**Dr M.S.J. Khan**

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Tel: 020 8475 8500

**BOLEYN MEDICAL CENTRE**

**Privacy Notice**

**We understand how important it is to keep your personal information safe and secure and we take this very seriously. We have taken steps to make sure your personal information is looked after in the best possible way and we review this regularly.**

**Please read this Privacy Notice carefully, as it contains important information about how we use the personal and healthcare information we collect on your behalf. It does not provide exhaustive details of all aspects of the collection and use of personal information by the practice, however, we are happy to provide any additional information or explanation as needed.**

1. **WHY WE ARE PROVIDING THIS PRIVACY NOTICE**

We are required to provide you with this Privacy Notice by Law. It explains how we use the personal and health/social care information we collect, store, and hold about you. If you are unclear about how we process or use your personal and healthcare information, or you have any questions about this Privacy Notice or any other issue regarding your personal and healthcare information, then please do contact us.

The Law says:

1. We must let you know why we collect personal and health/social care information about you.
2. We must let you know how we use any personal and/or health/social care information we hold on you.
3. We need to inform you in respect of what we do with it.
4. We need to tell you about who we share it with or pass it on to and why; and
5. We need to let you know how long we can keep it for.

For more information please visit <https://digital.nhs.uk/ndrs/patients/your-rights-and-privacy>

1. **DATA PROTECTION**

The Data Protection Act 2018 is the UK’s implementation of GDPR – General Data Protection Regulation. This stipulates that everyone is responsible for using personal data and that strict principles must apply to ensure its safe use:

* Fairly, lawfully, transparently
* Specified, explicit purposes
* Adequate, relevant and limited to only what is necessary
* Accurate and up to date
* Kept no longer than is necessary
* Handled securely with protection against unlawful or unauthorised processing, access, loss, destruction or damage

For more detailed information please visit <https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance>.

1. **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/>

1. **INFORMATION WE COLLECT FROM YOU**

We are responsible for collecting, storing, and handling your personal and healthcare information when you register with us as a patient.

The information we collect from you will include:

1. Your contact details: such as your name, address, telephone numbers, email address, and work contact details (we will also ask for any previous names you have had, your previous address, your previous GP).
2. Your date of birth, gender, ethnicity, occupation.
3. Details and contact numbers of your next of kin/carers.
4. Details in relation to your medical history.
5. The reason for your visits to the Surgery.
6. Medical notes and details of diagnosis and consultations with our GPs and other health professionals within the Surgery involved in your direct health and social care.
7. Correspondence brought/sent to us by yourself from other health and social organisations.
8. Correspondence/comments etc. you write for the attention of the Surgery.
9. Your nominated chosen pharmacy.

Information about you will also be collected during:

* Face to face, video, online and telephone consultations. Video and telephone consultations are not recorded. Any images that are sent should be of a non-intimate nature and will only be stored securely in your records with your consent obtained during the consultation in line with NHS Digital Record Management Code of Practice.
* Telephone conversations with reception/admin team and are recorded for training purposes.
* Supportive and integrated software i.e. cloud based telephone system, online consultation enquires, text message communication, safety netting lists etc. All have their own confidentiality protocols in place which only collect the necessary information to be able to provide a supportive service to the practice and your care.

1. **INFORMATION WE COLLECT ABOUT YOU FROM OTHERS**

We also collect personal information about you when it is sent to us from; for example, your previous GP, a hospital, a consultant or any other health or social care professional / person involved with your general health and social wellbeing such as local authorities.

We may receive this communication via post, directly into our clinical software or via secure email.

1. **HOW WE USE YOUR INFORMATION / HOW WE KEEP IT CONFIDENTIAL AND SAFE / WHO WE MAY PROVIDE YOUR PERSONAL INFORMATION TO, AND WHY**

All patients who receive NHS care are registered on a national database, which holds your name, address, date of birth, NHS number and previous details. The database is held by NHS Digital, a national organisation which has legal responsibilities to collect NHS data. More information can be found at <https://digital.nhs.uk/about-nhs-digital> or by calling 0300 303 5678.

