

## How Raleigh Surgery uses your information to provide you with healthcare

**This practice keeps medical records confidential and complies with the General Data Protection Regulation.**

**We hold your medical record so that we can provide you with safe care and treatment.**

**We will also use your information so that this practice can check and review the quality of the care we provide. This helps us to improve our services to you.**

- We will share relevant information from your medical record with other health or social care staff or organisations when they provide you with care. For example, your GP will share information when they refer you to a specialist in a hospital. Or your GP will send details about your prescription to your chosen pharmacy.
- This practice is a member of the [East Devon Health federation](#) of GP practices and works collaboratively with other member practices for the purpose of delivering the best possible healthcare to patients in east Devon. To enable us to optimise the available resources with your needs you may be referred to other member health partners for treatment and will be given access to your health record to facilitate this treatment. You have the right to opt out if you do not wish your data to be shared under this arrangement. For more information on how we share your information with other GP practices and any other organisation who are directly involved in your care please contact the surgery.
- Healthcare staff working in A&E and out of hours care will also have access to your information. For example, it is important that staff who are treating you in an emergency know if you have any allergic reactions. This will involve the use of your Summary Care Record. For more information see: <https://digital.nhs.uk/summary-care-records> or alternatively speak to your practice.
- You have the right to object to information being shared for your own care. Please speak to the practice if you wish to object. You also have the right to have any mistakes or errors corrected.

## Other important information about how your information is used to provide you with healthcare

### **Registering for NHS care**

- All patients who receive NHS care are registered on a national database.
- This database holds your name, address, date of birth and NHS Number but it does not hold information about the care you receive.
- The database is held by NHS Digital a national organization which has legal responsibilities to collect NHS data.
- More information can be found at: <https://digital.nhs.uk/> the phone number for general enquires at 0300 303 5678

### **Identifying patients who might be at risk of certain diseases**

- Your medical records will be searched by a computer programme so that we can identify patients who might be at high risk from certain diseases such as heart disease or unplanned admissions to hospital.
- This means we can offer patients additional care or support as early as possible.
- This process will involve linking information from your GP record with information from other health or social care services you have used.
- Information which identifies you will only be seen by this practice.
- More information can be found by speaking to the practice.

### **Safeguarding**

- Sometimes we need to share information so that other people, including healthcare staff, children or others with safeguarding needs, are protected from risk of harm.
- These circumstances are rare.
- We do not need your consent or agreement to do this.

- Please see our local policies for more information:

## **e-Consult - Consulting your doctor online**

- We use e-Consult an online tool where you can get advice and treatment or get self-help.
- e-Consult are a third party organisation and by using this tool you are submitting your information to them. This information is then submitted to our practice for review by our GPs.
- The e-Consult privacy notice can be found here: <https://econsult.net/privacy-policy/>

## **Not a patient but perhaps a relative, friend, next of kin or otherwise have an involvement with a patient?**

It is possible that we also hold information on you as part of someone else's record. The nature of the information held about you will depend on the circumstances that the information was collected for. For instance if you have been named as patient Next of Kin we will hold your name and a means of contacting you such as a phone number or address. Under Data Protection law you will be entitled to receive a copy of this information unless there is good reason not to provide it.

We are required by law to provide you with the following information about how we handle your information.

<b>Data Controller</b> contact details	Raleigh Surgery, 33 Pines Road, Exmouth, EX8 5NH
<b>Data Protection Officer</b> contact details	Please email <a href="mailto:DDOOH.IRM@nhs.net">DDOOH.IRM@nhs.net</a>
<b>Purpose</b> of the processing	<ul style="list-style-type: none"> <li>• To give direct health or social care to individual patients.</li> <li>• For example, when a patient agrees to a referral for direct care, such as to a hospital, relevant information about the patient will be shared with the other healthcare staff to enable them to give appropriate advice, investigations, treatments and/or care.</li> <li>• To check and review the quality of care. (This is called audit and clinical governance).</li> </ul>

