Saint Vincent Practice

Fair Process Notice

May 2018

Introduction

This privacy policy is to provide information to you, our patient, on how your personal information (which includes your health information) is collected and used within our practice, and the circumstances in which we may share it with third parties.

Why and when your consent is necessary

When you register as a patient of our practice, you provide consent for our GPs and practice staff to access and use your personal information so they can provide you with the best possible healthcare. Only staff who need to see your personal information will have access to it. If we need to use your information for anything else, we will seek additional consent from you to do this.

Why do we collect, use, hold and share your personal information?

Our practice will need to collect your personal information to provide healthcare services to you. Our main purpose for collecting, using, holding and sharing your personal information is to manage your health.

What personal information do we collect?

The information we will collect about you includes your:

* names, date of birth, addresses, contact details
* medical information including medical history, medications, allergies, adverse events, immunisations, social history, family history and risk factors

How do we collect your personal information?

Our practice may collect your personal information in several different ways.

1. When you make your first appointment our practice staff will collect your personal and demographic information via your registration.
2. During the course of providing medical services, we collect further personal information.
3. We may also collect your personal information when you visit our website, send us an email or telephone us, make an online appointment or communicate with us using social media.
4. In some circumstances personal information may also be collected from other sources. Often this is because it is not practical or reasonable to collect it from you directly. This may include information from:
* your guardian or responsible person
* other involved healthcare providers, such as specialists, allied health professionals, hospitals and community health services.

How do we store and protect your personal information?

Your personal information may be stored at our practice in various forms. Our practice stores all personal information securely.

* Paper records

Hard copies of records are secured on site in locked cabinets.

* Electronic records

Electronic records are held in cloud based password protected information systems.

* Videos

Audio – visual recordings are kept on site in locked rooms.

* Audio recordings

Audio – visual recordings are kept on site in locked rooms.

* The practice utilises confidentiality agreements for staff and contractors.

The Data Controller

The Practice is the Data Controller

Our contact details are

Saint Vincent Practice

77 Thorne Road

Doncaster

DN1 2ET

Telephone No. (01302) 361318

The Data Protection Officer

Dr Dean Eggit has been appointed as the Data Protection Officer

Their contact details are

Doncaster LMC Ltd (Company Registration Number 6775496)
Tel  01302 531223

When, why and with whom do we share your personal information?

We sometimes share your personal information:

* with other healthcare providers
* when it is required or authorised by law
* when it is necessary to lessen or prevent a serious threat to a patient’s life, health or safety or public health or safety, or it is impractical to obtain the patient’s consent
* to establish, exercise or defend an equitable claim
* for the purpose of confidential dispute resolution process
* during the course of providing medical services

Only people who need to access your information will be able to do so. Other than in the course of providing medical services or as otherwise described in this policy, our practice will not share personal information with any third party without your consent.

Our practice will not use your personal information for marketing any of our goods or services directly to you without your express consent.

Processing of data is for direct patient care.

* Use of the data is
	+ **necessary** in the exercise of official authority vested in the controller (Article 6(1)(e)); and,
	+ **necessary** for compliance with a legal obligation (Article 6(1)(c)); and,
	+ **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 (Article 9(2)(h)).
* In order to comply with our legal obligations this practice may send data to NHS Digital when directed by the Secretary of State for Health under the Health and Social Care Act 2012;
* This practice contributes to national clinical audits and will send the data which is required by NHS Digital when the law allows. This may include demographic data, such as date of birth, and information about your health which is recorded in coded form.

How can you access and correct your personal information at our practice?

You have the right to request access to, and correction of, your personal information.

Our practice acknowledges patients may request access to their medical records. We require you to put this request in writing and our practice will respond within a reasonable time. Please write to;

Lynne Neal

Practice Manager

Saint Vincent Medical Centre

77 Thorne Road

Doncaster

DN1 2ET

We would expect to be able to action access requests within 2 weeks of a request being received.

Our practice will take reasonable steps to correct your personal information where the information is not accurate or up to date. From time to time, we will ask you to verify that your personal information held by our practice is correct and current. You may also request that we correct or update your information, and you should make such requests in writing to

Lynne Neal

Practice Manager

Saint Vincent Medical Centre

77 Thorne Road

Doncaster

DN1 2ET

We would expect to be able to action access requests within 2 weeks of a request being received.

Retention periods

GP records are retained until death or until such time that a patient de-registers from the practice.

How can you lodge a privacy-related complaint, and how will the complaint be handled at our practice?

We take complaints and concerns regarding privacy seriously. You should express any privacy concerns you may have in writing. We will then attempt to resolve it in accordance with our resolution procedure.