Everyone working for our organisation is subject to the Common Law Duty of Confidence. Information provided in confidence will only be used for specific purposes in accordance with the law. [The NHS Digital Code of Practice on Confidential Information](https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-practice-for-handling-information-in-health-and-care/code-of-practice-on-confidential-information) applies to all NHS 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 our staff are expected to make sure information is kept confidential and receive regular training on how to do this. For more information, please visit <https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-practice-for-handling-information-in-health-and-care/code-of-practice-on-confidential-information>

The health records we use 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. Your records are backed up securely in line with NHS standard procedures. We ensure that the information we hold is kept in secure locations, is protected by appropriate security and access is restricted to authorised personnel. We also make sure external data processors that support us are legally and contractually bound to operate and prove security arrangements are in place where data that could or does identify a person are processed.

We use your personal and health/social care information when we need to speak to, or contact other medical/healthcare or social care professionals or organisations during the course of your diagnosis, treatment or on going health/social care. We may also be required by Law to hand over your information to any other organisation, such as the police, by court order, solicitors, social services or immigration enforcement.

***We will never pass on your personal information to anyone else who does not need it, or has no right to it, unless you give us clear consent to do so.***

Whenever you use a health or care service, such as attending Accident & Emergency or using Community Care Services, important information about you is collected to help ensure you get the best possible care and treatment. This information may be passed to other approved organisations where there is a legal basis, to help with planning services, improving care, research into developing new treatments and preventing illness. All of this helps in providing better care to you and your family and future generations. However, as explained in this privacy notice, confidential information about your health and care is only used in this way when allowed by law and would never be used for any other purpose without your clear and explicit consent.

We may pass your personal information on to the following people or organisations because these organisations may require your information to assist them in the provision of your direct healthcare needs:

1. Hospital professionals (such as doctors, consultants, nurses, etc.).
2. Other GPs/Doctors for example with the Out of Hours Team or Extended Access Service.
3. Pharmacists.
4. Nurses and other healthcare professionals.
5. Dentists.
6. Any other person that is involved in providing services related to your general healthcare, including mental health professionals.

For more information on how we share your information with organisations directly involved in your care please visit; <https://digital.nhs.uk/services/spine>

Other organisations that we provide your information to include:

1. Commissioners.
2. Local authorities.
3. Community health services.
4. For the purposes of complying with the law e.g. Police, Solicitors, Insurance Companies.
5. Anyone you have given your consent to view or receive your record, or part of your record.

**Please note**, anyone who receives information from us also has a legal duty to keep it confidential and secure. We may also need to contact you if you give another person or organisation consent to access your record to verify your consent before we release that record. It is important that you are clear and understand how much and what aspects of your record you give consent to be disclosed.

**Extended Access Service –** we provide extended access services to our patients which means you can access medical services outside of our normal working hours. In order to provide you with this service, we have formal arrangements in place with Newham Health Collaborative Ltd and with other practices. This means, those key “**hub”** practices will have to have access to your medical record to be able to offer you the service. Please note to ensure that those practices comply with the law and to protect the use of your information, we have a very robust data sharing agreements and other clear arrangements in place to ensure your data is always protected and used for those purposes only. Please ask at reception for an updated list of Hubs.

**Identifying patients who might be at risk of certain infectious diseases -** Your medical records will be searched by our clinical system so that we can identify patients who might be at high risk from certain diseases such as heart disease, diabetes or unplanned admissions to hospital etc. This means we can offer patients additional care or support as early as possible. This process will involve linking information from your GP record with information from other health or social care services you have used. Information which identifies you will only be seen by this practice. For more information please speak to reception. For more information about Public Health England and disease reporting see: <https://www.gov.uk/guidance/notifiable-diseases-and-causative-organisms-how-to-report>

**Individual Funding Requests –** are made on your behalf with your consent which is obtained by the clinician you discuss your query with. In some instances we can request for Individual Funding to be considered in exceptional clinical circumstances, when specialised health care falls outside of the usual range of services and treatment that the ICB has agreed to commission for the local population. A detailed request must be put forward by the clinician for review.

**Safeguarding -** Sometimes we need to share information with social services so that other people, including healthcare staff, children, or others with safeguarding needs, are protected from risk of harm. These circumstances are rare. We do not need your consent or agreement to do this.

