



The Green House Surgery

Privacy Policy

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How The Green House Surgery uses your information to provide you with healthcare (direct care)

This practice keeps medical records confidential and complies with the General Data Protection Regulation.

We hold your medical record so that we can provide you with safe care and treatment.

We will also use your information so that this practice can check and review the quality of the care we provide. This helps us to improve our services to you.

- We will share relevant information from your medical record with other health or social care staff or organisations when they provide you with care. For example, your GP will share information when they refer you to a specialist in a hospital. Or your GP will send details about your prescription to your chosen pharmacy.
- For more information on how we share your information with organisations who are directly involved in your care can be found here:
<https://digital.nhs.uk/services/gp-systems-of-choice/sharing-records-for-direct-care-using-tpp-regional-webinars/webinar-question-and-answers>
- Healthcare staff working in A&E and out of hours care will also have access to your information. For example, it is important that staff who are treating you in an emergency know if you have any allergic reactions. This will involve the use of your Summary Care Record [OR Emergency Care Summary / Individual Health Record/Enriched Summary Care Record]. For more information see:
<https://digital.nhs.uk/summary-care-records> or alternatively speak to your practice.
- You have the right to object to information being shared for your own care. Please speak to the practice if you wish to object. You also have the right to have any mistakes or errors corrected.
- You may be offered a remote consultation (telephone or video consultation) as an alternative to attending the practice in person. If you agree to a remote consultation the GP or healthcare professional may need to receive and store images taken by patients for clinical purposes; this could include images for the purpose of intimate clinical assessment. This will only be done in the interests of the patient where it is necessary for providing health care and with patient consent. The approach to video consulting, image sharing, and storage is the same as it would be for face to face interactions. If we need to store images on your GP record this will be only for as long as necessary. It is a patient's choice to share an image either of a patient's own accord or on request of the health professional treating you. Refusal to share an image does not prevent access to care and treatment or result in patients receiving an inferior standard of care. Further

details about how remote consultation works can be obtained by contacting the practice.

National Data Opt-out

The Green House Surgery is one of many organisations working in the health and care system to improve care for patients and the public.

Whenever you use a health or care service, such as attending Accident & Emergency or using Community Care services, important information about you is collected in a patient record for that service. Collecting this information helps to ensure you get the best possible care and treatment.

The information collected about you when you use these services can also be used and provided to other organisations for purposes beyond your individual care, for instance to help with:

- improving the quality and standards of care provided
- research into the development of new treatments
- preventing illness and diseases
- monitoring safety
- planning services

This may only take place when there is a clear legal basis to use this information. All these uses help to provide better health and care for you, your family and future generations. Confidential patient information about your health and care is only used like this where allowed by law.

Most of the time, anonymised data is used for research and planning so that you cannot be identified in which case your confidential patient information isn't needed.

You have a choice about whether you want your confidential patient information to be used in this way. If you are happy with this use of information you do not need to do anything. If you do choose to opt out your confidential patient information will still be used to support your individual care.

To find out more or to register your choice to opt out, please visit www.nhs.uk/your-nhs-data-matters. On this web page you will:

- See what is meant by confidential patient information
- Find examples of when confidential patient information is used for individual care and examples of when it is used for purposes beyond individual care
- Find out more about the benefits of sharing data

- Understand more about who uses the data
- Find out how your data is protected
- Be able to access the system to view, set or change your opt-out setting
- Find the contact telephone number if you want to know any more or to set/change your opt-out by phone
- See the situations where the opt-out will not apply

You can also find out more about how patient information is used at:

<https://www.hra.nhs.uk/information-about-patients/> (which covers health and care research); and

<https://understandingpatientdata.org.uk/what-you-need-know> (which covers how and why patient information is used, the safeguards and how decisions are made)

You can change your mind about your choice at any time.

Data being used or shared for purposes beyond individual care does not include your data being shared with insurance companies or used for marketing purposes and data would only be used in this way with your specific agreement.

Health and care organisations have until 2020 to put systems and processes in place so they can be compliant with the national data opt-out and apply your choice to any confidential patient information they use or share for purposes beyond your individual care. Our organisation is currently compliant with the national data opt-out policy.

Other important information about how your information is used to provide you with healthcare

Registering for NHS care

- All patients who receive NHS care are registered on a national database.
- This database holds your name, address, date of birth and NHS Number but it does not hold information about the care you receive.
- 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/> The phone number for general enquires at NHS Digital is 0300 303 5678.

Identifying patients who might be at risk of certain diseases

- Your medical records will be searched by a computer programme so that we can identify patients who might be at high risk from certain diseases, such as heart disease or unplanned admissions to hospital.
- 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.
- More information can be found at: <https://www.england.nhs.uk/ig/risk-stratification/> or speak to the practice.

Safeguarding

- Sometimes we need to share information 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.

- Please see our local policies for more information:
<https://www.tsab.org.uk/>
<http://www.redcar-cleveland.gov.uk/childprotection>
<http://www.teescpp.org.uk/>

We are required by law to provide you with the following information about how we handle your information.

<p>Data Controller contact details</p>	<p>The Green House Surgery, Redcar Primary Care Hospital, West Dyke Road, Redcar. TS10 4NW. Data Controller & Caldicott Guardian is Dr Julie Cowser, GP Partner (T: 01642 475157)</p>
<p>Data Protection Officer contact details</p>	<p>The designated internal Data Protection Officer is: Leanne Moscrop, Assistant Manager (T: 01642 475157/Email: Leanne.moscrop@nhs.net)</p> <p>Our external advisor and official DPO is: 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)</p>
<p>Purpose of the processing</p>	<ul style="list-style-type: none"> • To give direct health or social care to individual patients. • For example, when a patient agrees to a referral for direct care, such as to a hospital, relevant information about the patient will be shared with the other healthcare staff to enable them to give appropriate advice, investigations, treatments and/or care. • To check and review the quality of care. (This is called audit and clinical governance).

<p>Lawful basis for processing</p>	<p>These purposes are supported under the following sections of the GDPR:</p> <p><i>Article 6(1)(e) ‘...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...’; and</i></p> <p><i>Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...’</i></p> <p>Healthcare staff will also respect and comply with their obligations under the common law duty of confidence.</p>
<p>Recipient or categories of recipients of the processed data</p>	<p>The data will be shared with:</p> <ul style="list-style-type: none"> • healthcare professionals and staff in this surgery; • local hospitals; • out of hours services; • diagnostic and treatment centres; • or other organisations involved in the provision of direct care to individual patients. • Primary Care Informatics (NHS) for the provision of non-identifiable patient data for contract monitoring purposes. • CQRS (NHS) for the provision of non-identifiable patient data for contract finance purposes. • National audits (NHS), such as the National Diabetes Audit, for the provision of non-identifiable patient data for audit purposes. • NHS Digital for the provision of workforce data - contractual requirement. • NHS England for the provision of Complaints data – statutory responsibility.
<p>Rights to object</p>	<ul style="list-style-type: none"> • You have the right to object to information being shared between those who are providing you with direct care. • This may affect the care you receive – please speak to the practice. • You are not able to object to your name, address and other demographic information being sent to NHS Digital.