	<ul style="list-style-type: none"> <li>• Sharing of Special Patient Notes (SPN's) with out of hours services to assist in the delivery of patient care. This includes information such as End of life status, challenging behavior, domestic circumstances and other relevant information that may influence the manner in which health care services are delivered.</li> <li>• Data is shared with other organisations to ensure that care is delivered effectively and safely to patients.</li> <li>• Data is shared with other organisations to ensure that vulnerable patients including children are safeguarded. Data will be shared with other organisations to safeguard providers of health care from harm or risk to their wellbeing.</li> </ul>
<p><b>Lawful basis for processing</b></p>	<p>These purposes are supported under the following sections of the GDPR:</p> <p><i>Article 6(1)(c) "...necessary in order to protect the vital interest of the data subject or another natural person."</i></p> <p><i>Article 6(1)(f) "...necessary for the purpose of legitimate interest..."</i></p> <p><i>Article 9(2)(b) "...necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law..." (specifically the safeguarding of children and vulnerable adults)</i></p> <p><i>Article 6(1)(e) '...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...'; and</i></p> <p><i>Article 9(2)(h) 'necessary for the purposes of preventative or occupational medicine for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...'</i></p> <p>Healthcare staff will also respect and comply with their obligations under the common law duty of confidence.</p> <ul style="list-style-type: none"> <li>•</li> </ul>
<p><b>Recipient or categories of recipients of the processed data</b></p>	<p>The data will be shared with:</p> <ul style="list-style-type: none"> <li>• healthcare professionals and staff in this surgery;</li> <li>• local hospitals;</li> <li>• out of hours services (specifically Devon Doctors Ltd);</li> <li>• diagnostic and treatment centres;</li> <li>• or other organisations involved in the provision of direct care</li> </ul>

	to individual patients.
<b>Rights to object</b>	<ul style="list-style-type: none"> <li>You have the right to object to information being shared between those who are providing you with direct care.</li> <li>This may affect the care you receive – please speak to the practice.</li> <li>You are not able to object to your name, address and other demographic information being sent to NHS Digital.</li> <li>This is necessary if you wish to be registered to receive NHS care.</li> <li>You are not able to object when information is legitimately shared for safeguarding reasons.</li> <li>In appropriate circumstances it is a legal and professional requirement to share information for safeguarding reasons. This is to protect people from harm.</li> <li>The information will be shared with the local safeguarding service</li> </ul>
<b>Right to access and correct</b>	<ul style="list-style-type: none"> <li>You have the right to access your medical record and have any errors or mistakes corrected. Please speak to a member of staff.</li> <li>We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view.</li> </ul>
<b>Retention period</b>	<p>GP medical records will be kept in line with the law and national guidance. Information on how long records are kept can be found at: <a href="https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016">https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</a> or speak to the practice.</p>
<b>Right to complain</b>	<p>Please let us know if you are unhappy with how we have used your personal information. You can contact us at D-CCG.RaleighSurgery@nhs.net</p> <p>You have the right to complain to the Information Commissioner’s Office. If you wish to complain follow this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a> or call the helpline <b>0303 123 1113</b></p>
<b>Data we get from other</b>	We receive information about your health from other organisations

# East Devon Health

<b>organisations</b>	who are involved in providing you with health and social care. For example, if you go to hospital for treatment or an operation the hospital will send us a letter to let us know what happens. This means your GP medical record is kept up-to date when you receive care from other parts of the health service.
----------------------	--

## How your information is used for medical research and to measure the quality of care

### Checking the quality of care - national clinical audits

Raleigh Surgery contributes to national clinical audits so that healthcare can be checked and reviewed.

- Information from medical records can help doctors and other healthcare workers measure and check the quality of care which is provided to you.
- The results of the checks or audits can show where hospitals are doing well and where they need to improve.
- The results of the checks or audits are used to recommend improvements to patient care.
- Data are sent to NHS Digital, a national body with legal responsibilities to collect data.
- The data will include information about you, such as your NHS Number and date of birth and information about your health which is recorded in coded form - for example the code for diabetes or high blood pressure.
- We will only share your information for national clinical audits or checking purposes when the law allows.
- For more information about national clinical audits see the Healthcare Quality Improvements Partnership website: <https://www.hqip.org.uk/> or phone 020 7997 7370.
- You have the right to object to your identifiable information being shared for national clinical audits. Please contact the practice if you wish to object.





We are required by law to provide you with the following information about how we share your information for medical research purposes.

<b>Data Controller</b> contact details	Raleigh Surgery, 33 Pines Road, Exmouth, EX8 5NH
<b>Data Protection Officer</b> contact details	DPO, Devon Doctors, 01392 822352
<b>Purpose</b> of the processing	Medical research and to check the quality of care which is given to patients (this is called national clinical audit).
<b>Lawful basis</b> for processing	<p>The following sections of the GDPR mean that we can use medical records for research and to check the quality of care (national clinical audits)</p> <p>Article 6(1)(e) – ‘processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller’.</p> <p>For medical research: there are two possible Article 9 conditions.</p> <p>Article 9(2)(j) – ‘processing is necessary for... scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member States law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and interests of the data subject’.</p> <p>To check the quality of care (clinical audit): Article 9(2)(h) – ‘processing is necessary for the purpose of preventative...medicine...the provision of health or social care or treatment or the management of health or social care systems and services...’</p>
<b>Recipient or categories of recipients</b> of the processed data	For national clinical audits which check the quality of care the data will be shared with NHS Digital.
<b>Rights to object and the national data opt-out</b>	<p>You have a right to object under the GDPR and the right to ‘opt-out’ under the national data opt-out model. The national data opt-out model provides an easy way for you to opt-out of:</p> <p>information that identifies you being used or shared for medical</p>

