

GP MATTERS LTD

Privacy Notice for Patients

WHAT IS A PRIVACY NOTICE?

A Privacy Notice (or 'Fair Processing Notice') is an explanation of what information the Practice collects on patients, and how it is used. Being transparent and providing clear information to patients about how a Practice uses their personal data is an essential requirement of the Data Protection Act (DPA) 1998. This is being added to by the GDPR and new DPA 2018.

Under the DPA/GDPR, the first principle is to process personal data in a fair and lawful manner and applies to everything that is done with patient's personal information. In practice, this means that the Practice must;

- Have legitimate reasons for the use or collection of personal data
- Not use the data in a way that may cause adverse effects on the individuals (e.g. Improper sharing of their information with 3rd Parties)
- Be transparent about how you the data will be used, and give appropriate privacy notices when collecting their personal data
- Handle personal data only as reasonably expected to do so
- Make no unlawful use of the collected data

FAIR PROCESSING

Personal data must be processed in a fair manner – the DPA says that information should be treated as being obtained fairly if it is provided by a person who is legally authorized or required to provide it. Fair Processing means that the Practice must be clear and open with people about how their information is used.

Providing a 'Privacy Notice' is a way of stating the Practice's commitment to being transparent and is a part of fair processing, however you also need to consider the effects of processing on the individuals and patients concerned;

- What information are we collecting?
- Who collects the data?
- How is it collected?
- Why do we collect it?
- How will we use the data?
- Who will we share it with?
- What is the effect on the individuals?
- If we use it as intended, will it cause individuals to object or complain?

Conducting a Privacy Impact Assessment is an effective way of assessing whether you can safely collect or use patient data according to the DPA and Information Governance requirements. The Information Commissioners' Office has published guidance on carrying out a PIA and can be found here: <https://ico.org.uk/media/for-organisations/documents/1595/pia-code-of-practice.pdf>

DATA CONTROLLERS

Under the Data Protection Act, the data controller is the person or organization that will decide the purpose and the manner in which any personal data will be processed – they have overall control of the data they collect and decide how and why it will be processed.

A GP Practice is a data controller for the patient information it collects and should already have data processing arrangements with third parties (e.g. IT systems providers) to ensure they do not use or access data unlawfully; the data controllers will have ultimate responsibility for the Practices' compliance with the DPA. The data controller for GP Matters is the Medical Director (Dr Carole McAlister)

RISK STRATIFICATION

As GP Matters is an entirely private provider, no information is gathered routinely and shared with NHS with respect to identifying those patients at higher risk of needing secondary care within hospitals etc. This is a provision undertaken ONLY by NHS GP services.

INVOICE VALIDATIONS

Personal information may be shared within a secure and confidential environment to determine which person/body/insurer should pay for the treatment received. This means sharing identifiable information such as name, address, date of treatment etc. to enable the billing process.

PARTNER ORGANISATIONS

If the Practice shares information with any external organisations (within or outside the NHS), then it should let patients know by listing them. Partner organisations will usually include Private Hospital providers; allied healthcare professionals and NHS organisations (hospitals/NHS GP services etc.)

ACCESS TO PERSONAL INFORMATION

The DPA gives patients the right to view any information held about them – the 'Right of Subject Access'. GP Matters is fully registered with ICO.

HOW WE USE YOUR INFORMATION

This privacy notice explains why we as a Practice collect information about our patients and how we use that information.

GP Matters manages patient information in accordance with existing laws and with guidance from organisations that govern the provision of healthcare in Scotland/UK such as the Department of Health/NHS Scotland and the General Medical Council.

We are committed to protecting your privacy and will only use information collected lawfully in accordance with:

- Data Protection Act and GDPR 2018.
- Human Rights Act 1998
- Common Law Duty of Confidentiality
- Health and Social Care Act 2012
- NHS Codes of Confidentiality and Information Security

As data controllers, GPs have fair processing responsibilities under the Data Protection Act 2018. In practice, this means ensuring that your personal confidential data (PCD) is handled clearly and transparently, and in a reasonably expected way.

The Health and Social Care Act 2012 changed the way that personal confidential data is processed, therefore it is important that our patients are aware of and understand these changes, and that you have an opportunity to object and know how to do so.

The health care professionals who provide you with care maintain records about your health and any treatment or care you have received (e.g. Private/NHS Hospital Trust, GP Surgery, Walk-in clinic, etc.). These records help to provide you with the best possible healthcare. We are not routinely given information from the NHS unless we have instigated a referral on your behalf or have your explicit consent to seek that data under specific circumstances.