	<ul style="list-style-type: none"> • This is necessary if you wish to be registered to receive NHS care. • You are not able to object when information is legitimately shared for safeguarding reasons. • In appropriate circumstances it is a legal and professional requirement to share information for safeguarding reasons. This is to protect people from harm. • The information will be shared with the local safeguarding service (see links above).
Right to access and correct	<ul style="list-style-type: none"> • You have the right to access your medical record and have any errors or mistakes corrected. Please speak to a member of staff to request access to your medical records or request a correction to your data. • We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view.
Retention period	<p>GP medical records will be kept in line with the law and national guidance. Information on how long records are kept can be found at: https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016 or speak to the practice.</p>
Right to complain	<p>You have the right to complain to the Information Commissioner’s Office. If you wish to complain follow this link https://ico.org.uk/global/contact-us/ or call the helpline 0303 123 1113</p>
Data we get from other organisations	<p>We receive information about your health from other organisations who are involved in providing you with health and social care. For example, if you go to hospital for treatment or an operation the hospital will send us a letter to let us know what happens. This means your GP medical record is kept up-to date when you receive care from other parts of the health service.</p>

How The Green House Surgery uses your information to provide you with healthcare (direct care - emergencies)

There are occasions when intervention is necessary in order to save or protect a patient's life or to prevent them from serious immediate harm, for instance during a collapse or diabetic coma or serious injury or accident. In many of these circumstances the patient may be unconscious or too ill to communicate. In these circumstances we have an overriding duty to try to protect and treat the patient. If necessary, we will share your information and possibly sensitive confidential information with other emergency healthcare services, the police or fire brigade, so that you can receive the best treatment.

The law acknowledges this and provides supporting legal justifications.

Individuals have the right to make pre-determined decisions about the type and extent of care they will receive should they fall ill in the future, these are known as "Advance Directives". If lodged in your records these will normally be honoured despite the observations in the first paragraph.

<p>Data Controller contact details</p>	<p>The Green House Surgery, Redcar Primary Care Hospital, West Dyke Road, Redcar. TS10 4NW.</p> <p>Data Controller & Caldicott Guardian is Dr Julie Cowser, GP Partner (T: 01642 475157)</p>
<p>Data Protection Officer contact details</p>	<p>The designated internal Data Protection Officer is: Leanne Moscrop, Assistant Manager (T: 01642 475157/Email: Leanne.moscrop@nhs.net)</p> <p>Our external advisor and official DPO is: 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)</p>
<p>3) Purpose of the processing</p>	<p>Doctors have a professional responsibility to share data in emergencies to protect their patients or other persons. Often in emergency situations the patient is unable to provide consent.</p>
<p>4) Lawful basis for processing</p>	<p>This is a Direct Care purpose. There is a specific legal justification;</p>

	<p><i>Article 6(1)(d) “processing is necessary to protect the vital interests of the data subject or of another natural person”</i></p> <p>And</p> <p><i>Article 9(2)(c) “processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent”</i></p> <p>Or alternatively</p> <p><i>Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...’</i></p> <p>We will also recognise your rights established under UK case law collectively known as the “Common Law Duty of Confidentiality”*</p>
<p>5) Recipient or categories of recipients of the shared data</p>	<p>The data will be shared with Healthcare professionals and other workers in emergency and out of hours services and at local hospitals, diagnostic and treatment centres. (if preferred list actual named services)</p>
<p>6) Rights to object</p>	<p>You have the right to object to some or all of the information being shared with the recipients. Contact the Data Controller or the practice.</p> <p>You also have the right to have an “Advance Directive” placed in your records and brought to the attention of relevant healthcare workers or staff.</p>
<p>7) Right to access and correct</p>	<p>You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law. If we share or process your data in an emergency when you have not been able to consent, we will notify you at the earliest opportunity.</p>
<p>8) Retention period</p>	<p>The data will be retained in line with the law and national guidance</p>
<p>9) Right to Complain.</p>	<p>You have the right to complain to the Information Commissioner’s Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p>

	There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)
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* “Common Law Duty of Confidentiality”, common law is not written out in one document like an Act of Parliament. It is a form of law based on previous court cases decided by judges; hence, it is also referred to as 'judge-made' or case law. The law is applied by reference to those previous cases, so common law is also said to be based on precedent.

The general position is that if information is given in circumstances where it is expected that a duty of confidence applies, that information cannot normally be disclosed without the information provider's consent.

In practice, this means that all patient information, whether held on paper, computer, visually or audio recorded, or held in the memory of the professional, must not normally be disclosed without the consent of the patient. It is irrelevant how old the patient is or what the state of their mental health is; the duty still applies.

Three circumstances making disclosure of confidential information lawful are:

- where the individual to whom the information relates has consented;
- where disclosure is in the public interest; and
- where there is a legal duty to do so, for example a court order.

How your information is used for our regulator, The Care Quality Commission

<p>Plain English explanation</p> <p>The Care Quality Commission (CQC) is an organisation established in English law by the Health and Social Care Act. The CQC is the regulator for English health and social care services to ensure that safe care is provided. They inspect and produce reports on all English general practices in a rolling 5 year program. The law allows CQC to access identifiable patient data as well as requiring this practice to share certain types of data with them in certain circumstances, for instance following a significant safety incident. For more information about the CQC see: http://www.cqc.org.uk/</p>	
<p>Data Controller contact details</p>	<p>The Green House Surgery, Redcar Primary Care Hospital, West Dyke Road, Redcar. TS10 4NW.</p> <p>Data Controller & Caldicott Guardian is Dr Julie Cowser, GP Partner (T: 01642 475157)</p>
<p>Data Protection Officer contact details</p>	<p>The designated internal Data Protection Officer is: Leanne Moscrop, Assistant Manager (T: 01642 475157/Email: Leanne.moscrop@nhs.net)</p> <p>Our external advisor and official DPO is: 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)</p>
<p>3) Purpose of the processing</p>	<p>To provide the Secretary of State and others with information and reports on the status, activity and performance of the NHS. They provide specific reporting functions on identified</p>
<p>4) Lawful basis for processing</p>	<p>The legal basis will be</p> <p><i>Article 6(1)(c) "processing is necessary for compliance with a legal obligation to which the controller is subject."</i></p> <p>And</p>

	<i>Article 9(2)(h) “processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;”</i>
5) Recipient or categories of recipients of the shared data	The data will be shared with the Care Quality Commission, its officers and staff and members of the inspection teams that visit us from time to time.
6) Rights to object	You have the right to object to some or all of the information being shared with NHS Digital. Contact the Data Controller or the practice.
7) Right to access and correct	You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law.
8) Retention period	The data will be retained for active use during the processing and thereafter according to NHS Policies and the law.
9) Right to Complain.	<p>You have the right to complain to the Information Commissioner’s Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)/</p>

How your information is used for Commissioning, planning, risk stratification and patient identification.