**Data sharing/extraction for different sectors of the NHS –** Information is shared so that services can be reviewed, planned, and managed appropriately, to check that care is being provided safely and to prevent infectious diseases from spreading. We will share information with NHS Digital, the Integrated Care Board (ICB), the Care Quality Commission (CQC) and local health protection team (or Public Health England). Please see below for further information:

* The ICB at times extracts medical information about you, but the information we pass to them via our computer systems **cannot identify you to them.** This information only refers to you by way of a code that only your practice can identify (it is pseudo-anonymised). This therefore protects you from anyone who may have access to this information at the ICB from **ever** identifying you as a result of seeing the medical information and we will **never** give them the information that would enable them to do this. There are good reasons why the ICB may require this pseudo-anonymised information, for example to review, plan and manage services, check that the care being provided is safe; to prevent infectious diseases from spreading.
* NHS Digital is a national body which has legal responsibilities to collect information about health and social care services. It collects information from across the NHS in England and provides reports on how the NHS is performing. These reports help to plan and improve services to patients. We must comply with the law and will send data to NHS Digital, for example, when we are told to do so by the Secretary of State for Health or NHS England under the Health and Social Care Act 2012. For more information about NHS Digital and how it uses information please visit: <https://digital.nhs.uk/home>
* The CQC regulates health and social care services to ensure that safe care is provided. The law says that we must report certain serious events to the CQC, for example, when patient safety has been put at risk. For more information about the CQC see: <http://www.cqc.org.uk/>

**Data Extraction for the purpose of National Audits and Registries –** We contribute to national clinical audits and registries so that healthcare can be checked and reviewed. Information from medical records can help doctors and other healthcare workers measure and check the quality of care which is provided to you. The results of the checks or audits can show where hospitals are doing well and where they need to improve. The results of the checks or audits are used to recommend improvements to patient care. Data are sent to NHS Digital, a national body with legal responsibilities to collect data. The data may be anonymised or will include information about you, such as your NHS Number and date of birth and information about your health. We will only share your information for national clinical audits and registries when the law allows.

For more information about national clinical audits and registries see:

* NHS Digital: <https://digital.nhs.uk/data-and-information/clinical-audits-and-registries>
* Healthcare Quality Improvements Partnership website:  [https://www.hqip.org.uk/a-z-of-nca/](https://www.hqip.org.uk/)

or phone 020 7997 7370

You have the right to object to your identifiable information being shared for national clinical audits. Please contact the practice if you wish to object.

**National Screening -** The law requires us to share data for public health reasons to local health protection team to prevent the spread of infectious diseases or other diseases which threaten the health of the population, and allows us to share data to Public Health England, so that you can be invited to the relevant screening programmes provided by the NHS. Screening programmes include bowel cancer, breast cancer, cervical cancer, aortic aneurysms, and diabetic eye screening. For more information about screening programmes see: <https://www.gov.uk/topic/population-screening-programmes>

**Medical Research –** Information from medical records is shared to support medical research when the law allows us to do so, for example to learn more about why people get ill and what treatments might work best. We will also use your medical records to carry out research within the practice. This is important because the use of information from GP medical records is very useful in developing new treatments and medicines.

Medical researchers use anonymised information from medical records to help answer important questions about illnesses and disease so that improvements can be made to the care and treatment patients receive. However, we may share your identifiable information with the medical research organisations with your explicit consent or when the law allows. You have the right to object to your identifiable information being used or shared for medical research purposes. Please speak to the practice if you wish to object.

**Third Party Requests for Information –** We are required by law to provide anonymised information to the Department for Work and Pensions in relation to the issuing of Fit Notes. This is to allow them to monitor public health and improve commissioning and quality of health care services.

We may also receive requests for your medical records in relation to solicitors or insurance requests etc. we will not disclose any information without your explicit consent and will only provide information relevant to the claim.

1. **YOUR SUMMARY CARE RECORD (SCR)**

The NHS in England uses a national electronic record called the [Summary Care Record (SCR)](https://digital.nhs.uk/services/summary-care-records-scr) to support patient care. It contains key information from your GP record. Your SCR provides authorised healthcare staff with faster, secure access to essential information about you in an emergency or when you need unplanned care, where such information would otherwise be unavailable.

Summary Care Records are there to improve the safety and quality of your care. SCR core information comprises your allergies, adverse reactions and medications. An SCR with additional information can also include reason for medication, vaccinations, significant diagnoses / problems, significant procedures, anticipatory care information and end of life care information. Additional information can only be added to your SCR with your agreement.