Lynne Neal

Practice Manager

Saint Vincent Medical Centre

77 Thorne Road

Doncaster

DN1 2ET

We would expect to be able to action access requests within 2 weeks of a request being received.

You may also contact the ICO. Generally, the ICO will require you to give them time to respond before they will investigate. For further information visit <https://ico.org.uk/> or call the ICO on 0303 123 1113.

Your Electronic Health Record.

This practice uses computer software called SystmOne to maintain your electronic medical record. SystmOne is widely used across the NHS and care organisations. Your record may contain contributions from various health and social care organisations involved in your care.

Organisations using SystmOne can access your medical records if you give them permission.

GP Practices are now the ‘data controllers’ of your electronic medical record, therefore we have to choose who we allow and, how we allow access to your SystmOne electronic record. There are 2 choices:-

**1. IMPLIED CONSENT**

This means that we assume that you are happy to share your detailed electronic health record to any NHS and care organisation that cares for you.

**2. EXPLICIT CONSENT**

This means that we will obtain your explicit consent (permission) to share your detailed electronic health record to any NHS and care organisation that cares for you.

As your GP Practice we have set the following practice settings for all our registered patients whose electronic health records we hold within our computer system (SystmOne)

**IMPLIED CONSENT**

This means that we assume that you are happy to share your detailed electronic health record to anyone who cares for you. We will therefore make your record available to those NHS commissioned services and local authorities providing health and social care services that use SystmOne. This means that those individuals at these organisations, who have the appropriate access rights, can retrieve your medical record when you are registered for care with them. These individuals may only access your records to provide you with care services and they must record your permission to view your record on the system.

The types of organisation which could be involved in your direct care and therefore need access to your electronic record are:

* GP Practices
* Community services ( for examples, physiotherapy, diabetic clinics, district nursing, rehabilitation centres)
* Referral triage centres (services determining which organization should care for you)
* Child Health
* Urgent Care (for example A&E, Minor Injury Units (MIU) and Out of Hours services)
* Community Hospitals
* Palliative Care services
* Care Homes
* Offender Health (care providers within organisations such as Prisons and Custody Suites)
* NHS Hospitals
* NHS Mental Health Services
* Social Care – registered and regulated professionals within social care organisations coordinating care (not social care providers)
* Community Pharmacy

**IF YOU ARE NOT HAPPY TO SHARE YOUR ELECTRONIC RECORD IN THIS WAY, PLEASE LET US KNOW AS SOON AS POSSIBLE SO THAT WE CAN RECORD YOUR REFUSAL OF PERMISSION AND STOP YOUR RECORD BEING ACCESSED OUTSIDE OF THE GP PRACTICE.**

**Organisations we make your record available to**

In Doncaster the local Clinical Commissioning Group has created a list of approved organisations for whom access to electronic records will be given with your assumed / implied consent. This means that individuals at these organisations, who have the appropriate access rights, can retrieve your medical record when you are registered for care with them. These individuals **may only** access your records to provide you with care services and they **must** record your permission to view your record on the system.