Plain English explanation

The records we keep enable us to plan for your care.

This practice keeps data on you that we apply searches and algorithms to in order to identify patients who may need preventive interventions.

This means using only the data we hold or in certain circumstances linking that data to data held elsewhere by other organisations, and usually processed by organisations within or bound by contracts with the NHS.

If any processing of this data occurs outside the practice your identity will not be visible to the processors. Only this practice will be able to identify you and the results of any calculated factors, such as your risk of having a heart attack in the next 10 years or your risk of being admitted to hospital with a complication of chest disease

You have the right to object to our processing your data in these circumstances and before any decision based upon that processing is made about you. Processing of this type is only lawfully allowed where it results in individuals being identified with their associated calculated risk. It is not lawful for this processing to be used for other ill-defined purposes, such as "health analytics".

Despite this we have an overriding responsibility to do what is in your best interests. If we identify you as being at significant risk of having, for example a heart attack or stroke, we are justified in performing that processing.

We are required by Articles in the General Data Protection Regulations to provide you with the information in the following 9 subsections.

Data Controller contact details	The Green House Surgery, Redcar Primary Care Hospital, West Dyke Road, Redcar. TS10 4NW. Data Controller & Caldicott Guardian is Dr Julie Cowser, GP Partner (T: 01642 475157)
Data Protection Officer contact details	The designated internal Data Protection Officer is: Leanne Moscrop, Assistant Manager (T: 01642 475157/Email: Leanne.moscrop@nhs.net) Our external advisor and official DPO is:

	<p>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)</p>
<p>3) Purpose of the processing</p>	<p>The practice performs computerised searches of some or all of our records to identify individuals who may be at increased risk of certain conditions or diagnoses i.e. Diabetes, heart disease, risk of falling). Your records may be amongst those searched. This is often called “risk stratification” or “case finding”. These searches are sometimes carried out by Data Processors who link our records to other records that they access, such as hospital attendance records. The results of these searches and assessment may then be shared with other healthcare workers, such as specialist, therapists, technicians etc. The information that is shared is to enable the other healthcare workers to provide the most appropriate advice, investigations, treatments, therapies and or care.</p>
<p>4) Lawful basis for processing</p>	<p>The legal basis for this processing is</p> <p>Article 6(1)(e); “necessary... in the exercise of official authority vested in the controller’</p> <p>And</p> <p>Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...”</p> <p>We will recognise your rights under UK Law collectively known as the “Common Law Duty of Confidentiality”*</p>
<p>5) Recipient or categories of recipients of the shared data</p>	<p>The data will be shared for processing with the data processor and for subsequent healthcare with South Tees CCG</p>
<p>6) Rights to object</p>	<p>You have the right to object to this processing where it might result in a decision being made about you. That right may be based either on implied consent under the Common Law of Confidentiality, Article 22 of GDPR or as a condition of a Section 251 approval under the HSCA. It can apply to some or all of the information being shared with the recipients. Your right to</p>

	object is in relation to your personal circumstances. Contact the Data Controller or the practice.
7) Right to access and correct	You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law.
8) Retention period	The data will be retained in line with the law and national guidance. https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016 or speak to the practice.
9) Right to Complain.	You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)

* "Common Law Duty of Confidentiality", common law is not written out in one document like an Act of Parliament. It is a form of law based on previous court cases decided by judges; hence, it is also referred to as 'judge-made' or case law. The law is applied by reference to those previous cases, so common law is also said to be based on precedent.

The general position is that if information is given in circumstances where it is expected that a duty of confidence applies, that information cannot normally be disclosed without the information provider's consent.

In practice, this means that all patient information, whether held on paper, computer, visually or audio recorded, or held in the memory of the professional, must not normally be disclosed without the consent of the patient. It is irrelevant how old the patient is or what the state of their mental health is; the duty still applies.

Three circumstances making disclosure of confidential information lawful are:

- where the individual to whom the information relates has consented;

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T: 01642 475157

- where disclosure is in the public interest; and
- where there is a legal duty to do so, for example a court order.

How your information is used for Public Health

<p>Public health encompasses everything from national smoking and alcohol policies, the management of epidemics such as flu, the control of large scale infections such as TB and Hepatitis B to local outbreaks of food poisoning or Measles. Certain illnesses are also notifiable; the doctors treating the patient are required by law to inform the Public Health Authorities, for instance Scarlet Fever.</p> <p>This will necessarily mean the subjects personal and health information being shared with the Public Health organisations.</p> <p>Some of the relevant legislation includes: the Health Protection (Notification) Regulations 2010 (SI 2010/659), the Health Protection (Local Authority Powers) Regulations 2010 (SI 2010/657), the Health Protection (Part 2A Orders) Regulations 2010 (SI 2010/658), Public Health (Control of Disease) Act 1984, Public Health (Infectious Diseases) Regulations 1988 and The Health Service (Control of Patient Information) Regulations 2002</p>	
<p>Data Controller contact details</p>	<p>The Green House Surgery, Redcar Primary Care Hospital, West Dyke Road, Redcar. TS10 4NW.</p> <p>Data Controller & Caldicott Guardian is Dr Julie Cowser, GP Partner (T: 01642 475157)</p>
<p>Data Protection Officer contact details</p>	<p>The designated internal Data Protection Officer is: Leanne Moscrop, Assistant Manager (T: 01642 475157/Email: Leanne.moscrop@nhs.net)</p> <p>Our external advisor and official DPO is: 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)</p>
<p>3) Purpose of the processing</p>	<p>There are occasions when medical data needs to be shared with Public Health England, the Local Authority Director of Public Health, or the Health Protection Agency, either under a legal obligation or for reasons of public interest or their equivalents in the devolved nations.</p>
<p>4) Lawful basis for processing</p>	<p>The legal basis will be</p>

	<p>Article 6(1) (c) “processing is necessary for compliance with a legal obligation to which the controller is subject.”</p> <p>And</p> <p>Article 9(2)(i) “processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices,..”</p>
5) Recipient or categories of recipients of the shared data	The data will be shared with Public Health England https://www.gov.uk/government/organisations/public-health-england and equivalents in the devolved nations.
6) Rights to object	You have the right to object to some or all of the information being shared with the recipients. Contact the Data Controller or the practice.
7) Right to access and correct	You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law.
8) Retention period	The data will be retained for active use during the period of the public interest and according to legal requirements and Public Health England’s criteria on storing identifiable data https://www.gov.uk/government/organisations/public-health-england/about/personal-information-charter .
9) Right to Complain.	<p>You have the right to complain to the Information Commissioner’s Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)/</p>

How your information is used for Safeguarding

Some members of society are recognised as needing protection, for example children and vulnerable adults. If a person is identified as being at risk from harm, we are expected as professionals to do what we can to protect them. In addition we are bound by certain specific laws that exist to protect individuals. This is called “Safeguarding”.

