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| **This Version** | **Date Published** | **Changes** |
| V1.1 | September 2023 | Regulatory updates |
| V1.2 | December 2024 | Changes to the Introduction text  Added:   1. About us – further text & info added 2. How we collect your information replaces ‘Information we collect from you’ |

**We (Little Bushey Surgery) 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. **ABOUT US**

We are Little Bushey Surgery and we are the data controller for the information we hold about you. A data controller is the organisation that makes decisions about the personal data that is being collected and processed and we are ultimately in charge of and responsible for the processing.

You can contact us in relation to this policy and any queries about it and/or to access your rights by contacting us using the details below:

**Address:** California Lane, Bushey, Hertfordshire, WD23 1EZ

**Phone:** 020 8386 8888

Please use these details should you wish to speak to our Data Protection Officer.

We are registered with the Information Commissioners Office (ICO) and our

**registration number is 25048534**.

At Little Bushey Surgery, we are committed to protecting and respecting your privacy, informing you of your rights under Data Protection Legislation and giving you access to these rights.

This Privacy Policy sets out important details about information that Little Bushey Surgery and staff responsible for your care and treatment may collect and hold about you, how that information may be used and your legal rights.

We will review this Privacy Policy on a regular basis, and we advise you to check back on our website for the latest version.

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:

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

We need to let you know how long we can keep it for

1. **WHAT INFORMTION DO WE HOLD ABOUT YOU?**

We hold 2 types of data about you:

1. **Personal data (data which identifies you)**

* Personal data only includes information relating to natural persons, i.e. name, phone number, email address, postal address, date of birth, etc.
* Personal data may also include special categories of personal data or criminal conviction and offences data. These are considered to be more sensitive and Little Bushey Surgery may only process them in more limited circumstances
* Pseudonymised data can help reduce privacy risks by making it more difficult to identify individuals, but it is still personal data

1. **Special Category (sensitive data)**

This sort of data could include:

* Racial or ethnic origin
* Political opinions
* Religious or philosophical beliefs
* Trace union membership
* Genetic data
* Biometric data (where used for identification purposes)
* Health
* Sex life
* Sexual orientation

1. **HOW WE COLLECT YOUR INFORMATION**

The information we collect and process about you has either been provided by you or by others involved in your care and treatment (i.e., hospital, community, employers).

This is likely to include your personal data (see 3. a))

We may also hold more sensitive information about you (see 3.b)))

We may collect information from you when:

* 1. You contact us via telephone calls which may be recorded and retained for a limited period for training and monitoring purposes and to help improve our services.
  2. You communicate with us via email, or our website. LITTELBUSHEYSURGERY.NHS.UK
  3. You visit the practice for an appointment.

Sometimes we obtain information about you from:

* other health care providers,
* credit reference agencies,
* debt collection agencies, and
* government agencies such as HMRC or the Home Office.

1. **HOW WILL WE USE THE INFORMATION WE HOLD ABOUT YOU?**

We use information about you in connection with:

* Treatment and/or care
* Tests or assessments, and
* Medical examinations

We may use your phone number (or email address where you have provided it to us) to contact you in advance of appointment for reasons connected with your care or treatment. Where you have provided us with your mobile number or email address, we may send you confirmations/reminders of your appointment via text message or email and we may respond to your email enquiries via email.

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.

We may also use information about you for:

* Quality assurance
* Maintaining our business records
* Developing and improving our products and services, and
* Monitoring outcomes where we believe there is a business need to do so and our use of information about you does not cause harm to you.

This may include our staff planning and workload management systems to help support our staff and clinicians to develop and plan the most appropriate levels of care to our patients and to ensure we have got the right levels of productivity and efficiency and good outcomes for patients.

We may also use information about you where there is a legal or regulatory obligation on us to do so (such as prevention of fraud or safeguarding) or in connection with legal proceedings.

We may also use information about you where you have provided your consent to us to do so.

We do not carry out automated decision making or profiling.

