

Ampleforth & Hovingham Surgeries

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 ('Privacy Notice') carefully, as it contains important information about how we use the personal and healthcare information we collect on your behalf.

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 healthcare 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 our **Data Protection Officer** (details below).

The Law says:

- A. We must let you know why we collect personal and healthcare information about you;
- B. We must let you know how we use any personal and/or healthcare information we hold on you;
- C. We need to inform you in respect of what we do with it;
- D. We need to tell you about who we share it with or pass it on to and why; and
- E. We need to let you know how long we can keep it for.

2. THE DATA PROTECTION OFFICER

The Data Protection Officer at the Surgery is Penny Coldbeck. You can contact them at ampleforthsurgey@nhs.net or on 01439 788215 if:

- A. You have any questions about how your information is being held;
- B. If you require access to your information or if you wish to make a change to your information;
- C. If you wish to make a complaint about anything to do with the personal and healthcare information we hold about you;

- D. Or any other query relating to this Policy and your rights as a patient.

3. ABOUT US

We, at Ampleforth & Hovingham Surgeries ('**the Surgery**') situated at Back Lane, Ampleforth, York, YO62 4EF, are a **Data Controller** of your information. This means we are responsible for collecting, storing and handling your personal and healthcare information when you register with us as a patient.

There may be times where we also process your information. That means we use it for a particular purpose and, therefore, on those occasions we may also be **Data Processors**. The purposes for which we use your information are set out in this Privacy Notice.

4. INFORMATION WE COLLECT FROM YOU

The information we collect from you will include:

- A. Your contact details such as your name and email address;
- B. Your date of birth, gender, ethnicity;
- C. Other relevant information such as whether you are a carer, your legal representative and your emergency contact details;
- D. Medical notes and details of diagnoses and consultations with our GPs and other health professionals involved in your direct healthcare;
- E. Results of investigations such as laboratory tests and x-rays.

5. INFORMATION ABOUT YOU FROM OTHERS

We also collect personal information about you when it is sent to us from the following:

- A. a hospital, a consultant or any other medical or healthcare professional, or any other person involved with your general healthcare;
- B. other bodies who may have contacted the Surgery with your consent such as insurance companies, government benefits departments and firearms licensing departments.

6. YOUR SUMMARY CARE RECORD

Your summary care record is an electronic record of your healthcare history (and other relevant personal information) held on a national healthcare records database provided and facilitated by NHS England.

This record may be shared with other healthcare professionals and additions to this record may also be made by relevant healthcare professionals and organisations involved in your direct healthcare.

You may have the right to demand that this record is not shared with anyone who is not involved in the provision of your direct healthcare. If you wish to enquire further as to your rights in respect of not sharing information on this record then please contact the Surgery.

To find out more about the wider use of confidential personal information and to register your choice to opt out if you do not want your data to be used in this way, please visit <https://nhs.uk/your-nhs-data-matters>

Note if you do choose to opt out, you can still consent to your data being used for specific purposes. However, if you are happy with this use of information you do not need to do anything. You may however change your choice at any time.

7. WHO WE MAY PROVIDE YOUR PERSONAL INFORMATION TO AND WHY

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 where 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. It, therefore, may be important for them to be able to access your information in order to ensure they may properly deliver their services to you:

- A. Hospital professionals (such as doctors, consultants, nurses, etc);
- B. Other GPs/Doctors;
- C. Pharmacists;
- D. Nurses and other healthcare professionals;
- E. Dentists;
- F. Any other person that is involved in providing services related to your general healthcare, including mental health professionals.

8. OTHER PEOPLE WHO WE PROVIDE YOUR INFORMATION TO

Please contact the surgery if you would like more detailed information about the groups identified below.

