ICO Registration Number: 25048534

**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. **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
5. We need to let you know how long we can keep it for.
6. **THE DATA PROTECTION OFFICER (DPO)**

The Data Protection Officer at the Surgery is **Barry Moult who can be contacted via email on:** **barry.moult1@nhs.net** **if:**

* You have any questions about how your information is being held;
* If you require access to your information or if you wish to make a change to your information;
* If you wish to make a complaint about anything to do with the personal and healthcare information we hold about you;
* Or any other query relating to this Policy and your rights as a patient.
1. **ABOUT US**

We, at the Little Bushey Surgery situated at California Lane, Bushey, Herts WD23 1EZ 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.

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
* Personal data may also include special categories of personal data or criminal conviction and offences data. These are considered to be more sensitive and we 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. **INFORMATION WE COLLECT FROM YOU**

The information we collect from you will include:

1. Your contact details (such as your name and email address, including place of work and work contact details);
2. Details and contact numbers of your next of kin;
3. Your age range, gender, ethnicity;
4. Details in relation to your medical history;
5. Details of your family history;
6. The reason for your visit to the Surgery;
7. Medical notes and details of diagnosis and consultations with our GPs and other health professionals within the Surgery involved in your direct healthcare;
8. Details of your regular medication
9. **INFORMATION ABOUT YOU FROM OTHERS**

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

A. hospital, a consultant or any other medical or healthcare professional, or any other person involved with your general healthcare;

B. Department of Work and Pensions, DVLA, The Job Centre

C. Social Services;

D. Court orders and Police Requests;

E. Firearms and Medical Applications;

1. **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 our Data Protection Officer.

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://digital.nhs.uk/services/national-data-opt-out-programme>

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.

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. **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 proving 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:

1. Hospital professionals (such as doctors, consultants, nurses, etc);
2. Other GPs/Doctors;
3. Pharmacists;
4. Nurses and other healthcare professionals;
5. Dentists;
6. Any other person that is involved in providing services related to your general healthcare, including mental health professionals.
7. **OTHER PEOPLE WHO WE PROVIDE YOUR INFORMATION TO**
8. Commissioners;
9. Clinical Commissioning Groups;
10. Local authorities;
11. Community health services;
12. For the purposes of complying with the law e.g. Police, Solicitors, Insurance Companies;
13. Regulatory bodies such as CQC and ICO
14. Third party suppliers which provide us with electronic patient record systems and/or radiology imaging archiving and reporting systems
15. **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
1. **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.

There are good reasons why the Clinical Commissioning Group may require this pseudo-anonymised information, these are as follows:

* CCG collects data for Diabetic Retinopathy Screening service
* Open Exeter, recall data for Cervical Screening Programme, Child Immunisation Data for GP payments, Blood Donor records of patients who opt in
* PCSE/Capita Portal NHSE, for the purpose of tracking patient medical records
* MJog is commissioned by the practice for the purpose of texting patient appointment reminders and health promotion
* National Diabetes Audit Office, external data extraction for the National Diabetic Recall register
* National Bowel Screening Service, external data extraction for the National Bowel Screening register
* Emis, the surgery’s clinical operating system which holds patient identifiable data and medical records to ensure clinical safety in all areas of the medical record
* NHS Digital’s FGM database
* GEMIMA tool for population health management and risk stratification purposes
1. **GP Data for Planning and Research (GPDPR)**
* The data held in GP medical records of patients is used to support health and care planning and research in England, helping to find better treatments and improve patient outcomes for everyone. From 1st July 2021, NHS Digital may collect this data, called the General Practice Data for Planning and Research data collection (GPDPR)

Data may be shared from the GP medical records about:

* Any living patient registered at a GP practice in England when the collection started-this includes children and adults
* Any patient who died after 1st July 2021, and was previously registered at a GP practice in England when the data collection started

All patient identifiable data will be replaced with unique codes which are produced by de-identification software before the data is shared with NHS Digital.

All collected date will be pseudomynised data which means that patient will not be identified directly. **In certain circumstances** and **where there is a valid legal reason**, NHS Digital will be able to use the software to convert unique codes back to data that could directly identify patients.

Patients who do not want their identifiable patient data to be shared for purposes except their own care, can opt out by completing a Type 1 Opt-out Form and submitting this to your GP Practice

Further information: <https://digital.nhs.uk/data-and-information/data-collections-and-data-sets/data-collections/general-practice-data-for-planning-and-research#further-information-for-gp-practices>

<https://digital.nhs.uk/data-and-information/data-collections-and-data-sets/data-collections/general-practice-data-for-planning-and-research/gp-privacy-notice>

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

**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. **YOUR RIGHTS AS A PATIENT**

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

1. **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 our Practice Manager at lbsreception@nhs.net.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.

1. **Online Access**

You may ask us if you wish to have online access to your medical record. However, there will be certain protocols that we have to follow in order to give you online access, including written consent and production of documents that prove your identity.

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

1. **Correction**

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

1. **Removal**

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

1. **Objection**

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

1. **Transfer**

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

1. **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

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 (ie. Receptionists, surgery administrators and secretary). Where possible we limit the access that staff have on our clinical system. 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 court action in serious cases. If the 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 (ICO).

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, ie. GMC, NMC, CSP and have a responsibility to uphold the highest standards when handling patient/client information.

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.

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. **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 Practice Manager / 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/>.

Information Commissioner’s Office

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

Tel: 0303 123 1133 (local rate) or 01625 545 745 (if you prefer to use a national rate number)

Fax: 01625 524 510

Email: casework@ico.org.uk

1. **CCTV**

We have installed CCTV to:

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

All CCTV is maintained and overseen by our practice manager Veena Rawal.

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

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

1. **CHANGES TO OUR PRIVACY NOTICE**

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

**01st September 2021**

**Additional Information during Covid-19**

1. **Coronavirus (COVID-19) pandemic and your information**

 The ICO recognises the unprecedented challenges the NHS and other health professionals are facing during the Coronavirus (COVID-19) pandemic. The ICO also recognise that 'Public bodies may require additional collection and sharing of personal data to protect against serious threats to public health.' The Government have also taken action in respect of this and on 20th March 2020 the Secretary of State for Health and Social Care issued a Notice under Regulation 3(4) of The Health Service (Control of Patient Information) Regulations 2002 requiring organisations such as GP Practices to use your information to help GP Practices and other healthcare organisations to respond to and deal with the COVID-19 pandemic.

In order to look after your healthcare needs during this difficult time, we may urgently need to share your personal information, including medical records, with clinical and non clinical staff who belong to organisations that are permitted to use your information and need to use it to help deal with the Covid-19 pandemic. This could (amongst other measures) consist of either treating you or a member of your family and enable us and other healthcare organisations to monitor the disease, assess risk and manage the spread of the disease. Please be assured that we will only share information and health data that is necessary to meet yours and public healthcare needs.

The Secretary of State for Health and Social Care has also stated that these measures are temporary and will expire on 30th September 2021 unless a further extension is required. Any further extension will be will be provided in writing and we will communicate the same to you. Please also note that the data protection and electronic communication laws do not stop us from sending public health messages to you, either by phone, text or email as these messages are not direct marketing. It may also be necessary, where the latest technology allows us to do so, to use your information and health data to facilitate digital consultations and diagnoses and we will always do this with your security in mind.

If you are concerned about how your information is being used, please contact our DPO using the contact details provided in this Privacy Notice.