	<p>research purposes and quality checking or audit purposes.</p> <p>Please contact the practice if you wish to opt-out.</p>
<b>Right to access and correct</b>	<ul style="list-style-type: none"> <li>You have the right to access your medical record and have any errors or mistakes corrected. Please speak to a member of staff or look at our 'subject access request' policy on the practice website – <a href="http://www.raleighsurgery.co.uk/">http://www.raleighsurgery.co.uk/</a></li> <li>We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view.</li> </ul>
<b>Retention period</b>	<p>GP medical records will be kept in line with the law and national guidance. Information on how long records are kept can be found at: <a href="https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016">https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</a> or speak to the practice.</p>
<b>Right to complain</b>	<p>You have the right to complain to the Information Commissioner's Office. If you wish to complain follow this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a> or call the helpline <b>0303 123 1113</b></p>



## **How your information is shared so that this practice can meet legal requirements**

The law requires Raleigh Surgery to share information from your medical records in certain circumstances. Information is shared so that the NHS or Public Health England can, for example:

- plan and manage services;
- check that the care being provided is safe;
- prevent infectious diseases from spreading.

We will share information with NHS Digital, the Care Quality Commission and local health protection team (or Public Health England) when the law requires us to do so. Please see below for more information.

We must also share your information if a court of law orders us to do so.

## **NHS Digital**

- NHS Digital is a national body which has legal responsibilities to collect information about health and social care services.
- It collects information from across the NHS in England and provides reports on how the NHS is performing. These reports help to plan and improve services to patients.
- This practice must comply with the law and will send data to NHS Digital, for example, when it is told to do so by the Secretary of State for Health or NHS England under the Health and Social Care Act 2012.
- More information about NHS Digital and how it uses information can be found at: <https://digital.nhs.uk/home>
- NHS Digital sometimes shares names and addresses of patients suspected of



committing immigration offences with the Home Office. More information on this can be found here: <https://www.gov.uk/government/publications/information-requests-from-the-home-office-to-nhs-digital>

### **Care Quality Commission (CQC)**

- The CQC regulates health and social care services to ensure that safe care is provided.
- The law says that we must report certain serious events to the CQC, for example, when patient safety has been put at risk.
- For more information about the CQC see: <http://www.cqc.org.uk/>



## Public Health

- The law requires us to share data for public health reasons, for example to prevent the spread of infectious diseases or other diseases which threaten the health of the population.
- We will report the relevant information to local health protection team or Public Health England.
- For more information about Public Health England and disease reporting see: <https://www.gov.uk/guidance/notifiable-diseases-and-causative-organisms-how-to-report>



We are required by law to provide you with the following information about how we handle your information and our legal obligations to share data.

<b>Data Controller</b> contact details	Raleigh Surgery, 33 Pines Road, Exmouth, EX8 5NH
<b>Data Protection Officer</b> contact details	DPO, Devon Doctors, 01392 822352
<b>Purpose</b> of the processing	Compliance with legal obligations or court order.
<b>Lawful basis</b> for processing	<p>The following sections of the GDPR mean that we can share information when the law tells us to.</p> <p>Article 6(1)(c) – ‘processing is necessary for compliance with a legal obligation to which the controller is subject...’</p> <p>Article 9(2)(h) – ‘processing is necessary for the purpose of preventative...medicine...the provision of health or social care or treatment or the management of health or social care systems and services...’</p>
<b>Recipient or categories of recipients</b> of the processed data	<ul style="list-style-type: none"> <li>• The data will be shared with NHS Digital.</li> <li>• The data will be shared with the Care Quality Commission.</li> <li>• The data will be shared with our local health protection team or Public Health England.</li> <li>• The data will be shared with the court if ordered.</li> </ul>
<b>Rights to object and the national data opt-out</b>	<p>There are very limited rights to object when the law requires information to be shared but government policy allows some rights of objection as set out below.</p> <p>NHS Digital</p> <ul style="list-style-type: none"> <li>• You have the right to object to information being shared with NHS Digital for reasons other than your own direct care.</li> <li>• This is called a ‘Type 1’ objection – you can ask your practice to apply this code to your record.</li> <li>• Please note: The ‘Type 1’ objection, however, will no longer be available after 2020.</li> <li>• This means you will not be able to object to your data being</li> </ul>