Where there is a suspected or actual safeguarding issue we will share information that we hold with other relevant agencies whether or not the individual or their representative agrees.

There are three laws that allow us to do this without relying on the individual or their representatives agreement (unconsented processing), these are:

Section 47 of The Children Act 1989 :

<https://www.legislation.gov.uk/ukpga/1989/41/section/47>),

Section 29 of Data Protection Act (prevention of crime)

<https://www.legislation.gov.uk/ukpga/1998/29/section/29>

and

section 45 of the Care Act 2014

<http://www.legislation.gov.uk/ukpga/2014/23/section/45/enacted>.

In addition there are circumstances when we will seek the agreement (consented processing) of the individual or their representative to share information with local child protection services, the relevant law being; section 17 Children’s Act 1989

<https://www.legislation.gov.uk/ukpga/1989/41/section/17>

Data Controller contact details	The Green House Surgery, Redcar Primary Care Hospital, West Dyke Road, Redcar. TS10 4NW. Data Controller & Caldicott Guardian is Dr Julie Cowser, GP Partner (T: 01642 475157)
Data Protection Officer contact details	The designated internal Data Protection Officer is: Leanne Moscrop, Assistant Manager (T: 01642 475157/Email: Leanne.moscrop@nhs.net) Our external advisor and official DPO is: 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)
3) Purpose of the processing	The purpose of the processing is to protect the child or vulnerable adult.

<p>4) Lawful basis for processing</p>	<p>The sharing is a legal requirement to protect vulnerable children or adults, therefore for the purposes of safeguarding children and vulnerable adults, the following Article 6 and 9 conditions apply:</p> <p>For consented processing;</p> <p>6(1)(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes</p> <p>For unconsented processing;</p> <p>6(1)(c) processing is necessary for compliance with a legal obligation to which the controller is subject</p> <p>and:</p> <p>9(2)(b) ‘...is necessary for the purposes of carrying out the obligations and exercising the specific rights of the controller or of the data subject in the field of ...social protection law in so far as it is authorised by Union or Member State law..’</p> <p>We will consider your rights established under UK case law collectively known as the “Common Law Duty of Confidentiality”*</p>
<p>5) Recipient or categories of recipients of the shared data</p>	<p>The data will be shared with [insert local safeguarding services names and contact details]</p>
<p>6) Rights to object</p>	<p>This sharing is a legal and professional requirement and therefore there is no right to object.</p> <p>There is also GMC guidance: https://www.gmc-uk.org/guidance/ethical_guidance/children_guidance_56_63_child_protection.asp</p>
<p>7) Right to access and correct</p>	<p>The DSs or a legal representative has the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law.</p>
<p>8) Retention period</p>	<p>The data will be retained for active use during any investigation and thereafter retained in an inactive stored form according to the law and national guidance</p>
<p>9) Right to Complain.</p>	<p>You have the right to complain to the Information Commissioner’s Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

How your information is used for payments

Contract holding GPs in the UK receive payments from their respective governments on a tiered basis. Most of the income is derived from baseline capitation payments made according to the number of patients registered with the practice on quarterly payment days. These amount paid per patient per quarter varies according to the age, sex and other demographic details for each patient. There are also graduated payments made according to the practice's achievement of certain agreed national quality targets known as the Quality and Outcomes Framework (QOF), for instance the proportion of diabetic patients who have had an annual review. Practices can also receive payments for participating in agreed national or local enhanced services, for instance opening early in the morning or late at night or at the weekends. Practices can also receive payments for certain national initiatives such as immunisation programs and practices may also receive incomes relating to a variety of non-patient related elements such as premises. Finally there are short term initiatives and projects that practices can take part in. Practices or GPs may also receive income for participating in the education of medical students, junior doctors and GPs themselves as well as research².

In order to make patient based payments basic and relevant necessary data about you needs to be sent to the various payment services. The release of this data is required by English laws¹

We are required by Articles in the General Data Protection Regulations to provide you with the information in the following 9 subsections.

<p>Data Controller contact details</p>	<p>The Green House Surgery, Redcar Primary Care Hospital, West Dyke Road, Redcar. TS10 4NW.</p> <p>Data Controller & Caldicott Guardian is Dr Julie Cowser, GP Partner (T: 01642 475157)</p>
<p>Data Protection Officer contact details</p>	<p>The designated internal Data Protection Officer is: Leanne Moscrop, Assistant Manager (T: 01642 475157/Email: Leanne.moscrop@nhs.net)</p> <p>Our external advisor and official DPO is: 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)</p>
<p>3) Purpose of the processing</p>	<p>To enable GPs to receive payments. To provide accountability.</p>

4) Lawful basis for processing	<p>The processing of personal data in the delivery of direct care and for providers' administrative purposes in this surgery and in support of direct care elsewhere is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p><i>Article 6(1) (c) "processing is necessary for compliance with a legal obligation to which the controller is subject."</i></p> <p>And</p> <p><i>Article 9(2)(h) 'necessary for the purposes of preventative or occupational medicine for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...'</i></p>
5) Recipient or categories of recipients of the processed data	<p>The data will be shared with Health and care professionals and support staff in this surgery and at hospitals, diagnostic and treatment centres who contribute to your personal care. [if possible list actual named sites such as local hospital)(s) name]</p>
6) Rights to object	<p>You have the right to object to some or all the information being processed under Article 21. Please contact the Data Controller or the practice. You should be aware that this is a right to raise an objection, that is not the same as having an absolute right to have your wishes granted in every circumstance</p>
7) Right to access and correct	<p>You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law.</p>
8) Retention period	<p>The data will be retained in line with the law and national guidance. https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016 or speak to the practice.</p>
9) Right to Complain.	<p>You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p>

The Green House Surgery, Redcar Primary Care Hospital, West Dyke Road, Redcar TS10 4NW
T: 01642 475157

	There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)
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How your information is used for NHS Digital

