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2	January 2019	Due January 2020



PRIVACY STATEMENT

Woodside Medical Group aims to ensure the highest standard of medical care for our patients. To do this we keep records about you, your health and the care we have provided or plan to provide to you.

This Privacy Statement does not provide exhaustive details of all aspect of the collection and use of personal information by Woodside Medical Group. However, we are happy to provide any additional information or explanation needed. If you wish to request further information please contact the Practice Manager by:

Telephone: 01224 492828

Letter: Woodside Fountain Health Centre, Great Northern Road, Aberdeen, AB24 2AS

How we use your information

In order to provide for your care, we need to collect and keep information about you and your health on our records. Your information is used to:

- Provide a basis for all health decisions made by care professionals with and for you;
- Make sure your care is safe and effective;
- Work effectively with others providing you with care;
- Send you text notifications to you about appointment reminders, flu clinics, health promotion information, cancellation of clinics and changes in service provision. (You can opt out of the text notification service at any time by phoning the practice on 01224 492828).

We may also use, or share, your information for the following purposes:

- Looking after the health of the general public;
- Making sure that our services can meet patient needs in the future;
- Auditing - Using patient health information to review and improve the quality of healthcare. Patient identifiable information is only used within the practice. (Patients have the right to request that their health information is not included in audits);
- Preparing statistics on NHS performance and activity (where steps will be taken to ensure you cannot be identified);
- Investigating concerns, complaints or legal claims;
- Helping staff to review the care they provide to make sure it is of the highest standards;
- Training and educating staff;

- Research approved by NHS Research Scotland. (If anything to do with the research would involve you personally, you will be contacted to provide consent).

Disclosure of information to other health and social care professionals

We will only ever use or pass on information about you if others involved in your care have a genuine need for it. We work with a number of other NHS and partner agencies to provide healthcare services to you. Below is a list of organisations that we may share your information with:

Our partner organisations:

- NHS Grampian
- Other NHS Hospitals
- The Healthy Hoose
- Relevant GP Practices
- Dentists, Opticians and Pharmacies
- Private Sector Providers (private hospitals, care homes, hospices, contractors providing services to the NHS)
- Voluntary Sector Providers who are directly involved in your care
- Ambulance Service
- Specialist Services
- Health and Social Care Clusters
- Out of Hours Medical Services (NHS 24 and GMED)
- NHS Scotland

We may also share your information with your consent, and subject to strict sharing protocols, about how it will be used, with:

- Health and Social Care
- Police and Fire Services

Risk prediction

Risk prediction data tools are increasingly being used in the NHS to help determine a person's risk of suffering a particular condition, preventing an unplanned or (re)admission and identifying a need for preventive information. Information about you is collected from a number of sources in NHS Scotland including this GP Practice. A risk score is then arrived at through an analysis of your de-identifiable information by ISD Scotland and is only provided back to your GP's Data Controller in an identifiable form. Risk prediction enables your GP to focus on preventing ill health and not just the treatment of illness. If necessary, your GP may be able to offer you additional services.

Scottish Primary Care Information Resource (SPIRE)

NHS Scotland uses information from GP patient records to help plan and improve health and care services in Scotland. You have a choice about the information from your GP records being used in this way. You can opt out from this at any time by contacting the Practice.

For further information on SPIRE follow this link <https://www.nhsinform.scot/care-support-and-rights/health-rights/confidentiality/keeping-your-health-information-safe-with-spire> or contact NHS Inform on 0800 22 44 88.

National screening programmes

The NHS provides national screening programmes so that certain diseases can be detected at an early stage.

These screening programmes are for bowel cancer, breast cancer, aortic aneurysms, a diabetic eye screening service and routine screening for pregnant women and newborn babies.

The law allows us to share your contact information with NHS Scotland so that you can be invited to the relevant screening programme.

More information can be found at: <https://www.nhsinform.scot/healthy-living/screening> or speak to the practice.