	<p>shared with NHS Digital when it is legally required under the Health and Social Care Act 2012.</p> <p>NHS Digital sharing with the Home Office</p> <ul style="list-style-type: none"> <li>• There is no right of objection to NHS Digital sharing names and addresses of patients who are suspected of having committed an immigration offence.</li> </ul> <p>Public health</p> <ul style="list-style-type: none"> <li>• Legally information must be shared under public health legislation. This means that you are unable to object.</li> </ul> <p>Care Quality Commission</p> <ul style="list-style-type: none"> <li>• Legally information must be shared when the Care Quality Commission] needs it for their regulatory functions. This means that you are unable to object.</li> </ul> <p>Court order</p> <ul style="list-style-type: none"> <li>• Your information must be shared if it ordered by a court. This means that you are unable to object.</li> </ul>
<p><b>Right to access and correct</b></p>	<ul style="list-style-type: none"> <li>• You have the right to access your medical record and have any errors or mistakes corrected. Please speak to a member of staff or look at our 'subject access request' policy on the practice website – <a href="http://www.raleighsurgery.co.uk/">http://www.raleighsurgery.co.uk/</a></li> <li>• We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view.</li> </ul>
<p><b>Retention period</b></p>	<p>GP medical records will be kept in line with the law and national guidance. Information on how long records are kept can be found at: <a href="https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016">https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</a> or speak to the practice.</p>
<p><b>Right to complain</b></p>	<p>You have the right to complain to the Information Commissioner's Office. If you wish to complain follow this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a> or call the helpline <b>0303 123 1113</b></p>

### National screening programmes

- The NHS provides national screening programmes so that certain diseases can be detected at an early stage.
- These screening programmes include bowel cancer, breast cancer, cervical cancer, aortic aneurysms and a diabetic eye screening service.
- The law allows us to share your contact information with Public Health England so that you can be invited to the relevant screening programme.
- More information can be found at: <https://www.gov.uk/topic/population-screening-programmes> or speak to the practice.

We are required by law to provide you with the following information about how we handle your information in relation to our legal obligations to share data.

<b>Data Controller</b> contact details	Raleigh Surgery, 33 Pines Road, Exmouth, EX8 5NH
<b>Data Protection Officer</b> contact details	DPO, Devon Doctors, 01392 822352
<b>Purpose</b> of the processing	<ul style="list-style-type: none"> <li>• The NHS provides several national health screening programmes to detect diseases or conditions early such as cervical and breast cancer, aortic aneurysm and diabetes.</li> <li>• The information is shared so that the correct people are invited for screening. This means those who are most at risk can be offered treatment.</li> </ul>

<p><b>Lawful basis for processing</b></p>	<p>The following sections of the GDPR allow us to contact patients for screening.</p> <p>Article 6(1)(e) – ‘processing is necessary...in the exercise of official authority vested in the controller...’</p> <p>Article 9(2)(h) – ‘processing is necessary for the purpose of preventative...medicine...the provision of health or social care or treatment or the management of health or social care systems and services...’</p>
<p><b>Rights to object</b></p>	<p>For national screening programmes: you can opt so that you no longer receive an invitation to a screening programme.</p> <p>See: <a href="https://www.gov.uk/government/publications/optiming-out-of-the-nhs-population-screening-programmes">https://www.gov.uk/government/publications/optiming-out-of-the-nhs-population-screening-programmes</a></p> <p>Or speak to your practice.</p>
<p><b>Right to access and correct</b></p>	<ul style="list-style-type: none"> <li>• You have the right to access your medical record and have any errors or mistakes corrected. Please speak to a member of staff or look at our ‘subject access request’ policy on the practice website – <a href="http://www.raleighsurgery.co.uk/">http://www.raleighsurgery.co.uk/</a></li> <li>• We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view.</li> </ul>
<p><b>Retention period</b></p>	<p>GP medical records will be kept in line with the law and national guidance.</p> <p>Information on how long records can be kept can be found at: <a href="https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016">https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</a> or speak to the practice.</p>
<p><b>Right to complain</b></p>	<p>You have the right to complain to the Information Commissioner’s Office. If you wish to complain follow this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a> or call the helpline 0303 123 1113</p>
<p><b>Data we get from other organisations</b></p>	<p>We receive information about your health from other organisations who are involved in providing you with health and social care. For example, if you go to hospital for treatment or an operation the hospital will send us a letter to let us know what happens. This means your GP medical record is kept up-to date when you receive care from other parts of the health service.</p>



DRAFT