<p>NHS Digital is the secure haven* for NHS patient data, a single secure repository where data collected from all branches of the NHS is processed. NHS Digital provides reports on the performance of the NHS, statistical information, audits and patient outcomes (https://digital.nhs.uk/data-and-information). Examples include: A/E and outpatient waiting times, the numbers of staff in the NHS, percentage target achievements, payments to GPs etc. and more specific targeted data collections and reports such as the Female Genital Mutilation, general practice appointments data and English National Diabetes Audits. GPs are required by the Health and Social Care Act to provide NHS Digital with information when instructed. This is a legal obligation which overrides any patient wishes. These instructions are called “Directions”. More information on the directions placed on GPs can be found at https://digital.nhs.uk/article/8059/NHS-England-Directions- and www.nhsdatasharing.info</p>	
<p>Data Controller contact details</p>	<p>The Green House Surgery, Redcar Primary Care Hospital, West Dyke Road, Redcar. TS10 4NW.</p> <p>Data Controller & Caldicott Guardian is Dr Julie Cowser, GP Partner (T: 01642 475157)</p>
<p>Data Protection Officer contact details</p>	<p>The designated internal Data Protection Officer is: Leanne Moscrop, Assistant Manager (T: 01642 475157/Email: Leanne.moscrop@nhs.net)</p> <p>Our external advisor and official DPO is: 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)</p>
<p>3) Purpose of the processing</p>	<p>To provide the Secretary of State and others with information and reports on the status, activity and performance of the NHS. They provide specific reporting functions on identified.</p>
<p>4) Lawful basis for processing</p>	<p>The legal basis will be</p> <p style="text-align: center;"><i>Article 6(1) (c) “processing is necessary for compliance with a legal obligation to which the controller is subject.”</i></p> <p>And</p>

	<i>Article 9(2)(h) “processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;”</i>
5) Recipient or categories of recipients of the shared data	The data will be shared with NHS Digital according to directions which can be found at https://digital.nhs.uk/article/8059/NHS-England-Directions-
6) Rights to object	You have the right to object to some or all of the information being shared with NHS Digital. Contact the Data Controller or the practice.
7) Right to access and correct	You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law.
8) Retention period	The data will be retained for active use during the processing and thereafter according to NHS Policies and the law.
9) Right to Complain.	You have the right to complain to the Information Commissioner’s Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)/

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T: 01642 475157

How your information is used for the Summary Care Record

The Summary Care Record is an English NHS development. It consists of a basic medical record held on a central government database on every patient registered with a GP surgery in England. The basic data is automatically extracted from your GP's electronic record system and uploaded to the central system GPs are required by their contract with the NHS to allow this upload. The basic upload consists of current medication, allergies and details of any previous bad reactions to medicines, the name, address, date of birth and NHS number of the patient. As well as this basic record additional information can be added, and this can be far reaching and detailed. However, whereas the basic data is uploaded automatically any additional data will only be uploaded if you specifically request it and with your consent. Summary Care Records can only be viewed within the NHS on NHS smartcard controlled screens or by organisation, such as pharmacies, contracted to the NHS.

You can find out more about the SCR here <https://digital.nhs.uk/summary-care-records>

You have the right to object to our sharing your data in these circumstances and you can ask your GP to block uploads.

We are required by Articles in the General Data Protection Regulations to provide you with the information in the following 9 subsections.

Data Controller contact details	The Green House Surgery, Redcar Primary Care Hospital, West Dyke Road, Redcar. TS10 4NW. Data Controller & Caldicott Guardian is Dr Julie Cowser, GP Partner (T: 01642 475157)
Data Protection Officer contact details	The designated internal Data Protection Officer is: Leanne Moscrop, Assistant Manager (T: 01642 475157/Email: Leanne.moscrop@nhs.net) Our external advisor and official DPO is: 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)
3) Purpose of the processing	Upload of basic and detailed additional SCR data
4) Lawful basis for processing	<p>The processing of personal data in the delivery of direct care and for providers' administrative purposes in this surgery and in support of direct care elsewhere is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p><i>Article 6(1) (e) '...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...'</i></p> <p><i>Article 9(2)(h) 'necessary for the purposes of preventative or occupational medicine for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...'</i></p> <p>We will also recognise your rights established under UK case law collectively known as the "Common Law Duty of Confidentiality"*</p>
5) Recipient or categories of recipients of the processed data	The data will be shared with Health and care professionals and support staff in this surgery and at hospitals, diagnostic and treatment centres who contribute to your personal care. [if possible list actual named sites such as local hospital)(s) name]
6) Rights to object	You have the right to object to some or all the information being processed under Article 21. Please contact the Data Controller or the practice. You should be aware that this is a right to raise an objection, that is not the same as having an absolute right to have your wishes granted in every circumstance
7) Right to access and correct	You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have

	accurate medical records deleted except when ordered by a court of Law.
8) Retention period	The data will be retained in line with the law and national guidance. https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016 Or speak to the practice.
9) Right to Complain.	You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)

* "Common Law Duty of Confidentiality", common law is not written out in one document like an Act of Parliament. It is a form of law based on previous court cases decided by judges; hence, it is also referred to as 'judge-made' or case law. The law is applied by reference to those previous cases, so common law is also said to be based on precedent.

The general position is that if information is given in circumstances where it is expected that a duty of confidence applies, that information cannot normally be disclosed without the information provider's consent.

In practice, this means that all patient information, whether held on paper, computer, visually or audio recorded, or held in the memory of the professional, must not normally be disclosed without the consent of the patient. It is irrelevant how old the patient is or what the state of their mental health is; the duty still applies.

Three circumstances making disclosure of confidential information lawful are:

- where the individual to whom the information relates has consented;
- where disclosure is in the public interest; and
- where there is a legal duty to do so, for example a court order.

The Green House Surgery, Redcar Primary Care Hospital, West Dyke Road, Redcar TS10 4NW
T: 01642 475157

How your information is used for medical research and to measure the quality of care

Medical research

The Green House Surgery shares information from medical records:

- 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 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.

We share information with 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. If you wish to object, you can complete the National data opt out form: <https://digital.nhs.uk/services/national-data-opt-out> or you can ask the practice to do this on your behalf.

Checking the quality of care - national clinical audits

The Green House Surgery contributes to national clinical audits 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 is sent to NHS Digital, a national body with legal responsibilities to collect data.
- The data will include information about you, such as your NHS Number and date of birth and information about your health which is recorded in coded form - for example the code for diabetes or high blood pressure.
- We will only share your information for national clinical audits or checking purposes when the law allows.
- For more information about national clinical audits see the Healthcare Quality Improvements Partnership website: <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.

We are required by law to provide you with the following information about how we share your information for medical research purposes.

