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**BOLEYN MEDICAL CENTRE**

### ****Privacy Notice - Children & Young Adults****

# **(Applies to patients aged 12 – 16 years)**

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This notice explains what information we record about you, why we collect information about you and how that information may be used. We need to inform you of this to make sure we meet the legal requirements which are written in a new document called the General Data Protection Regulation (or GDPR for short). GDPR is a new document that helps everyone at the practice keep information about you secure. This includes all clinical staff, i.e. doctors and nurses and non-clinical staff, i.e. receptionists, administrators. We let patients know about our privacy policy using posters, leaflets, and our website.

**What information we record about you**

When you register with the practice we record your name, address, date of birth, contact telephone numbers, parents/guardian details, as well as your current health/medical conditions. If you have been registered at a GP before this one, we will receive your previous medicals records so that we can store all the information we need to provide you with the best possible care.

All health care professionals, who provide you with care will keep records about your health and any treatment or care you have received (including Hospitals, GP Surgeries, Walk-in Centres etc.). This information is provided to us either electronically or in paper format and we take every care to make sure that your information is kept confidential and secure. Records which this GP Practice hold about you may include the following:

* Details about you, such as your address, legal representative, emergency contact details
* Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments, etc.
* Notes and reports about your health
* Details about any treatment you have had or are having.
* Results of any tests that you may have such as blood tests, x-rays etc.
* Important information from other health professionals, relatives or those who care for you
* Important information from your school that may be to do with your health or wellbeing (e.g. behaviour reports, concerns from teachers, vaccinations you have had)
* Information from Child Health about any Health assessments or vaccinations you have had, you have missed or you may need.

Your records will be stored in line with the NHS Code of Practice for Records Management.

# **How we keep your records confidential/safe**

We have to keep your personal information and records private so we will only use or share your information in line with the following guidelines and laws:

General Data Protection Regulation 2018

Human Rights Act 1998

Common Law Duty of Confidentiality

Health and Social Care Act 2012

NHS Codes of Confidentiality and Information Security

Information: To Share or Not to Share Review

Every member of staff who works for the Practice or another NHS organisation has a legal obligation to keep information about you confidential.  Staff and visitors at this practice have to sign a ‘Confidentiality Agreement’.

**Who we share your information with**

It is our job to give you the best care possible and so your records are used to make sure that this happens.  But, we may sometimes need to share your information with other people in the NHS to help us to make things better in the NHS.

Most of the time, this information will not have your personal details (name. date of birth) so you cannot be identified.  In cases where we do need to give your personal details, we will always ask if this is okay.  Information may be used within the GP practice for clinical audits to help us monitor the quality of the care that you receive.

Sometimes your information may be requested to be used for research purposes – the surgery will always ask before giving any information for this purpose.

We will only ever use or pass on information about you to others involved in your care if this is important for your treatment. We will not give your information to anyone else without permission unless there are exceptional circumstances (i.e. life or death situations), where the law requires information to be passed on, for example Child Protection and Serious Criminal Activity.

Under strict agreements, we may also have to share your information and even receive information about you, with the following organisations:-

* NHS Organisations
* Doctor, Dentist, Optician or Pharmacist
* Ambulance Service
* Social Care & Safeguarding Services
* Child Health
* County Council
* Schools
* Fire and Rescue Services
* Police & Court Services (if we are asked by law)

Until the age of 16, it is usually your parents/guardians who we ask for permission to share your information, but, from the age of 12 years, the ICO (Information Commissioner’s Office) states that you may have the competence to consent to your own health care and the processing of your health Record (the information that we hold about you) at this practice.

**‘Gillick Competence’** is a medical law that helps decides whether a child under 16 years is able to consent to his/her own medical treatment or sharing of medical information without the need for consent from a parent/carer/legal guardian. This is considered for every patient individually and is determined by the Dr MSJ Khan, GP Principal.

If you feel you would prefer to make decisions about your care and the sharing of your information, please speak to reception who can advise you further.

Remember, we will always tell your parents/guardians or yourself, who we are sharing your information with, and may even have to ask for your consent (permission) to do this first. You may be asked to sign a form to say that you are happy for us to do this.

If you do not want to share your information, no matter your age, we will respect your decision but as mentioned above, if you are under the age of 16, it is usually something which your parents/guardians decide. Before making this decision, you can speak to reception for more information who can explain what this decision will mean.