Where we store your information

Your information will be collected electronically using a secure electronic transfer over an NHS encrypted network connection or via secure NHS email. In addition paper information may be sent to your practice. This information will be retained within your electronic patient record or within your physical medical records.

This Practice operates a Clinical Computer System on which NHS staff record information securely. This information can then be shared with other clinicians so that everyone caring for you is fully informed about your relevant medical history.

Online registration for booking appointments and ordering repeat prescriptions

This service allows you to book a routine GP appointment, cancel appointments no longer needed, check your repeat medication, order repeat prescriptions and make changes to your email and mobile contact number where appropriate.

You will need to register to use this service and can de-register at any time.

Shared care records

To support your care, and improve the sharing of relevant information to our partner organisations when they are involved in looking after you, we will share information to other NHS systems e.g. medication details for out of hours care. The general principle is that information is passed to these systems unless you request this does not happen, but that system users should ask for your consent before viewing your record.

Emergency Care Summary (ECS)

Emergency care information such as your name, date of birth, the name of your GP, any medicines which your GP has prescribed, any medicines you are allergic to or react badly to, is shared with the Out of Hours service as this might be important if you need urgent medical care when the GP surgery is closed.

NHS staff (NHS 24, GMED, Accident and Emergency and Ambulance control and crews) can look at your ECS if they need to treat you when the surgery is closed. They will ask for your consent before they look at your records.

In an emergency and if you are unconscious, staff may look at your ECS without your agreement to let them give you the best possible care. Whenever a member of NHS staff looks at your ECS, a record will be kept so we can always check who has looked at your information.

Key Information Summary (KIS)

Key information summary (KIS) has been designed to support patients who have complex care needs or long-term conditions. KIS allows important information to be shared with health care professionals in unscheduled care in the NHS 24, A&E, Scottish Ambulance Service, Out of Hours, hospital and pharmacy environments.

Information contained in KIS summary may include future care plans, medications, allergies, diagnosis, your wishes, carer and next of kin details.

You have the right to say that you do not want Unscheduled Care staff to see ECS/KIS. Please contact the Practice on 01224 492828 to let us know.

Participation in medical research

As a practice, we feel that research is essential for progress in healthcare and is of considerable benefit to individual patients and the public as a whole. We regularly take part in research studies with the help of experienced NHS staff who search medical records for people who might be suitable so that we can write to them asking if they are interested in taking part.

No personal identifiable data is removed from the NHS or provided to any researchers without specific consent from patients.

Patients have the right to opt out of being contacted about research studies, and to opt out of any confidential information from your health records being used for planning and research. If you do not want to be contacted about research studies, or if you do not want such information from your health record to be shared with medical research studies, please let reception staff or your GP know. Opting out of sharing your health records will not affect the direct care that you receive.

If you have any questions, please ask to speak to the Practice Manager.

How we keep your information confidential and secure

We are committed to protecting your privacy and will only use information collected lawfully in accordance with the Data Protection Act 1998, Article 8 of the Human Rights Act, the Common Law of Confidentiality, The General Data Protection Regulation and the NHS Codes of Confidentiality and Security. Everyone working in, or for the NHS must use personal information in a secure and confidential way.

We will only ever use or pass on your information if there is a genuine need to do so. We will not disclose information about you to third parties without your permission unless there are exceptional circumstances, such as when the law requires.

To protect your confidentiality, we will not normally disclose any medical information about you over the telephone, or by fax, unless we are sure that we are talking to you. This means that we will

not disclose information to your family, friends, and colleagues about any medical matters at all, unless we know that we have your consent to do so.

Anyone who receives information from us is also under a legal duty to keep it confidential and secure

Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential. All persons in the Practice sign a confidentiality agreement that explicitly makes clear their duties in relation to personal health information and the consequences of breaching that duty.