<p>Data Controller contact details</p>	<p>The Green House Surgery, Redcar Primary Care Hospital, West Dyke Road, Redcar. TS10 4NW. Data Controller & Caldicott Guardian is Dr Julie Cowser, GP Partner (T: 01642 475157)</p>
<p>Data Protection Officer contact details</p>	<p>The designated internal Data Protection Officer is: Leanne Moscrop, Assistant Manager (T: 01642 475157/Email: Leanne.moscrop@nhs.net)</p> <p>Our external advisor and official DPO is: 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)</p>
<p>Purpose of the processing</p>	<p>Medical research and to check the quality of care which is given to patients (this is called national clinical audit).</p>
<p>Lawful basis for processing</p>	<p>The following sections of the GDPR mean that we can use medical records for research and to check the quality of care (national clinical audits)</p> <p>Article 6(1)(e) – ‘processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller’.</p> <p>For medical research: Article 9(2)(a) – ‘the data subject has given explicit consent...’</p> <p>To check the quality of care (clinical audit): Article 9(2)(h) – ‘processing is necessary for the purpose of preventative...medicine...the provision of health or social care or treatment or the management of health or social care systems and services...’</p>
<p>Recipient or categories of recipients of the processed data</p>	<p>For medical research the data will be shared with medical research organisations. We can supply you with a list of the current medical research organisations upon request.</p> <p>For national clinical audits which check the quality of care, the data will be shared with NHS Digital.</p>

<p>Rights to object and the national data opt-out</p>	<p>You have a right to object under the GDPR and the right to ‘opt-out’ under the national data opt-out model. The national data opt-out model provides an easy way for you to opt-out of:</p> <p>Information that identifies you being used or shared for medical research purposes and quality checking or audit purposes.</p> <p>If you wish to object, you can complete the National data opt out form: https://digital.nhs.uk/services/national-data-opt-out or you can ask the practice to do this on your behalf.</p>
<p>Right to access and correct</p>	<ul style="list-style-type: none"> • You have the right to access your medical record and have any errors or mistakes corrected. Please speak to a member of staff. • We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view.
<p>Retention period</p>	<p>GP medical records will be kept in line with the law and national guidance. Information on how long records are kept can be found at: https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016 or speak to the practice.</p>
<p>Right to complain</p>	<p>You have the right to complain to the Information Commissioner’s Office. If you wish to complain follow this link https://ico.org.uk/global/contact-us/ or call the helpline 0303 123 1113</p>

How your information is shared so that this practice can meet legal requirements

The law requires The Green House Surgery to share information from your medical records in certain circumstances. Information is shared so that the NHS or Public Health England can, for example:

- plan and manage services;
- check that the care being provided is safe;
- prevent infectious diseases from spreading.

We will share information with NHS Digital, the Care Quality Commission and local health protection team (or Public Health England) when the law requires us to do so. Please see below for more information.

We must also share your information if a court of law orders us to do so.

NHS Digital

- 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.
- This practice must comply with the law and will send data to NHS Digital, for example, when it is told to do so by the Secretary of State for Health or NHS England under the Health and Social Care Act 2012.
- More information about NHS Digital and how it uses information can be found at: <https://digital.nhs.uk/home>

Care Quality Commission (CQC)

- 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/>

Public Health

- The law requires us to share data for public health reasons, for example to prevent the spread of infectious diseases or other diseases which threaten the health of the population.
- We will report the relevant information to local health protection team or Public Health England.
- For more information about Public Health England and disease reporting see: <https://www.gov.uk/guidance/notifiable-diseases-and-causative-organisms-how-to-report>

We are required by law to provide you with the following information about how we handle your information and our legal obligations to share data.

Data Controller contact details	The Green House Surgery, Redcar Primary Care Hospital, West Dyke Road, Redcar. TS10 4NW. Data Controller & Caldicott Guardian is Dr Julie Cowser, GP Partner (T: 01642 475157)
Data Protection Officer contact details	The designated internal Data Protection Officer is: Leanne Moscrop, Assistant Manager (T: 01642 475157/Email: Leanne.moscrop@nhs.net) Our external advisor and official DPO is: 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)
Purpose of the processing	Compliance with legal obligations or court order.
Lawful basis for processing	The following sections of the GDPR mean that we can share information when the law tells us to. Article 6(1)(c) – ‘processing is necessary for compliance with a legal obligation to which the controller is subject...’ Article 9(2)(h) – ‘processing is necessary for the purpose of preventative...medicine...the provision of health or social care or treatment or the management of health or social care systems and services...’
Recipient or categories of recipients of the processed data	<ul style="list-style-type: none"> • The data will be shared with NHS Digital. • The data will be shared with the Care Quality Commission. • The data will be shared with our local health protection team or Public Health England. • The data will be shared with the court if ordered.
Rights to object and the national data opt-out	There are very limited rights to object when the law requires information to be shared but government policy allows some rights of objection as set out below. NHS Digital

	<ul style="list-style-type: none"> You have the right to object to information being shared with NHS Digital for reasons other than your own direct care. This is called a ‘Type 1’ objection – you can ask your practice to apply this code to your record. Please note: The ‘Type 1’ objection, however, will no longer be available after 2020. This means you will not be able to object to your data being shared with NHS Digital when it is legally required under the Health and Social Care Act 2012. <p>Public health</p> <ul style="list-style-type: none"> Legally information must be shared under public health legislation. This means that you are unable to object. <p>Care Quality Commission</p> <ul style="list-style-type: none"> Legally information must be shared when the Care Quality Commission needs it for their regulatory functions. This means that you are unable to object. <p>Court order</p> <ul style="list-style-type: none"> Your information must be shared if it ordered by a court. This means that you are unable to object.
<p>Right to access and correct</p>	<ul style="list-style-type: none"> You have the right to access your medical record and have any errors or mistakes corrected. Please speak to a member of staff. We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view.
<p>Retention period</p>	<p>GP medical records will be kept in line with the law and national guidance. Information on how long records are kept can be found at: https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016 or speak to the practice.</p>
<p>Right to complain</p>	<p>You have the right to complain to the Information Commissioner’s Office. If you wish to complain follow this link https://ico.org.uk/global/contact-us/ or call the helpline 0303 123 1113</p>

The Green House Surgery, Redcar Primary Care Hospital, West Dyke Road, Redcar TS10 4NW
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How your information is shared so that this practice can meet the requirements of National screening programmes

National screening programmes

- The NHS provides national screening programmes so that certain diseases can be detected at an early stage.
- These screening programmes include bowel cancer, breast cancer, cervical cancer, aortic aneurysms and a diabetic eye screening service.
- The law allows us to share your contact information with Public Health England so that you can be invited to the relevant screening programme.
- More information can be found at: <https://www.gov.uk/topic/population-screening-programmes> or speak to the practice.

We are required by law to provide you with the following information about how we handle your information in relation to our legal obligations to share data.

Data Controller contact details	The Green House Surgery, Redcar Primary Care Hospital, West Dyke Road, Redcar. TS10 4NW. Data Controller & Caldicott Guardian is Dr Julie Cowser, GP Partner (T: 01642 475157)
Data Protection Officer contact details	The designated internal Data Protection Officer is: Leanne Moscrop, Assistant Manager (T: 01642 475157/Email: Leanne.moscrop@nhs.net) Our external advisor and official DPO is: 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)
Purpose of the processing	<ul style="list-style-type: none"> • The NHS provides several national health screening programmes to detect diseases or conditions early such as cervical and breast cancer, aortic aneurysm and diabetes.