- A. Commissioners;

- B. Clinical Commissioning Groups;
 - C. Local authorities;
 - D. Community health services;
 - E. For the purposes of complying with the law e.g. Police, Solicitors, Insurance Companies;
 - F. Anyone you have given your consent to, to view or receive your record, or part of your record. **Please note, if you give another person or organisation consent to access your record we will need to contact you 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.**
 - G. **Extended Access** – 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 the Clinical Commissioning Group and with other practices whereby certain key “**hub**” practices offer this service on our behalf for you as a patient to access outside of our opening hours. 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 very robust data sharing agreements and other clear arrangements in place to ensure your data is always protected and used for those purposes only.
- The **Hub** practices are as follows:
 Derwent Practice, Norton Rd, Norton, Malton YO17 9RF
 Sherburn & Rillington Practice, The Poplars, Scarborough Road, Rillington, Malton YO17 8LQ
- H. **Data Extraction by the Clinical Commissioning Group** – The clinical commissioning group 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 Clinical Commissioning Group 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.
 - I. **Yorkshire & Humber Care Record** – The Yorkshire & Humber Care Record is a shared system that allows healthcare staff within the Humber, Coast and Vale Health and Social Care community to appropriately access the most up-to-date and correct information about patients, to deliver the best possible care. The Yorkshire & Humber Care Record Guarantee is our commitment that we will use records about you in ways that respect your rights and promote your health and wellbeing.
 - J. **Electronic Palliative Care Co-ordination System (EPaCCS) in Humber, Coast and Vale** - Patients who are at the end of life come into contact with many health and care professionals. The challenge has been in enabling different care providers to share

information about an individual patient's care and end-of-life preferences in a safe, up-to-date and efficient way.

Treatment choices, how and where care is delivered and the preferred place of death are at the heart of end-of-life care. Patient choices are not static and often change during the last weeks and months of life. Typically, preferences for end-of-life care are collected by GPs and inputted into their GP system. However, this may not always reflect the latest wishes of the patient and may not be available to all of a patient's health and care providers.

EPaCCS enables the recording and sharing of a patient's care preferences and key details about their care at the end-of-life. As it is electronic it can easily be shared 24/7 between all of the clinicians and carers involved in the patient's care across organisational and geographical boundaries.

An EPaCCS record can be created, updated and shared by any member of a patient's health and care team, subject to locally-determined pathway and user administration settings. The EPaCCS record is a summary record, intended to provide an easily accessible view of the information that carers need in an end-of-life setting.

We process personal information because it is necessary to comply with our legal obligations and perform our public duty. To find out more about EPaCCS and how it supports end-of-life care in Humber, Coast and Vale go to <https://humbercoastandvale.org.uk/how/digital-futures/#EPaCCS>. If you have any queries please contact hnf-tr.yhcrhcv.carerecord@nhs.net

- K. **Royal College of General Practitioners (RCGP) Research and Surveillance Centre** - This practice is one of over 260 practices in England contributing pseudonymised data for national research and surveillance. These data enable continuous monitoring of infections and diseases in the community and is used in ethically approved research. The RCGP RSC is the main source of information for Public Health England (PHE) and helps with prediction and management of flu outbreaks and pandemics.
- L. **Medicines Management** - Your GP Practice supports a medicines management review service of medications prescribed to its patients. This service involves a review of prescribed medications to ensure patients receive the most appropriate, up to date and cost-effective treatments. This service is provided by qualified and registered healthcare professionals from within the GP practice, our NHS Primary Care Network, NHS North Yorkshire Clinical Commissioning Group or by external partners approved by the GP practice. Patient identifiable information does not leave the practice system but is accessed to ensure only appropriate clinical recommendations or decisions are made for each patient. Each patient can opt out of (or back into) the practice using their data for anything other than specified purposes or where there is a lawful requirement to do so.
- M. **ACR project for patients with diabetes (and/or other conditions)** - The data is being processed for the purpose of delivery of a programme, sponsored by NHS Digital, to monitor urine for indications of chronic kidney disease (CKD) which is recommended to be undertaken annually for patients at risk of chronic kidney disease e.g., patients living with diabetes. The programme enables patients to test their kidney function from home. We will

share your contact details with Healthy.io to enable them to contact you and send you a test kit. This will help identify patients at risk of kidney disease and help us agree any early interventions that can be put in place for the benefit of your care. Healthy.io will only use your data for the purposes of delivering their service to you. If you do not wish to receive a home test kit from Healthy.io we will continue to manage your care within the Practice. Healthy.io are required to hold data we send them in line with retention periods outlined in the Records Management code of Practice for Health and Social Care. Further information about this is available at: https://lp.healthy.io/minute/ful_info/.