These organisations are list below:-

|  |  |  |
| --- | --- | --- |
| **Name Unit** | **Area** | **Services Covered** |
| **RDaSH Corporate Units** |   |  |
| RDaSH Trust - EPR Core | RDaSH | A clinical view of the shared record for all RDaSH services. Used by Safeguarding team |
| RDaSH Infection Prevention & Control Service | RDaSH | Infection control service |
| RDaSH Healthy Child Flu Programme | RDaSH | Vaccination team - children in Rotherham and Bassetlaw |
| RDaSH CAMHS | RDaSH | Child Mental Health for Rotherham, Doncaster & N.Lincs |
| RDaSH Mental Health Inpatient Services | RDaSH | IMH inpatients for Rotherham, Doncaster & N.Lincs |
| **Doncaster Units** |  |  |
| Doncaster Adult Community Nursing - Planned Care | Doncaster | Community nursing - planned services |
| Doncaster Adult Community Nursing - Single Point of Access (SPA) | Doncaster | Call handling service for Doncaster Community nursing, MH Access team, Adult Continence  |
| Doncaster Adult Community Nursing - Unplanned Care | Doncaster | Community nursing - unplanned services |
| Doncaster Children Young People & Families Service | Doncaster | Children's core services 0-19ys including LAC  |
| Doncaster Community Cardiac Services  | Doncaster | Cardiac Rehabilitation, Heart Failure, Cardiac Arrythmia |
| Doncaster Community Inpatients | Doncaster | Hawthorn, Hazel, Magnolia Wards |
| Doncaster Community Intermediate Care Pathway | Doncaster | Falls service |
| Doncaster Specialist Continence Service | Doncaster | Adult continence service |
| Doncaster CYPF Specialist Nursing Service  | Doncaster | Childrens Diabetes & Epilepsy specialist nurse, Community Nursing, Continence Specialist |
| Doncaster Diabetes Specialist Nursing Service | Doncaster | Adult Epilepsy specialist nursing |
| Doncaster Dietetic Services | Doncaster | Dietician service |
| Doncaster Drug and Alcohol Services | Doncaster | Drug and Alcohol services for adults |
| Doncaster Epilepsy Specialist Nursing Service  | Doncaster | Adult Epilepsy Speciailist services |
| Doncaster Learning Disabilities Service | Doncaster | Learning disabilities service - adult |
| Doncaster Neuro Services | Doncaster | Neurology services |
| Doncaster Occupational Therapy Services | Doncaster | Community OT services |
| Doncaster Community Parkinson's Disease Specialist Team | Doncaster | Parkinson Disease services |
| Doncaster Physiotherapy Services  | Doncaster | Community Physiotherapy services |
| Doncaster Podiatry Services | Doncaster | Community Podiatry including nail surgery and Biomechanics |
| Doncaster Project 3 - Young Peoples Health & Wellbeing | Doncaster | Sexual Health, Stop smoking advice, Counselling for children |
| Doncaster Psychological Therapy Services  | Doncaster | IaPT - Adult service - |
| Doncaster Respiratory Specialist Nursing Service  | Doncaster | Respiratory nurse service / Home Oxygen Therapy |
| Doncaster Speech and Language Therapy Services | Doncaster | Community Speech Therapy service |
| Doncaster St John's Counselling and Bereavement Service | Doncaster | Counselling service |
| Doncaster St John's Hospice | Doncaster | Palliative community & inpatient service |
| Doncaster - The Living Well Cancer Information Service | Doncaster | Information service |
| Doncaster Stop Smoking Service  | Doncaster | Smoking in pregnancy service |
| Doncaster Community Stroke Rehabilitation Team | Doncaster | Stroke rehabilitation service |
| Doncaster TB Specialist Nursing Service  | Doncaster | Screening & treatment for TB |
| Doncaster Telehealth Services | Doncaster | Patient monitoring  |
| Doncaster Tissue Viability and Lymphoedema Service | Doncaster | Tissue Viability & Lymphoedema |
| Doncaster Viral Hepatitis Specialist Nursing Service  | Doncaster | Hepatitis screening & treatment |
| Doncaster Wheelchair and Specialist Seating Services | Doncaster | Wheelchair & seating issue,  |
| Doncaster Community Inpatients | Doncaster | Community intermediate care wards |
| Doncaster Community Mental Health Services  | Doncaster | All Community MH |
| **North & Northeast Lincs Units** |  |  |
| North Lincs Psychological Therapy Services  | North Lincs | IaPT - Adult service - |
| North Lincs Children Young People & Families | North Lincs | Children's core services 0-19ys including LAC  |
| North Lincs Learning Disabilities  | North Lincs | Learning disabilities service - adult |
| North Lincs Community Mental Health Services  |   | All Community MH |
| **Rotherham Units** |  |  |
| Rotherham Psychological Therapy Services  | Rotherham | IaPT - Adult service - |
| Rotherham Drug and Alcohol Services | Rotherham | Childrens Substance Misuse services only |
| Rotherham Learning Disabilities Service  | Rotherham | Learning disabilities service - adult |
| Rotherham Community Mental Health Services  | Rotherham | All Community MH |

Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust

|  |  |  |
| --- | --- | --- |
| **Name Unit** | **Area** | **Services Covered** |

|  |  |  |
| --- | --- | --- |
| Physiotherapy | Doncaster/Bassetlaw | InpatientsOutpatientsAcuteRespiratoryRehabMSKRheumatologyPaediatric MSKWomen’sCommunity PhysioHand ClinicGP Physio ClinicsGroup Physio Clinics |
| Dietetics | Doncaster/Bassetlaw | InpatientsGeneral Outpatient ClinicsPaediatric DieteticsTier 3 ServiceGeneral Community Dietetics |
| Occupational Therapy | Doncaster/Bassetlaw | InpatientsOutpatientsRheumatology OTFibromyalgiaPaediatric OTHand Clinic OTCommunity OT |

**IF YOU ARE NOT HAPPY TO SHARE YOUR ELECTRONIC RECORD WITH THESE ORGANISATIONS, PLEASE LET US KNOW AS SOON AS POSSIBLE SO THAT WE CAN RECORD YOUR REFUSAL OF PERMISSION AND STOP YOUR RECORD BEING ACCESSED OUT SIDE OF THE GP PRACTICE.**

**Organisations we make your record available to, subject to you providing a security code**

It is not always possible to predict the specific health and social care services that you may require in the future. For example, you may require a specialist service or need to be treated whilst away on holiday in another part of the country. Therefore, where we have assumed your consent we make your electronic health (and where applicable social care) record available to organisations subject to you providing them with a verification (security) code if/when you present there for care; it’s similar to the verification (security) process you may be familiar with using for internet banking. Without this code the organisation will not be able to access your record.