	<ul style="list-style-type: none"> The information is shared so that the correct people are invited for screening. This means those who are most at risk can be offered treatment.
Lawful basis for processing	<p>The following sections of the GDPR allow us to contact patients for screening.</p> <p>Article 6(1)(e) – ‘processing is necessary...in the exercise of official authority vested in the controller...’</p> <p>Article 9(2)(h) – ‘processing is necessary for the purpose of preventative...medicine...the provision of health or social care or treatment or the management of health or social care systems and services...’</p>
Recipient or categories of recipients of the processed data	<p>The data will be shared with local services providers; we can provide you with a list of current providers upon request.</p>
Rights to object	<p>For national screening programmes: you can opt so that you no longer receive an invitation to a screening programme. See: https://www.gov.uk/government/publications/opting-out-of-the-nhs-population-screening-programmes</p> <p>Or speak to your practice.</p>
Right to access and correct	<ul style="list-style-type: none"> You have the right to access your medical record and have any errors or mistakes corrected. Please speak to a member of staff. We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view.
Retention period	<p>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://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016 or speak to the practice.</p>
Right to complain	<p>You have the right to complain to the Information Commissioner’s Office. If you wish to complain follow this link</p>

The Green House Surgery, Redcar Primary Care Hospital, West Dyke Road, Redcar TS10 4NW
T: 01642 475157

	https://ico.org.uk/global/contact-us/ or call the helpline 0303 123 1113
Data we get from other organisations	We receive information about your health from other organisations who are involved in providing you with health and social care. For example, if you go to hospital for treatment or an operation the hospital will send us a letter to let us know what happens. This means your GP medical record is kept up-to date when you receive care from other parts of the health service.

How your information is shared so that this practice can investigate complaints and provide staff training.

We record some of our telephone calls for two reasons, firstly to protect patients and staff and other health workers. Patients are protected by our having a record of our conversations with you, staff and other health workers are protected from potential abuse. Secondly, we use call recordings for staff training and quality control. We record some calls and use them as a training aid for both GP Registrars (clinical training) and Medical Administration staff (non-clinical training).

Every time you call us, you will receive an automated message to remind you that we record some telephone calls.

Call recordings are managed by our IT department, North East Commissioning Support and are retained for a period of six months. The storage is a virtual disk attached to the server, the only people with access to the server are the Systems and Networks Team for maintenance of the systems There are daily backups. The server is within NECS IT datacentre, which is only accessible to named individuals who have to disclose the purpose of each visit as the data centre is a controlled, secure environment.

Elements of the discussion you have with the clinicians that contain clinical information may be added to your medical records.

These recordings will not usually be shared outside the practice. There may be some exceptions to this (e.g. a court order requires us to provide the information).

If we hold recordings that have not been deleted, you can ask for copies. Please contact Julia Speight, Management Partner.

If you object to your call being recorded, please let us know and we can make arrangements to use an alternative handset.

We are required by Articles in the General Data Protection Regulations to provide you with the information in the following 9 subsections.

1) Data Controller contact details	NECS IT Department John Snow House Durham DH1 3YG T: 0191 301 1300
2) Data Protection Officer contact details	The designated internal Data Protection Officer is: Leanne Moscrop, Assistant Manager (T: 01642 475157/Email: Leanne.moscrop@nhs.net)

	<p>Our external advisor and official DPO is: 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)</p>
<p>3) Purpose of the processing</p>	<p>To facilitate staff training, quality control and to aid in the investigation of complaints.</p>
<p>4) Lawful basis for processing</p>	<p>The processing of personal data in the delivery of direct care and for providers' administrative purposes in this surgery and in support of direct care elsewhere is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p><i>Article 6(1)(e) '...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...'</i></p> <p><i>Article 9(2)(h) 'necessary for the purposes of preventative or occupational medicine for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...'</i></p> <p>We will also recognise your rights established under UK case law collectively known as the "Common Law Duty of Confidentiality"*</p>
<p>5) Recipient or categories of recipients of the processed data</p>	<p>Necessary data will be shared with Health and care professionals and support staff in this surgery. Clinical data or records of consultations may be transcribed or appended to the records we hold on you and may then be shared at hospitals, diagnostic and treatment centres who contribute to your personal care. Actual recordings will not be shared with anyone outside the practice, unless we are giving explicit consent from the data subject or are required by law. The</p>

	actual recordings are stored by NECS IT department, John Snow House, Durham, DH1 3YG
6) Rights to object	You have the right to object to some or all the information being processed under Article 21. Please contact the Data Controller or the practice. You should be aware that this is a right to raise an objection, that is not the same as having an absolute right to have your wishes granted in every circumstance
7) Right to access and correct	You have the right to access the data that is being shared and have any inaccuracies corrected. We may be able to provide copies of recordings, provided the data has not been deleted in accordance with the retention period of 6 months. We do not record all calls. There is no right to have accurate medical records deleted except when ordered by a court of Law.
8) Retention period	NECS IT Dept. will keep recordings for a period of six months. Clinical data transcribed from your telephone or other electronic consultations becomes part of your clinical record and is retained according to relevant rules and regulations, see Privacy Notice on Direct Care.
9) Right to Complain.	You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)

* "Common Law Duty of Confidentiality", common law is not written out in one document like an Act of Parliament. It is a form of law based on previous court cases decided by judges; hence, it is also referred to as 'judge-made' or case law. The law is applied by reference to those previous cases, so common law is also said to be based on precedent.

The general position is that if information is given in circumstances where it is expected that a duty of confidence applies, that information cannot normally be disclosed without the information provider's consent.

In practice, this means that all patient information, whether held on paper, computer, visually or audio recorded, or held in the memory of the professional, must not normally be disclosed without the consent of the patient. It is irrelevant how old the patient is or what the state of their mental health is; the duty still applies.

Three circumstances making disclosure of confidential information lawful are:

The Green House Surgery, Redcar Primary Care Hospital, West Dyke Road, Redcar TS10 4NW
T: 01642 475157

- where the individual to whom the information relates has consented;
- where disclosure is in the public interest; and
- where there is a legal duty to do so, for example a court order.

How your information is shared so that this practice can train doctors to become General Practitioners.

We are registered as a GP training practice with the Northern Deanery. We will occasionally record patient consultations with the GP Registrar (GPR). We will only do this with the explicit written consent of the patient, following a detailed discussion with the GPR.

Patients have a right to expect that consultations will be devoted to their needs and expectations and that these will not be compromised by the needs of the profession. However, many patients are pleased to contribute to teaching, learning and assessment within medicine. If patients do give their explicit written consent to being videotaped, they have a right to confidentiality and to be informed about what the tape will be used for, who will see it and what standard of behaviour is expected of the viewers. The care they receive should not be compromised by the fact of the recording or the purposes for which it will be used.