1. **STAFF ACCESS TO YOUR PERSONAL AND SENSITIVE DATA**

We carefully control who has access to your information.  Staff only have access where they are required to do so to provide direct care or support (i.e., receptionist and secretary).  Where possible we limit the access that staff have on our clinical systems.  We also carry out spot checks and audits to see if there has been any inappropriate access. Where that occurs, disciplinary action may be taken against the staff, and in serious cases court action. If a data breach includes access to your information, we will contact you.  We also have an obligation if it is a serious data breach to inform the Information Commissioners Office.

In order to reduce risk of a data breach we have in place robust policies and procedures and we carry out training for all staff on an annual basis.

All clinical staff providing direct care are registered with the appropriate professional and regulatory bodies, i.e., GMC, NMC, CSP and have a responsibility to uphold the highest standards when handling patient/client information.

1. **HOW WE KEEP YOUR INFORMATION SAFE AND SECURE**

* Little Bushey Surgry is required to complete the NHS Digital Data Security & Protection Toolkit. This is a tool that provides assurance that we are meeting standards on handling patient/client information.
* We have Data Protection Policies in place to ensure staff understand the ‘must’ or ‘must not do’ with patient/client data.
* Staff are required to complete induction training in Information Governance and to complete annual update training.
* Spot checks are carried out across the practice.
* Our IT is managed by ITS Digital. IT Team who ensures that all safeguards are in place to protect data held on IT systems are protected and secure from unauthorised access, loss or damage and hold a Cyber Security Plus certification.
* Passwords are changed on a regular basis.
* Where incidents do happen, our investigations will include actions we take, and lessons learnt.

1. **WHO WE MAY PROVIDE YOUR PERSONAL INFORMATION TO, AND WHY**

We set out these reasons for sharing your information below and assure you that in each case, we share only such information as is appropriate, necessary and proportionate.

1. We will share your medical information with those involved in your health assessment, care or treatment (such as doctors, nurses and physiotherapists) for direct care purposes. Some of our nursing staff and the resident doctors in our practice are provided by specialist staffing agencies.  We ensure there is a single patient record for each patient who is seen at our practice.
2. We will also share information about you with other members of staff involved in the delivery of your direct care for administration purposes (such as our, medical secretaries, receptionists). This will be limited to what is required for them to fulfil their role.
3. Local NHS hospitals and independent pathology/clinical laboratory services provide Little Bushey Surgery with support services (such as blood tests) and we may share information about you with these hospitals where required in connection with your care.
4. We may also share relevant parts of your medical information with your dentist, other private organisations and the organisation paying for your treatment (for example your insurance company). For our health assessment clients who come to us through their employer’s health assessment benefit scheme, please be assured that we will not share your medical information with your employer without your consent.
5. We may share information about you with anyone you have asked us to communicate with or whose details you have provided as an emergency contact (such as your next of kin).
6. **OTHER PEOPLE WHO WE PROVIDE YOUR INFORMATION TO**

We may share information about you with external organisations such as:

1. Commissioners;
2. Local authorities;
3. Community health services & NHS Organisations;
4. For the purposes of complying with the law e.g. Police, Solicitors, Insurance Companies;
5. Regulatory bodies such as CQC and ICO
6. Third party suppliers which provide us with electronic patient record systems and/or radiology imaging archiving and reporting systems
7. Auditors

We may also share information about you with those providing us with information technology systems, this includes:

* An incident management and recording system, and
* A system for electronic prescribing as well as
* Other clinical and non-clinical software applications (and related services)

In each case, we would share only such information as was relevant, necessary and proportionate.

1. **GP Connect :**

We use a facility called GP Connect to support your direct care. GP Connect makes patient information available to all appropriate clinicians when and where they need it, to support direct patients care, leading to improvements in both care and outcomes.

GP Connect is not used for any purpose other than direct care.

Authorised Clinicians such as GPs, NHS 111 Clinicians, Care Home Nurses (if you are in a Care Home), Secondary Care Trusts, Social Care Clinicians are able to access the GP records of the patients they are treating via a secure NHS Digital service called GP connect.