Please be aware that if you choose to opt-out of SCR, NHS Healthcare Staff caring for you outside of this Surgery may not be aware of your current medications, allergies you suffer from and any bad reactions to medicines you have had, in order to treat you safely in an emergency. Your records will stay as they are now with information being shared by letter, email or phone.

You have the option to opt out of the summary care record, if you wish to do this please contact the surgery and we will update your record accordingly.

1. **ANONYMISED INFORMATION**

Sometimes we may provide information about you in an anonymised form. If we do so, then none of the information we provide to any other party will identify you as an individual and cannot be traced back to you.

1. **YOUR RIGHTS AS A PATIENT**

The Law gives you certain rights to your personal and healthcare information that we hold, as set out below:

1. **Online Access and Subject Access Requests**

You have the right to see what information we hold about you and to request a copy of this information. You can download the NHS APP which takes you through a verification process and allows you access to your basic health information that we hold about you. You are also able to request repeat medications, manage appointments, choose how the NHS uses your data etc. Please see this link for more information about the NHS App <https://www.nhs.uk/nhs-app/about-the-nhs-app/>.

You can also bring photo ID to the Practice and request Online Access which is another way to gain access to your medical records.

You can request more detailed access by contacting the practice which allows you to view your test results etc. both via the NHS App and Online Access. You will need to bring photo ID and sign consent.

If you are unable to use the online facility and would like a copy of the information we hold about you please contact the Surgery.We will provide this information free of charge however, we may in some **limited and exceptional** circumstances have to make an administrative charge for any extra copies if the information requested is excessive, complex, or repetitive.

We have one month to reply to you and give you the information that you require. We would ask, therefore, that any requests you make are in writing and it is made clear to us what and how much information you require.

Please note that when we give you online access or physical copies of your records, the responsibility is yours to make sure that you keep your information safe and secure if you do not wish any third party to gain access.

1. **Correction**

We want to make sure that your personal information is accurate and up to date. You may ask us to correct any information you think is inaccurate. It is very important that you make sure you tell us if your contact details including your mobile phone number has changed.

1. **Removal**

You have the right to ask for your information to be removed however, if we require this information to assist us in providing you with appropriate medical services and diagnosis for your healthcare, then removal may not be possible.

1. **Objection**

We cannot share your information with anyone else for a purpose that is not directly related to your health, e.g. medical research, educational purposes, etc. We would ask you for your consent in order to do this however, you have the right to request that your personal and healthcare information is not shared by the Surgery in this way. Please note the Anonymised Information section in this Privacy Notice.

1. **Transfer**

You have the right to request that your personal and/or healthcare information is transferred, in an electronic form (or other form), to another organisation, but we will require your clear consent to be able to do this.

1. **Opt-Out**

You have a right to object to your information being shared.  Should you wish to [opt out of data collection,](https://digital.nhs.uk/about-nhs-digital/our-work/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information/your-information-choices/opting-out-of-sharing-your-confidential-patient-information)please contact the surgery so we can explain how you can opt out and prevent the sharing of your information; this is done by registering a Type 1, preventing your information from being shared outside this Practice, or Type 2, preventing information from being shared outside NHS Digital for purposes beyond individual direct care. For more information, please visit:

1. **THIRD PARTIES MENTIONED ON YOUR MEDICAL RECORD**

Sometimes we record information about third parties mentioned by you to us during any consultation. We are under an obligation to make sure we also protect that third party’s rights as an individual and to ensure that references to them which may breach their rights to confidentiality, are removed before we send any information to any other party including yourself. Third parties can include: spouses, partners, and other family members.

1. **LEGAL JUSTIFICATION FOR COLLECTING AND USING YOUR INFORMATION**

The Law says we need a **legal basis** to handle your personal and healthcare information.

**CONTRACT:** We have a contract with NHS England to deliver healthcare services to you. This contract provides that we are under a legal obligation to ensure that we deliver medical and healthcare services to the public.

**CONSENT:** Sometimes we also rely on the fact that you give us consent to use your personal and healthcare information so that we can take care of your healthcare needs.

Please note that you have the right to withdraw consent at any time if you no longer wish to receive services from us.