The Royal College of General Practitioners ethical guidelines regarding the recording of consultations for assessment of clinical competence states "Recent work on the assessment of clinical competence indicates that review of videotaped consultations is likely to provide a valid and reliable tool to assess aspects of clinical competence which may not be well tested by other methods. The benefits to patient care will in the longer term be considerable".

The video recordings will be viewed by GP trainers and registrars at the GP training scheme, Queen's campus, Durham University.

Any information removed from The Green House Surgery site will be transferred onto an encrypted memory stick.

Any recording which contains reference to a third party (A patient may inadvertently mention a friend or relative during the consultation), will be deleted immediately.

1) Data Controller
contact details

Dr Fiona J Houldsworth, GP Trainer
The Green House Surgery
Redcar Primary Care Hospital, West Dyke Road, Redcar
TS104NW
T: 01642 475157

<p>2) Data Protection Officer contact details</p>	<p>The designated internal Data Protection Officer is: Leanne Moscrop, Assistant Manager (T: 01642 475157/Email: Leanne.moscrop@nhs.net)</p> <p>Our external advisor and official DPO is: 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)</p>
<p>3) Purpose of the processing</p>	<p>To facilitate GP training</p>
<p>4) Lawful basis for processing</p>	<p>Article 6 condition applies: For consented processing;</p> <p>6(1)(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes</p> <p>We will consider your rights established under UK case law collectively known as the “Common Law Duty of Confidentiality”*</p>
<p>5) Recipient or categories of recipients of the processed data</p>	<p>Video recordings data MAY be shared with GP trainers and registrars at the GP training scheme, Queens Campus, Durham University. Clinical data or records of consultations may be transcribed or appended to the recording for the purpose of reviewing the consultation to ensure the GP registrar is performing at the expected level. The actual recordings are stored at The Green House Surgery, Redcar Primary Care Hospital, in a locked store room (which can only be accessed by authorised personnel).</p>
<p>6) Rights to object</p>	<p>You have the right to object to some or all the information being processed under Article 21. Please contact the Data Controller or the practice. You should be aware that this is a right to raise an objection, that is not the same as having an absolute right to have your wishes granted in every circumstance</p>

7) Right to access and correct	You have the right to access the data that is being held and have any inaccuracies corrected. We may be able to provide copies of recordings, provided the data has not been deleted in accordance with the retention period of 12 months.
8) Retention period	The Green House Surgery will retain recordings of GPR consultations for a maximum period of 12 months.
9) Right to Complain.	<p>You have the right to complain to the Information Commissioner’s Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

* “Common Law Duty of Confidentiality”, common law is not written out in one document like an Act of Parliament. It is a form of law based on previous court cases decided by judges; hence, it is also referred to as 'judge-made' or case law. The law is applied by reference to those previous cases, so common law is also said to be based on precedent.

The general position is that if information is given in circumstances where it is expected that a duty of confidence applies, that information cannot normally be disclosed without the information provider's consent.

In practice, this means that all patient information, whether held on paper, computer, visually or audio recorded, or held in the memory of the professional, must not normally be disclosed without the consent of the patient. It is irrelevant how old the patient is or what the state of their mental health is; the duty still applies.

Three circumstances making disclosure of confidential information lawful are:

- where the individual to whom the information relates has consented;
- where disclosure is in the public interest; and
- where there is a legal duty to do so, for example a court order.

How your information is shared so that the practice can mitigate the risk of security breaches

<p>The Practice is located within Redcar Primary Care Hospital, which has Close Circuit Television (CCTV) throughout (internal and external). The Practice is the data controller for the CCTV camera fitted in the surgery area only.</p> <p>CCTV recordings are expressly for the purpose of preventing crime and protecting the security of the practice, its people and belongings.</p> <p>It is not possible for use to grant access to CCTV images for any other purpose, unless there is a legal requirement for us to do so.</p>	
<p>1) Data Controller contact details</p>	<p>The Green House Surgery</p> <p>Redcar Primary Care Hospital, West Dyke Road, Redcar TS104NW</p> <p>T: 01642 475157</p>
<p>2) Data Protection Officer contact details</p>	<p>The designated internal Data Protection Officer is: Leanne Moscrop, Assistant Manager (T: 01642 475157/Email: Leanne.moscrop@nhs.net)</p> <p>Our external advisor and official DPO is: 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)</p>
<p>3) Purpose of the processing</p>	<p>CCTV recordings are expressly for the purpose of preventing crime and protecting the security of the practice, its people and belongings.</p>
<p>4) Lawful basis for processing</p>	<p>The processing is necessary for your legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply if you</p>

	are a public authority processing data to perform your official tasks.)
5) Recipient or categories of recipients of the processed data	CCTV images can be accessed by completing an application form, which the data controller will submit to Robertsons FM, who hold the contract for maintenance of the system.
6) Rights to object	You have the right to object to some or all the information being processed under Article 21. Please contact the Data Controller or the practice. You should be aware that this is a right to raise an objection, that is not the same as having an absolute right to have your wishes granted in every circumstance
7) Right to access and correct	You have the right to access the data that is being held specifically about you and have any inaccuracies corrected. We may be able to provide copies of recordings, provided the data does not reveal any third party images and has not been deleted in accordance with the retention period of 30 days.
8) Retention period	The Green House Surgery will retain recordings of CCTV images for a period of 30 days.
9) Right to Complain.	You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)

How your information is shared for recruitment purposes

<p>The practice generally uses the Local Medical Committee recruitment service and NHS jobs to advertise vacancies.</p>	
<p>1) Data Controller contact details</p>	<p>The Green House Surgery</p> <p>Redcar Primary Care Hospital, West Dyke Road, Redcar TS104NW</p> <p>T: 01642 475157</p>
<p>2) Data Protection Officer contact details</p>	<p>The designated internal Data Protection Officer is: Leanne Moscrop, Assistant Manager (T: 01642 475157/Email: Leanne.moscrop@nhs.net)</p> <p>Our external advisor and official DPO is: 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)</p>
<p>3) Purpose of the processing</p>	<p>Staff recruitment</p>
<p>4) Lawful basis for processing</p>	<p>The processing is necessary for the legitimate interests of the employer, who needs to process personal data provided by candidates when conducting the recruitment exercise.</p>
<p>5) Recipient or categories of recipients of the processed data</p>	<p>NHS jobs website (a portal where prospective candidates will enter their information). Partners or Managers directly involved in the shortlisting and recruitment of staff Other staff involved in the shortlisting and recruitment of staff.</p>
<p>6) Rights to object</p>	<p>You have the right to object to some or all the information being processed under Article 21. Please contact the Data Controller or the practice. You should be aware that this is a</p>

	right to raise an objection, that is not the same as having an absolute right to have your wishes granted in every circumstance
7) Right to access and correct	You have the right to access the data that is being held specifically about you and have any inaccuracies corrected.
8) Retention period	Please refer to retention periods policy, recruitment
9) Right to Complain.	<p>You have the right to complain to the Information Commissioner’s Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>