The NHS 111 service (and other services determined locally e.g. Other GP practices in a Primary Care Network) will be able to book appointments for patients at GP practices and other local services.

1. **Sharing with regulators or because of a legal obligation**

We may share information about you with our regulators, including the

* Care Quality Commission,
* Medicines and Healthcare products Regulatory Agency (which ensures medicines and medical devices used in the UK work and are acceptably safe)
* NHS England (which leads the NHS in England) and the Department of Health (the government department responsible for health and adult social care policy)
* Health & Safety Executive
* Public Health England

Before any disclosure will be made, we will satisfy ourselves that any disclosure sought is required by law or can be justified in the public interest.

Information about you may also be shared with the police and other third parties where reasonably necessary for the prevention and detection of crime. On occasion, this may include Home Office and HMRC.

1. 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.**
2. **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 key **Hub** practices are as follows:

* The Grove Medical Practice, Borehamwood
* Schopwick surgery, Bushey & Elstree
* Parkfield Medical Centre, Potters Bar
* Highview Medical Practice, Potters Bar
* Annadale Medical Centre, Potters Bar
* Fairbrook Medical Practice, Borehamwood
* RedHouse Surgery, Redlett

1. **Integrated Care Systems (ICS)** – As the country moves to an integrated care system based on geographical areas (Eat & North Herts, Herts Valleys and West Essex), information may be available to other care providers in order to provide safe, effective and cost-efficient care. Robust training policies, procedures, controls, audits and technical measures will be in place to safeguard against inappropriate access and disclosure.
2. **Integrated Care Board (ICB) –** The Integrated Care Board’s are responsible for securing, planning, designing and paying for your NHS services, including planned and emergency hospital care, mental health, rehabilitation, community and primary medical care (GP) services. This is known as commissioning. We do share data with Herts and West Essex ICB who is working with GP practices, local hospitals and other providers, generating Population Health Management information and link all the information together but then remove information that identifies you. The linked and pseudonymised information will help the ICB learn to use the data. The information will be reviewed and decisions made about the whole population.

As part of the review, a group of individuals or a single individual might be identified that could benefit from some additional care or support. The information will be sent back to the us (your GP) and we will use the unique code to identify you and offer you relevant services (direct care).

The ICB are legally obliged to protect your information and maintain confidentiality in the same way as us (your GP) or hospital provider.

1. **General Practice Data for Research**

The data held in the GP medical records of patients is used to support health research in England, helping to find better treatments and improve patient outcomes for everyone. Any data that could directly identify you (such as NHS Number, date of birth, full postcode) is replaced with unique codes which are produced by de-identification software before the data is shared with NHS England.

This process is called pseudonymisation and means that patients will not be identified directly in the data.

If you do not want your patient data to be shared for purposes except your own care, you can opt-out of this process.

For further information please access the website here <https://digital.nhs.uk/services/national-data-opt-out> or contact the practice.

1. **My Care Record**

*My Care Record* enables health and care professionals to access the information they need to look after you, even if they work for different organisations or in different locations.

Little Bushey Surgery is part of *My Care Record*, an approach to improving care by joining up health and care information. Health and care professionals from other services will be able to view information from the records we hold about you when it is needed for your care. Please see [www.mycarerecord.org.uk](http://www.mycarerecord.org.uk)  for more information.

For further information please access the website [My Care Record - Home](https://www.mycarerecord.org.uk/) or contact the practice.

1. **Health Information Exchange Gateway**

Joining up health and care information via the HIE (Health Information Exchange) used across the region to enable heath and care professionals to access up-to-date information held by different organisations or in different locations. This will result in it more effective care and secure information sharing for direct care purposes

Each organisation will determine the content of their own information feed into the Shared Care Record. This will be based on the nature of the records that the organisation holds.