Private/NHS health records may be processed electronically, on paper or a mixture of both; a combination of working practices and technology are used to ensure that your information is kept confidential and secure. Records held by this GP practice may include the following information:

- Details about you, such as address and next of kin
- Any contact the practice has had with you, including appointments (emergency or scheduled), clinic visits, etc.
- Notes and reports about your health
- Details about treatment and care received
- Results of investigations, such as laboratory tests, x-rays, etc. Consultant reports/letters and outcome reports from a wide variety of allied healthcare professionals
- Relevant information from other health professionals, relatives or those who care for you

GP Matters collects and holds data for the sole purpose of providing healthcare services to our patients and we will ensure that the information is kept confidential. However, we can disclose personal information if:

- a) It is required by law
- b) You provide consent – either implicitly for the sake of your own care, or explicitly for other purposes
- c) It is exceptionally justified to be in the public interest

A patient can object to their personal information being shared with other health care providers but if this limits the treatment that you can receive then the doctor will explain this to you at the time.

MOBILE TELEPHONE

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

Our Website may use cookies to optimise your experience:.

Using this feature means that you agree to the use of cookies as required by the EU Data Protection Directive 95/46/EC/ GDPR.

RISK STRATIFICATION

Risk stratification is a process for identifying and managing patients who are at high risk of requiring emergency or urgent care. This is a routine provision within NHS general practice but not so for GP Matters (being exclusively private). However, if a new 'eligible' condition such as Cancer or Diabetes is identified, the doctor here will discuss (with you) having this notified (as part of any general data sharing/ updates with NHS GP) with the appropriate NHS body so that you may be in a better position to avail yourself of subsequent/future care within the NHS system.

INVOICE VALIDATION

Information such as your name, address and date of treatment may be passed on to enable the billing process - these details are held in a secure environment and kept confidential. This information will only be used to validate invoices and will not be shared for any further commissioning or other purposes.

HOW DO WE MAINTAIN THE 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 2018 (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 staff member who works for GP Matters or any of its partner organizations has a legal obligation to maintain the confidentiality of patient information.

All of our staff, contractors and committee members receive appropriate and regular training to ensure they are aware of their personal responsibilities and have legal and contractual obligations to uphold confidentiality, enforceable through disciplinary procedures. Only a limited number of authorised staff have access to personal information where it is appropriate to their role and is strictly on a need-to-know basis.

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 (i.e. life or death situations), or where the law requires information to be passed on.

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:

- Private Hospital Providers (BMI ROSS HALL / NUFFIELD for example) inpatient and outpatient care
- Health Insurers (e.g. BUPA/WPA, PPP, AVIVA...)
- NHS Trusts • Specialist Trusts
- Independent Contractors such as dentists, opticians, pharmacists, psychologists and other certified allied healthcare practitioners.
- Voluntary Sector Providers (rarely and only if requested by client/patient)

- Ambulance Trusts (exceptional and rare circumstances)
- Social Care Services (as above)
- Education Services (as above and only as a result of patient/client request)
- Fire and Rescue Services (exceptional safety critical issues)
- Police

ACCESS TO PERSONAL INFORMATION

You have a right under the Data Protection Act 2018 to access/view information the practice 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
- Let you have a copy of the information in an intelligible form

If you would like to make a ‘subject access request=SAR’, please contact GP Matters in writing. There may be a charge for this service. (You can also ask reception to email/post you a copy of explanatory SAR information)

The practice is registered as a data controller under the Data Protection Act. The registration can be viewed on-line in the public register at <http://www.ico.gov.uk/>

CHANGE OF DETAILS

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 date of birth is incorrect in order for this to be amended. You have a responsibility to inform us of any changes so our records are accurate and up to date for you.

NOTIFICATION

The Data Protection Act requires organisations to register a notification with the Information Commissioner to describe the purposes for which they process personal and sensitive information. This information is publicly available on the Information Commissioners Office website www.ico.org.uk. GP Matters is registered with the Information Commissioners Office (ICO).

WHO IS THE DATA CONTROLLER?

The Data Controller, responsible for keeping your information secure and confidential is Dr Carole McAlister (Medical Director). Any changes to this notice will be published on our website and displayed in prominent notices at GP Matters.

FURTHER INFORMATION AVAILABLE:

1. www.ico.org.uk (information commissioner’s office)
2. www.gmc-uk.org (General Medical Council; regulatory body for all doctors: ethical guidance etc.)
3. <http://www.healthcareimprovementscotland.org> (care regulator and inspector in Scotland)

Signed:

Daniel Diez (Practice Manager)

Date: 19/11/18