you have had a consultation about a particularly sensitive matter, you can ask for this section of your record to be marked as private. That way, even if you consent for another service to see your record, that consultation will not be shown outside the organisation that recorded it. However, if the consent override function is used, then consultations marked as private can be accessed by the other service/organisation performing the override.

When deciding which option to choose it is important to consider that your detailed record allows for an overall picture of your health and wellbeing to be assessed. This in turn helps health and social care professionals diagnose and prescribe appropriate courses of treatment to you. This ensures that the most safe and efficient care is provided. It will prevent you from having to repeat your medical history and remember every detail, which may or may not be relevant, to every health and social care professional involved in your care. Lack of access to your information may lead to misdiagnosis, inappropriate prescribing of medication or tests and/or ineffective treatment.

You can make the above changes at any time by contacting your GP practice or by logging onto your SystemOnline account.

Choosing which organisations can view your record

You can choose which other organisations involved in your care can view your full medical record. You can choose this on an individual organisation basis, or apply the setting across all organisations.

Speak to your GP to set your choice, or set them yourself using SystemOnline. You have the following choices:



I'm happy for my full patient record to be viewed by health and care organisation(s) involved in my care.

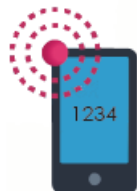


I do not want my patient data to be viewed by health and care organisation(s) involved in my care.



I would like to provide an extra security code, or online approval to health and care organisation(s) involved in my care in order to view my record.

How to provide a security code or online approval



Receive code via text - give this code to your healthcare professional



Receive code via e-mail - give this code to your healthcare professional



Approve the organisation using SystemOnline on your computer or phone

For more information, please speak to your GP.

1) Data Controller contact details	Dr. Gittens, Senior Partner/Practice Manager, Kingsway Medical Centre, Kingsway, Billingham, TS23 2LS
2) Data Protection Officer contact details	Liane Cotterill Senior Governance Manager & Data Protection Officer North of England Commissioning Support Teesdale House Westpoint Road Thornaby Stockton-on-Tees TS17 6BL Tel: 01642 745042 Mob: 07796278381 Email: liane.cotterill@nhs.net