The Cerner HIE (Shared Care Record) system displays the feeds from partner organisations in a single user accessible dashboard, in *real time*

1. **Recordings**

* Telephony service is provided by Chiltern Telecom. Telephone calls are being recorded for training and monitoring purposes only.
* When the Surgery carries out video consultations. The consultation is not stored or recorded within the system; the clinical staff member is required to record observations and outcomes of the consultation directly into your patient’s record in the same way as during a face-to-face consultation
* We are trialling the use of an AI transcription service (Heidi) to transcribe your clinical consultations and streamline documentation. Heidi processes your personal data on our behalf under a strict contractual agreement, ensuring compliance with all relevant data protection standards. You can choose to opt out at any time by informing our staff if you prefer traditional note-taking methods.
* Heidi processes your data to create a transcription of your consultation and will not access or retain it for any other purpose. We follow recognised guidelines for handling records. This allows the clinician to capture conversations held in clinic. Heidi Health AI will capture the information spoken and transcribe it. Heidi employs a highly secure specialized transcription process, ensuring no recordings and patient information are stored at any point. Once the medical notes are copied into the medical record, then the clinician deletes the info in Heidi (this can be up to a week). No backups are held on Heidi and no identifiable data is added to Heidi during or after the consultation. The system is only being used to make clinical write ups quicker and simpler. Heidi works alongside our clinicians by converting real-time conversations into clear, tailored medical notes.

1. **COPI (Control of patient information): A Covid-19 Purpose**

A covid19 purpose includes but is not limited to the following:

* Understanding COVID-19 and risks to public health, trends, controlling and preventing the spread of COVID-19
* processing to support the NHS Test and Trace programme
* identifying and understanding information about patients or potential patients with or at risk of COVID-19, information about incidents of patient exposure to COVID-19 and the management of patients with or at risk of COVID-19 including: locating, contacting, screening, flagging and monitoring such patients and collecting information about and providing services in relation to testing.
* understanding information about patient access to health services and adult social care services and the need for wider care of patients and vulnerable groups as a direct or indirect result of COVID-19 and the availability and capacity of those services or that care
* monitoring and managing the response to COVID-19 by health and social care bodies and the Government including providing information to the public about COVID-19 and its effectiveness and information about capacity, medicines, equipment, supplies, services and the workforce within the health services and adult social care services
* delivering services to patients, clinicians, the health services and adult social care services workforce and the public about and in connection with COVID-19, including the provision of information, fit notes and the provision of health care and adult social care services
* research and planning in relation to COVID-19

1. **AccuRx**

AccuRx use NHS Account Messaging service provided by NHS England to send you messages relating to your health and care. You need to be an NHS App user to received these messages. Further information about the service can be found at <https://www.nhs.uk/nhs-app/nhs-app-legal-and-cookies/nhs-app-privacy-policy/privacy-policy/>

1. **NHS App**

NHS App allows you to access a range of NHS services. It processes your data so that it can give you access to services and information about your health & care. For further information on the NHS App privacy policy, please follow the link: <https://www.nhs.uk/nhs-app/nhs-app-legal-and-cookies/nhs-app-privacy-policy/privacy-policy/>

1. **Case Finding and Profiling**

* Sometimes your information will be used to identify whether you need particular support from us. Those involved in your care might look at particular ‘indicators’ (such as particular conditions) and contact you or take action for healthcare purposes.
* For example, this might be to prevent you from having to visit accident and emergency by supporting you in your own home or in the community. We will use automated technology to help us to identify people that might require support but ultimately, the decision about how or whether to provide extra support you is made by those involved in your care. Our Data Protection Officer will be happy to speak to you about this if you have concerns or objections.