Verification only applies to those health and social care organisations, using the clinical record computer system SystmOne, who are not mentioned above, as those who we have chosen to automatically share with (see above), or those mentioned below who we have chosen not to share with (see below). All other NHS commissioned services and local authorities providing health and social care services, using SystmOne, must ask you to provide verification via a PIN number sent to your phone and/or email address. Without this PIN number provided to the organisations, they will be unable to access your electronic record unless you put that organisation on your personal sharing list, or ask the GP practice to add them to their sharing list.

You will only be required to provide the PIN number to that particular organisation once (e.g. each referral, A&E attendance, contact with an out of hour’s service). As soon as the verification (security) code is provided, the individuals at the organisation will continue to have access to your record to treat you for that particular matter/condition/referral, until you change your mind and ask that organisation to record refusal of your permission. Only staff with the appropriate job functions, granted to them by the organisation and only those providing you with care services, should legitimately access your record, once they have obtained your consent.

**Organisations we do not make your record available to and are prevented from obtaining a security code from you**

As time goes on there may be a list of health and social care organisations that we prevent your detailed SystmOne electronic health (and where applicable social care) record from being available to, no matter whether your consent has been obtained. [These organisations are stated below] [You can ask for a printed list of these organisations]. We do not expect that these health and social care services will ever need to access your detailed electronic record, nor do we consider that we have sufficient information about their data access and security policies to make your record available.

If you wish to ensure that one or all of these organisations can access your record then the options available to you are explained below in ‘Your Choice’.

The list of organisations – we have no applicable organisations at this time.

**Your Choice.**

You may not agree with the choice the practice has made to imply your consent to access your electronic record. You also may not be happy with the organisations that have been chosen to access your electronic medical record. If this is the case you can control this access yourself. Your choice will override our settings. You have the following options:

* **No organisations require you to provide a security code –** You can give your permission to allow all NHS commissioned services and local authorities providing health and social care services, using the clinical record system, SystmOne, to access your record, when you are registered for care with them. These services should only legitimately access your record to provide you with care services and they **should always** **request and gain your consent before doing so.**
* **Dissent / Refusal of your permission –** You can refuse your permission for your record to become available to all NHS commissioned services and local authorities providing health and social care services, using the clinical records system SystmOne, to access your record. This prevents us from sharing your clinical record to any other organisation involved in your care.
* **All organisations require you to provide a security code –** You can require that ALL health and social care organisations must ask for a PIN number on your first visit to that service. This allows you to verify/confirm that each individual organisation should have access to your record, as they are legitimately involved in your care. You will require access to either a mobile phone or email account, as a PIN will be sent to you. Alternatively, you will need access to SystmOnline to accept or reject a share request sent to your account by the organisation wishing to view your record. Please contact us to request access to SystmOnline.
* **Custom lists** - You can put together your own personal lists for access, adding organisations to each of the 3 lists i.e. does not require a security code (allowed list), requires a security code (verification list) and cannot access (prohibited list). The functionality for each list will act as described above, but it is you who can determine the level of access, which applies to them. This should be done in conjunction with your GP to ensure you understand the full implications of your decisions.
* **Marking items as private** – If you have had a consultation about a particularly sensitive matter, you can ask for this section of your record to be marked as private. That way, even if you consent for another service to see your record, that consultation will not be shown outside the organisation that recorded it. However, if the consent override function is used, then consultations marked as private can be accessed by the other service/organisation performing the override.

When deciding which option to choose it is important to consider that your detailed record allows for an overall picture of your health and wellbeing to be assessed. This in turn helps health and social care professionals diagnose and prescribe appropriate courses of treatment to you. This ensures that the most safe and efficient care is provided. It will prevent you from having to repeat your medical history and remember every detail, which may or may not be relevant, to every health and social care professional involved in your care. Lack of access to your information may lead to misdiagnosis, inappropriate prescribing of medication or tests and/or ineffective treatment.

You can make the above changes at any time by contacting your GP Practice or, by logging onto your SystmOnline account.