

## OHP PRIVACY NOTICE

This privacy notice explains why the GP Practice collects information about you, and how that information may be used.

As data controllers, GPs have responsibilities which are regulated by law under the General Data Protection Regulations. This means ensuring that your personal confidential data (PCD) is handled in ways that are safe, transparent and what you would reasonably expect.

### Your Personal data- what is it?

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come in to such possession. The processing of personal data is governed by the General Data Protection Regulation (the 'GDPR').

### Who are we?

OHP Bloomsbury Medical Centre is the data controller. This means it decides how your personal data is processed and for what purposes.

Bloomsbury Medical Centre, 30 Bloomsbury St, Nechells, Birmingham.

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

### How do we process your personal data?

Health care professionals maintain records about your health and any treatment or care you have received within the NHS (e.g. NHS Hospital Trust, GP Surgery, Walk-in clinic, etc.). These records help to provide the best possible healthcare.

NHS health records may be processed electronically, on paper or a mixture of both, and 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, telephone numbers, DOB and next of kin
- Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments, etc.
- 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 health professionals, relatives or those who care for you

## What is the legal basis for processing your personal data?

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

- It is required by law
- You consent – either implicitly for the sake of your own care or explicitly for other purposes
- It is justified in the public interest

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

## Sharing your personal data

Sometimes information about you may be requested to be used for research purposes. The Practice will always endeavour to gain your consent before releasing the information.

Under the powers of the Health and Social Care Act 2012 (HSCA) the Health and Social Care Information Centre (HSCIC) can request Personal Confidential Data (PCD) from GP Practices without seeking the patient's consent. Improvements in information technology are also making it possible for us to share data with other healthcare providers with the objective of providing you with better care.

Any patient can choose to exercise their right of objection specified under the GDPR regarding their PCD being used in this way. When the Practice is about to participate in any new data-sharing scheme we will make patients aware by displaying prominent notices in the surgery and on our website at least four weeks before the scheme is due to start. We will also explain clearly what you have to do to 'opt-in' of each new scheme.

Though 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.

## Risk Stratification

Risk stratification is a process for identifying and managing patients who are at a higher risk of emergency hospital admission. Typically, this is because patients have a long-term condition such as COPD or cancer. NHS England encourages GPs to use risk stratification tools as part of their local strategies for supporting patients with long-term conditions and to help prevent avoidable admissions.

Information about you is collected from several sources including NHS Trusts and from this GP Practice. A risk score is then arrived at through an analysis of your anonymous information using computer programmes. Your information is only provided back to your GP or member of your

care team in an identifiable form. Risk stratification enables your GP to focus on the prevention of ill health and not just the treatment of sickness. If necessary, your GP may be able to offer you additional services.

If you do not wish to be included in the risk stratification process, then please get in touch with the Practice. Please note the purpose of risk stratification is to prevent and detect health issues therefore we will ask our Patients for their consent to be included in this.

## Invoice Validation

If you have received treatment within the NHS, access to your personal information may be required to determine which Clinical Commissioning Group should pay for the treatment or procedure you have received.

This information would most likely include information such as your name, address, date of treatment and 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 purposes.

## NHS Health Checks

All of our patients aged 40-74 not previously diagnosed with cardiovascular disease are eligible to be invited for an NHS Health Check. Nobody outside the healthcare team in the practice will see confidential information about you during the invitation process and only contact details would be securely transferred to a data processor (if that method was employed). You may be 'given the chance to attend your health check either within the practice or at a community venue. If your health check is at a community venue all data collected will be securely transferred back into the practice system and nobody outside the healthcare team in the practice will see confidential information about you during this process.

## 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 GDPR (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.

All of our staff, contractors and committee members receive appropriate and on-going training to ensure they are aware of their personal responsibilities and have contractual obligations to uphold confidentiality, enforceable through disciplinary procedures. Only a limited number of authorised staff has 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 always. 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. The following are examples of the types of organisations that we are likely to share information with:

- NHS and specialist hospitals, Trusts
- Independent Contractors such as dentists, opticians, pharmacists
- Private and Voluntary Sector Providers
- Ambulance Trusts
- Clinical Commissioning Groups and NHS England
- Social Care Services and Local Authorities
- Education Services
- Police, Fire and Rescue Services
- Other ‘data processors’ during specific project work e.g. Diabetes UK

## Your rights and your personal data

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data: -

- The right to request a copy of your personal data which this practice holds about you;
- The right to request that this practice corrects any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary for the practice to retain such data. Although please note for Patients at this practice, your records will be retained until death;
- The right to withdraw consent to the processing at any time;
- The right to data portability;
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to lodge a complaint with the Information Commissioners Office.

## Contact Details

Should you have any concerns about how your information is managed or wish to object to any of the data collection at the Practice, please contact the Practice Manager or your healthcare professional to discuss how the disclosure of your personal information can be restricted. All patients have the right to change their minds and reverse a previous decision. Please contact the practice if you change your mind regarding any previous choice.

If you would like to make a 'data subject access request' please [contact the practice](#) in writing. We will endeavour to respond to your request within one calendar month or two months if the request is complex.

Any changes to this notice will be published on our website and on the Practice notice board.

Suspected breaches in data protection can be reported to the independent OHP Data Protection Officer Rowsonara Uddin on 0121 422 1366. Breaches in data protection will result in an incident investigation. Serious breaches will be reported to the ICO.

It is the responsibility of all employees of the practice to report suspected breaches of information security to the Practice lead and Data Protection Officer without delay.

The Practice is registered as a data controller with the ICO. The registration number is **Z9191862** and can be viewed online in the public register at: [ico.org.uk](https://ico.org.uk). You can contact the ICO on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.