1. **LimiraDx Care Solutions**

* INRstar is our clinical decision support software provided by LumiraDx Care Solutions to help make our anticoagulation service safer and effective. Their privacy policy and data protection impact assessment document can be found at: <https://lumiradxcaresolutions.com/legal/>
* Data is held on the Amazon AWS Cloud system. Cloud-First technology offers enhanced security, increased reliability, and improved system performance at peak times, enabling to provide a robust service for our clinicians and patients whilst providing confidence that the data is held safely and securely. The data will continue to reside in a UK Government approved data centre, located in England. The data held in INRstar will not be modified, and there will be no changes to the way in which it is processed

1. **Audits, surveys and initiatives**

In common with all healthcare providers (both NHS and private), we also look at the quality of the care we provide

* to patients and health assessment clients and participate in national audits and initiatives,
* to ensure that patients are getting the best possible outcomes from their treatment and care, and
* to help patients make informed choices about the care they receive

We can assure you that your personal information always remains under our control. Any information we provide for national audits and initiatives outside of Little Bushey surgery will not contain any information in which any patient can be identified unless it is required by law. Any publishing of this data will be in anonymised statistical form. The practice may partake in local audits where there has been a Serios Incident in order to identify any potential clinical risks to yourself or other patients.

No data is ‘sent’ anywhere with data sharing, it remains within the organisation and ‘sharing’ only enables others to view the data. Data cannot be changed or amended in any way by the viewing organisations. These viewing organisations are listed below:

* Arden GEM CSU Primary Care Projects – A web based portal developed on behalf of NHS England to enable collaborative commissioning of specialised services
* TCR Nottingham – To determine eligibility of practice patients in the NHS health check programme
* UK Biobank - a long-term biobank study in the UK investigating the respective contributions of genetic predisposition and environmental exposure to the development of disease
* Herts Urgent Care Unit & NHS111 – HUC provide access to high quality Integrated Urgent Healthcare services to the communities of Hertfordshire. NHS111 online can tell you: where to get help for your symptoms
* Pinnacle Systems Management - Pinnacle a point of care system designed to support the delivery of COVID-19 vaccines at vaccination centres, Primary Care settings and community pharmacies across England.
* Apollo Medical & Gemima – for risk stratification, disease and medicine management
* Herts One – GP Federation
* AccuRx – To enable video consultations and provide a two way SMS service to the practice

1. **CCTV**

We have installed CCTV to:

* Ensure the security of our and your property and the security of our patients and staff
* Monitor the security of our premises

All CCTV is maintained and overseen by Viewpoint and our Senior Administrator. They are responsible for carrying out compliance audits an reviewing the need for CCTV. CCTV footage may be shared for the detection and/or prevention of crime or fraud.

1. **MY CARE RECORD**

*My Care Records* enables health and care professionals to access the information they need to look after you, even if they work for different organisations or in different locations.

Little Bushey Surgery is a part of *My Care Record,* an approach to improving care by joining health and care information. Health and care professionals from other services will be able to view information from the records we hold about you when it is needed. Please see [www.mycarrecord.org.uk](http://www.mycarrecord.org.uk) for more information.

For further information, please access the website <https://www.mycarerecord.org.uk/>

1. **HEALTH INFORMTION EXCHANGE GATEWAY**

Joining up health and care information via the HIE (Health Information Exchange) used across the region to enable health and care professionals to access up-to-date information held by different organisations or in different locations. This will result in more effective care and secure information sharing for direct care purposes.

Each organisation will determine the content of their own information feed in to the Shared Care Record. This will be based on the nature of the records that the organisation holds.

The Cerner HIE (Shared Care Record) system displays the feeds from partner organisations in a single user accessible dashboard, in *real time*.

1. **RECORDINGS**

When the surgery carries out video consultations, the consultation is not stored or recorded within the system: the clinical staff is required to record observations and outcomes of the consultation directly into your medical record in the same way as during a face-to-face consultation.

1. **PRIMARY CARE NETWORK (PCN)**

We are a member of Herts% Primary Care Network (PCN). This means we will be working closely with a number of other GP practices and health and care organisations to provide healthcare services to you. No health data is automatically shared.