Please be aware that your information will be accessed by non-clinical Practice staff in order to perform tasks enabling the functioning of the Practice. These include, but are not limited to:

- Typing referral letters to hospital consultants or allied health professionals
- Processing prescriptions
- Opening letters from hospitals and consultants
- Scanning clinical letters, radiology reports and any other documents not available in electronic format
- Photocopying or printing documents for referral to consultants
- Handling, printing, photocopying and postage of medico-legal and life assurance reports and other associated documents

Right of access to your health information

The General Data Protection Regulation allows you to find out what information about you is held on computer and in manual records. This is known as the “right of subject access” and applies to personal information held about you. If you want to see or receive information that the Practice holds about you:

- You will need to make a request to the Practice Manager. This can be made verbally or in writing
- We are required to respond to you within one month
- You will need to give us adequate information (e.g. your full name, address and date of birth, with two forms of identification) to enable us to identify you
- You will need to tell us whether you are looking for specific information (e.g. from a specific time period) or all the information we hold on you
- There may be a charge for excessive requests for information held about you

For further information on accessing your health information, please ask at reception for a Subject Access Request form, or contact the Practice Manager.

Who else may ask to access your information

- The **Court** can insist that we disclose medical records to them;

- **Solicitors** often ask for medical reports. We will require your signed consent for us to disclose information. We will not normally release details about other people that are contained in your records (e.g. wife, children parents etc.) unless we also have their consent;
- **Social Services** - The Benefits Agency and others may require medical reports on you from time to time. We will need your signed consent to provide information to them.
- **Life Assurance Companies/Employers/Occupational Health Doctors** frequently ask for medical reports on individuals. These are always accompanied by your signed consent form.

We will only disclose the relevant medical information as per your consent. You have the right, should you request it, to see reports prepared for insurance companies, employers or occupational health doctors before they are sent.

Sharing your information without consent

We will normally ask you for your consent, but there are times when we may be required by law to share your information without your consent, for example:

- Where there is a serious risk of harm or abuse to you or other people
- Where a serious crime, such as assault, is being investigated or where it could be prevented
- Where we encounter infectious diseases that may endanger the safety of others, such as meningitis or measles (but not sensitive information such as HIV/AIDS)
- Where a formal Court Order has been issued
- Where there is a legal requirement, e.g. if you had committed a Road Traffic Offence

Change of details

It is important that you tell us if any of your details such as your name, address or telephone number has changed or if any of your details such as date of birth is incorrect, in order for this to be amended. You have a responsibility to inform us of any changes so our records are kept accurate and up to date at all times.

Changes to this privacy notice

We keep our Privacy Notice under regular review. This Privacy Notice will be reviewed again in January 2020.

Concerns about sharing your information

If you have any concerns about how we use or share your information, or you do not wish us to share your information, please contact the Practice Manager.

Complaints

If you have a complaint about how your information is managed at the practice, please contact the Practice Manager. If you remain unhappy with the Practice's response, you can 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 on **0303 123 1113**

Data Controllers and Data Protection Officer

The Data Controllers for Woodside Medical Group are the GP partners: Drs Finlayson, Duncan, Jack, Earley, Brown, Lourens, Mishra, Anindo, Mir and Robertson

Our Data Protection Officer is Mrs Shonagh Swan (Practice Manager). The Data Protection Officer and Data Controllers can be contacted at:

Address: Woodside Fountain Health Centre, Great Northern Road, Aberdeen, AB24 2AS
Telephone: 01224 492828
Email: woodside.administrator@nhs.net

Lawful basis for processing of data

These purposes are supported under the following sections of the GDPR:

Provision of direct care

Article 6(1)(e) '...necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller...'; and

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...'

Healthcare staff will also respect and comply with their obligations under the common law duty of confidence.

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...'

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'.

For medical research

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'.

Article 9(2)(j) – 'processing is necessary for... scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member States law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and interests of the data subject'.
AND/OR

Article 9(2)(a) – 'the data subject has given explicit consent...'

To 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...'

To share information with NHS Scotland so that patients can be invited to national screening programmes

Article 6(1)(e) – ‘processing is necessary...in the exercise of official authority vested in the controller...’

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...’