**NECESSARY CARE**: Providing you with the appropriate healthcare, where necessary. The Law refers to this as ‘protecting your vital interests’ where you may be in a position not to be able to consent.

**LAW:** Sometimes the Law obliges us to provide your information to an organisation (see above).

1. **SPECIAL CATEGORIES**

The Law states that if personal information about your health falls into a special category of information because it is very sensitive, may entitle us to use and process your information as follows:

**PUBLIC INTEREST**: Where we may need to handle your personal information when it is considered to be in the public interest. For example, when there is an outbreak of a specific disease and we need to contact you for treatment, or we need to pass your information to relevant organisations to ensure you receive advice and/or treatment.

**CONSENT**: When you have given us consent.

**VITAL INTEREST**: If you are incapable of giving consent, and we have to use your information to protect your vital interests (e.g. if you have had an accident and you need emergency treatment).

**DEFENDING A CLAIM**: If we need your information to defend a legal claim against us by you, or by another party.

**PROVIDING YOU WITH MEDICAL CARE**: Where we need your information to provide you with medical and healthcare services

1. **CCTV**

Closed circuit TV is installed at our premises by our building management team CHP. This is for the purposes of staff, patient and premises security. Cameras are located at various communal places on the premises and images from the cameras are recorded and are accessible by CHP. The use of CCTV falls within the scope of the Data Protection Act. Images from cameras and recordings are held on a computer system and held in secure storage with controlled access for the required statutory period of time. Any requests to view this footage i.e. police, must be made to the practice who will liaise with building management.

1. **HOW LONG WE KEEP YOUR PERSONAL INFORMATION**

We carefully consider any personal information that we store about you, and we will not keep your information for longer than is necessary. GP medical records will be kept in line with the law and national guidance.

Information on how long records can be kept can be found at: <https://transform.england.nhs.uk/information-governance/guidance/records-management-code/>

1. **UNDER 16s**

This privacy notice applies to all patients; however, for more information please see our Privacy Notice – Children and Young Adults, aimed at patients aged 13-16 years. This can be viewed on our website; [www.boleynmedicalcentre.co.uk](http://www.boleynmedicalcentre.co.uk) or leaflets are available at reception.

**Child Health Information Services** share and collect information about childhood immunisations from schools, health visitors, community programmes and the surgery. They also collect and share information regarding 6-8 week baby checks and breast feeding status**.** This is to monitor maintain and improve health care.

1. **IF ENGLISH IS NOT YOUR FIRST LANGUAGE**

If English is not your first language you can request a translation of this Privacy Notice. Please contact the Surgery.

1. **COMPLAINTS**

If you have a concern about the way we handle your personal data or you have a complaint about what we are doing, or how we have used or handled your personal and/or healthcare information, then please contact the Surgery. 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/>.

1. **OUR WEBSITE**

The only website this Privacy Notice applies to is the Surgery’s website. If you use a link to any other website from the Surgery’s website then you will need to read their respective privacy notice. We take no responsibility (legal or otherwise) for the content of other websites.

1. **COOKIES**

The Surgery’s website uses cookies. For more information on which cookies we use and how we use them, please view the Cookies Policy on our website; [www.boleynmedicalcentre.co.uk](http://www.boleynmedicalcentre.co.uk)

1. **SECURITY**

We take the security of your information very seriously and we do everything we can to ensure that your information is always protected and secure. We regularly update our processes and systems and we also ensure that our staff are properly trained. We also carry out assessments and audits of the information that we hold about you and make sure that if we provide any other services, we carry out proper assessments and security reviews.

1. **TEXT MESSAGING AND CONTACTING YOU**

Because we are obliged to protect any confidential information we hold about you and we take this very seriously, it is imperative that you let us know immediately if you change any of your contact details.

We may contact you using SMS texting to your mobile phone in the event that we need to notify you about appointments and other services that we provide to you involving your direct care, therefore you must ensure that we have your up to date details. This is to ensure we are sure we are actually contacting you and not another person. If you do not wish for us to contact you in this way, please contact the practice.

1. **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](http://www.ico.org.uk).

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

1. **WHERE TO FIND OUR PRIVACY NOTICE**

You may find a copy of this Privacy Notice in our reception, on our website, or a copy may be provided on request.

1. **CHANGES TO OUR PRIVACY NOTICE**

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

This Privacy Notice was last updated on:

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