Other practices in our PCN are:

* Fairbrook Medical Centre
* The Grove Medical centre
* The Red House Group
* Shopwick Surgery

1. **INTEGRATED CARE SYSTEM (ICS)**

As the country moves to an integrated care system based on geographical areas (East & North Herts, Herts Valleys and West Essex) information may be available to other providers in order to provide safe, effective and cost efficient care. Robust training, policies, procedures, controls, audits and technical measures will be in place to safeguard against inappropriate access and disclosere.

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

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

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

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

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

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

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

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

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

1. **SPECIAL CATEGORIES**

The Law states that 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

**Third party processors**

In order to deliver the best possible service, the practice will share data (where required) with other NHS bodies such as other GP practices and hospitals. In addition the practice will use carefully selected third party service providers. When we use a third party service provider to process data on our behalf then we will always have an appropriate agreement in place to ensure that they keep the data secure, that they do not use or share information other than in accordance with our instructions and that they are operating appropriately. Examples of functions that may be carried out by third parties includes:

* Companies that provide IT services & support, including our core clinical systems; systems which manage patient facing services (such as our website and service accessible through the same); data hosting service providers; systems which facilitate appointment bookings or electronic prescription services; document management services etc.

Further details regarding specific third party processors can be supplied on request

1. **LEGAL BASIS FOR USING YOUR INFORMATION**

Data protection law requires that we set out the legal basis for holding and using information about you.  We have set out the various reasons we use information about you and alongside each, the legal basis for doing so.  Given that some information we hold about you is particularly sensitive (as described above), we need an additional legal basis which we have set out in the third column (entitled ‘legal basis for more sensitive information’) explaining our reason for this.

Processing shall be lawful only if and to the extent that at least one of the following applies:

**a) the data subject has given** consent to the processing of his or her personal data for one or more specific purposes.

**b) processing is necessary for the performance of a contract** to which the data subject is party or to take steps at the request of the data subject prior to entering into a contract.

**c) processing is necessary for compliance with a legal obligation** to which the controller is subject.

**d) processing is necessary to protect the vital interests** of the data subject or of another natural person.

**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.

**f) processing is necessary for the purposes of the legitimate interests** pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, where the data subject is a child.

For the purpose of delivering your direct health care within the practice and sharing your information we use Article 6 of the UK GDPR (11. e)) above.

Where we have to share your information because we are required to do so under law, we use Article 6 of the UK GDPR (11. c)) above.

Where we process any more sensitive (special category data) we do this on and additional legal basis under article 9 of the UK GDPR:

g)  **Health or social care (with a basis in law).**

1. **YOUR INFORMATION RIGHTS**

Under certain circumstances, you have rights under data protection laws in relation to any personal information that we hold about you. Please note that for some purposes, especially within health and care, some of your rights under UK GDPR have applicable exemptions. You can find out more about your rights and exemptions on the ICO website.

If you wish to exercise any of the rights set out below, please contact the Practice Manager using the contact details set out above.

You have:

**a) The right to be informed.** This privacy notice forms part of that, but we also aim to keep you fully informed during your consultations, via posters in the practice and leaflets when appropriate.

**b) The right to access your personal information.** You are usually entitled to a copy of the personal information we hold about you and details about how we use it.

Your information will usually be provided to you in the form you request, if we are unable to do that, we will inform you. If you have made the request electronically (e.g. by email) the information will be provided to you by electronic means where possible.

Under data protection law we must usually confirm whether we have personal information about you. If we do hold personal information about you, we usually need to explain to you:

* The purposes for which we use your personal information.
* The types of personal information we hold about you.
* Who your personal information has been or will be shared with.
* Where possible, the length of time we expect to hold your personal information. If that is not possible, the criteria we use to determine how long we hold your information for.
* If the personal data we hold about you was not provided by you, where we obtained the information from.
* Your right to ask us to amend or delete your personal information (if appropriate).
* Your right to ask us to restrict how your personal information is used or to object to our use of your personal information (if appropriate).
* Your right to complain to the Information Commissioner’s Office.
* We also need to provide you with a copy of your personal information.