- N. **Outsourcing of Medical Report Requests** - We use a processor, iGPR Technologies Limited (iGPR), to assist us with responding to medical report requests relating to your patient data, such as Subject Access Requests (SARs) that you submit to us or that someone acting on your behalf submits to us; medical report requests that are submitted to us under the Access to Medical Records Act 1988 (AMRA) for example in relation to a life insurance policy that you hold or that you are applying for; report requests from the Driver and Vehicle Licensing Agency (DVLA).

iGPR manages the reporting process for us by reviewing and responding to requests in accordance with our instructions and all applicable laws, including UK data protection laws. The instructions we issue to iGPR include general instructions on responding to requests and specific instructions on issues that will require further consultation with the GP responsible for your care.

9. **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.

10. **YOUR RIGHTS AS A PATIENT**

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

A. **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.

If you would like a copy of the information we hold about you please contact the surgery and your request will be dealt with by the Administration Team. 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.

B. **Online Access**

We offer all patients online access to their medical records in coded form, and access to online appointment booking and medication ordering. This is offered to all new patients at the time of registration and existing patient can request access at any time by contacting the Surgery.

C. 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 or email address has changed.

D. 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.

E. 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. The National Data Guardian Opt-Out Programme is a new service that allows people to opt out of their confidential patient information being used for research and planning. Please see <https://digital.nhs.uk/services/national-data-opt-out-programme> for details.

F. 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.

11. 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.

12. HOW WE USE THE INFORMATION ABOUT YOU

We use your personal and healthcare information in the following ways:

- A. when we need to speak to, or contact other doctors, consultants, nurses or any other medical/healthcare professional or organisation during the course of your diagnosis or treatment or on going healthcare;
- B. when we are required by Law to hand over your information to any other organisation, such as the police, by court order, solicitors, 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.

13. 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).

14. SPECIAL CATEGORIES

The Law states that personal information about your health falls into a special category of information because it is very sensitive. Reasons that may entitle us to use and process your information may be 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

15. 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 for the purposes as set out in this Privacy Notice.

16. CHILDREN

There is a separate Privacy Notice for children which is available on request.

17. 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 our Data Protection Officer.

18. 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 our Data Protection Officer.

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/>.

19. 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.

20. COOKIES

For more information about the use of cookies by the Surgery's website provider, please see the Privacy & Usage link at the bottom of each page of the website.

21. 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.

22. 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.

All telephone calls you make to the Practice and all calls made by the Practice to you are recorded using a third party telephony system. Data is not shared outside the scope of the contract between the Practice and the telephony system provider.

The call data records contain telephone numbers which are considered non-sensitive personal identifiers and there is no association with patient names or other personal identifiers. Call recordings have the potential to contain sensitive health data including data from vulnerable data subjects. All call data is securely held in UK data centres as governed by the NHS Information Governance Toolkit regulations.

Call data records are retained in accordance with the contractually agreed retention period of 36 months. The 36 month call retention period complies with the NHS standard data retention period for calls not part of health records in line with Records Management Code of Practice for Health and Social Care 2016 data retention schedules. All call recording data is permanently deleted after the agreed retention period.

23. WHERE TO FIND OUR PRIVACY NOTICE

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

24. CHANGES TO OUR PRIVACY NOTICE

We regularly review and update our Privacy Notice. This Privacy Notice was last updated on 29th July 2022.