**WHO IS INVOLVED IN DATA PROTECTION**

The **Caldicott Guardian/Information Governance Lead** is Dr MSJ Khan who ensures the implementation of the Caldicott Principles and Data Security Standards with respect to Patient Confidential Data. For more information please visit: <https://www.gov.uk/government/publications/the-caldicott-principles>

The **CQC** regulates health and social care services to ensure safe care is provided. The law states that we must report certain serious events to the CQC i.e. when a patient’s safety has been put at risk. For more information, please visit: <https://www.cqc.org.uk/>

The ICO is an independent body set up to uphold information rights, for more information please visit: <https://ico.org.uk/for-the-public/>

The **Data Protection Controller** is the Boleyn Medical Centre as we along with NHS England determine the means and purposes of the processing of personal data.

The **Data Processors** are anyone using your information within the practice as we are involved in your day to day care.

The **Data Protection Officer (DPO)** is NHS North East London ICB:

The DPO is independent and an expert in data protection and will carry out the following, among other duties:

* Helps the surgery to deliver on all statutory aspects of the data protection regulation
* Provide support in relation to high risk Data Protection Impact Assessments, identified safeguards and high-risk data breaches.
* Raise awareness in relation to data protection legislation
* Provide advice and issue recommendations in relation to data protection and information governance to the Practice(s).
* Monitor the organisation’s compliance with the GDPR and internal data protection policies and procedures. This will include monitoring the assignment of responsibilities, awareness training, and training of staff involved in processing operations and related audits
* Act as a contact point with the Information Commissioner’s Office.

If you have any concerns or queries relating to data protection, i.e. query relating to this policy and your rights as a patient, how your information is held, if you wish to make a complaint, you can contact us in writing or visiting us at the Boleyn Medical Centre, and we will liaise with the DPO.

If you wish to make a complaint about anything to do with the personal and healthcare information we hold about you, you also have the right to take your complaint to the Information Commissioner’s Office; <https://ico.org.uk/global/contact-us/>

# **Access to your information**

Under the new General Data Protection Regulation (GDPR) you have the right to ask to see your medical records whenever you like and this is free.  Also, if you think that any of the information you see is not correct, you can ask for this information to be taken out.  This can only be done if we are 100% sure that the information is NOT correct and after consultation with Dr MSJ Khan (GP Principal).  To be able to see your records, this is what you will need to do:

* Complete a Subject Access Request (SAR) form
* Write a letter to the doctor here to ask to look at your records. You will need to include your full name, date of birth, NHS number (if you know it) and your address. This is so that we can make sure that we are giving this information to the right person.
* If you have requested this yourself, and not your parents/guardians, the Data Protection Officer will use the **Gillick Competence** rules (mentioned above) to make sure that you are able to consent yourself
* We will not charge for this (unless you ask a lot of times then we may put on a charge)
* If the doctor agrees that it is okay for you to have access, we will give you the information within 30 days

# **If you have any questions or are not happy with how we manage your information**

If you have any questions about how we manage your information then your legal guardians or yourself, can contact the surgery via phone or letter, and we will help answer your queries.

We really want to make sure you are happy, but we understand that sometimes things can go wrong. If you or your parents/legal guardians are unhappy with any part of our data-processing methods, you can complain to the practice. However, you have a right to raise any concern or complaint with the UK information regulator, at the Information Commissioner’s Office: <https://ico.org.uk/>.

If you need to know anything else about how we use or keep your information, you can ask to speak to reception who will be happy to help or if you have access to the internet, you can also read more about this on the ICO website ([www.ico.org.uk](http://www.ico.org.uk/) )

# **Change of Details**

It is important that you tell us or any other person treating you if any of your details such as your name, address or contact details have changed.

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# **Notification**

Under the General Data Protection Regulations we have to register this surgery with the Information Commissioner to describe the purposes for which we process personal and sensitive information.

This information is available for everyone on the Information Commissioners Office website www.ico.org.uk

This practice is registered with the Information Commissioners Office (ICO), reference number; ZA139073.

Please also see our main Privacy Notice for further information, viewable on our website; [www.boleynmedicalcentre.co.uk](http://www.boleynmedicalcentre.co.uk) or leaflets are available at reception.

**CHANGES TO OUR PRIVACY NOTICE**

We regularly review and update our Privacy Notice. It was first developed in May 2018.

This Privacy Notice was last updated on:

* June 2019
* August 2020
* November 2022
* June 2023