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity (this will be proportionate) and ensure your right to access your personal information (or to exercise any of your other rights). We may also contact you to ask you for further information in relation to your request to speed up our response.

We respond to all requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

**c) The right to request correction of your personal information**

We take reasonable steps to ensure that the personal information we hold about you is accurate and complete and up to date.  However, if you do not believe this is the case, you can ask us to update or amend it.

**d) The right to request erasure of your personal information**

In some circumstances, you have the right to request the erasure of the personal information that we hold about you.  This is also known as the ‘right to be forgotten’.  However, there are exceptions to this right and in certain circumstances we can refuse to delete the information in question.

**e) The right to object to the processing of your personal information**

In some circumstances, you have the right to object to the processing of your personal information. This would usually apply to processing for other purposes other than your direct health care i.e., research

**f) The right to request a transfer of your personal information**

In some circumstances, we must transfer personal information that you have provided to us to you or (if this is technically feasible) another individual/ organisation of your choice. The information must be transferred in an electronic format.

**g) The right to object.**

You can ask us to stop sending processing your information for any other purposes other than your health care.

**h) The right not to be subject to automatic decisions (i.e., decisions that are made about you by computer alone)**

You have a right to not be subject to automatic decisions (i.e., decisions that are made about you by computer alone) that have a legal or other significant effect on you.

**i) The right to withdraw your consent**

You have the right to withdraw your consent where we rely upon this as a legal ground for processing your information.

To apply any of the Individual Rights above please contact Dr Ganguly.

1. **WHERE AND FOR HOW LONG WE STORE YOUR INFORMATION**

The information about you that we hold, and use is held securely IN THE United Kingdom and stored electronically and in paper format and on secure servers.

We retain your records for certain periods (depending on the record) under our retention of records policy. Little Bushey Surgery follows the recommend best practice contained in the NHS Records Management Code of Practice. This is to ensure that information is properly managed and is available whenever and wherever there is a justified need for that information, including:

* to support patient care and continuity of care.
* to support evidence-based clinical practice.
* to assist clinical and other audits.
* to support our public task
* to meet legal requirements.

Your records may not be retained in hard copy form where a digital copy exists.

If you would like more detailed information on this, please contact our Practice Manager (contact details above).

1. **WHERE AND FOR HOW LONG DO WE KEEP YOUR PERSONAL INFORMATION**

The information about you that we hold and use is held securely in the United Kingdom and stored electronically and in paper format and on secure servers.

We retain your records for certain periods (depending on the particular type of record) under our retention of records policy. Little Bushey Surgery follows the recommended best practice contained in the NHS Records Management Code of Practice. This is to ensure that information is properly managed and is available whenever and wherever ther is a justified need for that information, including:

* To support patient care and continuity of care
* To support evidence-based clinical practice
* To assist clinical and other audits
* To support our public task
* To meet legal requirements

Your records may not be retained in hard cop form where a digital copy exists.

If you would like more detailed information on this, please contact Little Bushey Surgery (contact details above).

1. **UNDER 16s**

There is a separate privacy notice for patients under the age of 16, a copy of which may be obtained on request.

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

If English is not your first language you can request a translation of this Privacy Notice. Please contact our Practice Manager / Data Protection Officer.

1. **USING YOUR DATA TO PLAN AND SUPPORT BETTTER CARE**

Your GP data, including age, gender and medications prescribed, is used to plan health and care services for the local area, as well as help your GP provide better personalised care.

This process is called risk stratification and is a statutory (legal) requirement.

If however you don’t want your data to be used in this way, you can opt-out, but need to be aware that this can affect the proactive provision of your care.

## ***What is risk stratification?***

In Hertfordshire and West Essex, we take part in two types of risk stratification:

* Risk stratification for case-finding
* Risk-stratification for commissioning

In both cases risk stratification tools use patient data, such as age gender, diagnoses, hospital attendance and admissions, which is collected by NHS Digital from NHS hospitals and community care services. This is then linked to data from GP practices and analysed. It is important to note that your name is not used when the data is being analysed. Only your NHS number is used during this process. GP practices will then be able to view your name when it is appropriate to do so to improve the services available to you.

### ***Risk stratification for case-finding***

This is a process GPs use to help them spot and support patients with long-term conditions and help prevent unplanned hospital admissions or reduce the risk of developing other diseases.

Your GP will use computer calculations to pick out registered patients who are at the most risk.

Your GP will do this on a routine basis. It will be done electronically and will produce a report that will be reviewed by a clinical team at your practice. You might then be contacted if changes to your care are identified.

### ***Risk stratification for commissioning***

This is a process Hertfordshire and West Essex Integrated Care Board (HWE ICB) use to understand the needs of the local population so they can commission the right care services.

Data is sent by NHS England and/or GP practices directly into a risk stratification tool provided by an NHS England-approved supplier.

ICB staff only have access to anonymised or aggregated data. You will not be personally identifiable nor will any ICB staff have access to your personal or confidential data.

## ***Your rights***

It is a statutory requirement for NHS England to collect identifiable information.

There is Section 251 of the NHS Act 2006 which allows the Secretary of State, to set aside the common law duty of confidentiality for defined medical purposes. Approval is obtained through the Confidentiality Advisory Group of the Health Research Authority, that means HWE ICB can receive this data in line with specific technical and security measures in place.

### ***Opt-out***

If you are happy for your data to be used in this way, you don’t need to do anything.

However, if you don’t want your data included, you can choose to opt out by contacting your GP Practice who will advise on how to opt out of local specific projects. You may also wish to opt out of your information being used for research or planning purposes nationally by visiting: https://www.nhs.uk/your-nhs-data-matters/

To find out more about which risk stratification tools are used, how your personal data is handled and your rights, you can view the HWE ICB Privacy Notice available at the web address provided below or your GP Practice privacy notice available on the GP practice website or as a leaflet in the reception area.

<https://hertsandwestessex.icb.nhs.uk/website/privacy-notice-1>

1. **OUR WEBSITE**

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

1. **COOKIES**

Little Bushey Surgery’s website uses cookies. For more information on which cookies we use and how we use them, please see our Cookies Policy.

1. **SECURITY**

* Little Bushey Surgery is required to complete the NHS Digital Data Security & Protection Toolkit. This is a tool that provides assurance that we are meeting standards on handling patient/client information.
* We have Data Protection Policies in place to ensure staff understand the ‘must’ or ‘must not do’ with patient/client data
* Staff are required to complete induction training in Information Governance and to complete annual update training
* Spot checks are carried out across the practice
* Our IT is managed by HVCCG IT Team who ensure that all safeguards are in place to protect data held on our IT systems are protected and secure from unauthorised access, loss or damage and hold a Cyber Security Plus certification.
* Passwords are changed on a regular basis
* Where incidents do happen, our investigations will include actions we take and lessons learnt.

1. **THE RIGHT TO COMPLAIN TO THE ICO**

You have the right to complain to the Information Commissioner’s Office if you are unhappy with the way that we have dealt with a request from you to exercise any of these rights, or if you think we have not complied with our legal obligations under data protection law.

Making a complaint will not affect any other legal rights or remedies that you have.

More information can be found on the Information Commissioner’s Office website: <https://ico.org.uk/> and the Information Commissioner’s Office can be contacted by post, phone, or email as follows:

Information Commissioner’s Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 (if you prefer to use a national rate number)

Fax: 01625 524 510

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

For further questions or to exercise any rights set out in this Privacy Policy, please contact us on the contact details provided above to request to speak to the Data Protection Officer.

Please note that this privacy policy applies to our practice and the information we collect about you only. For any services, other parties or websites mentioned in this privacy policy or on our website, we do not accept liability and we advise you to read their privacy policies.

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

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

1. **CHANGES TO OUR PRIVACY NOTICE**

We regularly review and update our Privacy Notice. This Privacy Notice was last updated on

**13th December 2024**