

Adelaide & St. Levan Surgery

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Privacy Notice

This privacy notice describes the data, the practice holds about you, why we hold it, where and how we store it, how long for and how we protect it. It also tells you about your rights under the Data Protection Legislation and how the law protects you.

Who we are and what do we do?

Adelaide and St Levan Surgery is a Data Controller for the data we hold about you. We hold your data in order to provide you with health and social care.

What is personal data and what data do we use?

Your personal data is any information that can be connected to you personally. If you can be identified from the data, it is personal data. The types of personal data we use and hold about you are:

- Details about you: your name, address, contact number, email address, date of birth, gender and NHS number. We may also hold information about your emergency contact, next of kin and carer.
- Details about your medical care: medical diagnosis, record of treatment received, referrals, history of prescribed medication, results of investigations such as X-rays etc.
- Information provided by you: this includes correspondence relating to feedback, concerns and complaints about the service you have received.
- Relevant information from other healthcare professionals, relatives or those who care for you.
- There may occasionally be other data that we may hold about some individuals that has been provided to us

We may also hold the following information about you:

- Religion or other beliefs of a similar nature,
- Family, lifestyle and/or social circumstances,
- Employment details,
- Financial details.

When we collect your mobile number we use it to text you to remind you of appointments and, for example notifying you about temporary changes to our opening hours, requests to call the surgery, upcoming event information, new services and clinics etc. If you no longer

wish to receive communication this way, please let a member of staff know who will be able to update your preferences.

When we collect your email address, we use it to e.g. verify and validity of an email address if we receive and email from you, to send encrypted links to reports you may have requested etc. We only send patient identifiable information via email via a [secure] link If you no longer wish to receive communication this way, please let a member of staff know who will be able to update your preferences.

Why do we process your data and what legal basis do we have to process your data?

In order to process your personal data or share your personal data outside of the practice, we need a legal basis to do so. If we process or share special category data, such as health data, we will need an additional legal basis to do so.

We rely upon Article 6(1)(e) (public interest task) and Article 9(2)(h) (health and social care) for most of our processing and sharing, in particular to:

- Provide you with health and social care,
- Share data from, or allow access to, your GP record, for healthcare professionals involved in providing you with health and social care,
- Receive data from or access your data on other NHS organisation clinician systems,
- Work effectively with other organisations and healthcare professionals who are involved in your care,
- Ensure that your treatment and advice, and the treatment of others is safe and effective,
- Participate in National Screening Programmes,
- Use a computer program to identify patients who might be at risk from certain diseases or unplanned admissions to Hospitals,
- Help NHS Digital and the practice to conduct clinical audits to ensure you are being provided with safe, high quality care,
- Support medical research when the law allows us to do so
- Supply data to help plan and manage services and prevent infectious diseases from spreading.

We rely upon Article 6(1)(d) (vital interest) and Article 9(2)(c) (vital interests) to share information about you with another healthcare professional in a medical emergency.

We rely upon Article 6(1)(e) (public interest task) and Article 9(2)(g) (substantial public interest) to support safeguarding for patients who, for instance, may be particularly vulnerable to protect them from harm or other forms of abuse.

We rely upon Article 6(1)(c) (legal obligation) and Article 9(2)(h) to share your information for mandatory disclosures of information (such as NHS Digital, CQC and Public Health England).

We rely upon Article 6(1)(c) (legal obligation) and Article 9(2)(f) (legal claims) to help us investigate legal claims and if a court of law orders us to do so.

We rely upon Article 6(1)(a) (consent) and Article 9(2)(a) (explicit consent), in order to:

- Help the practice investigate any feedback, including patient surveys, complaints or concerns you may have about contact with the practice,
- Help manage how we provide you with services from the practice, for example, when you nominate individuals to contact the practice on your behalf,
- Share your information with third parties, for example, insurance companies and medical research organisations.

We also use anonymised data to plan and improve health care services. Specifically, we use it to:

- Review the care being provided to make sure it is of the highest standard,
- Check the quality and efficiency of the services we provide,
- Prepare performance reports on the services we provide.

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

How do we collect your data?

The practice collects data that you provide when you:

- Receive treatment or care from the practice,
- Contact the practice by telephone (all telephone calls received and made by the practice are recorded), online or in person,
- Complete a form electronically or in paper,
- Contact the practice via a Social Network (for example if you communicate with the practice through Facebook)
- Visit the practice's website (If cookies are enabled).

We receive information about you from other providers to ensure that we provide you with effective and comprehensive treatment. These providers may include:

- The GP Practices within the Waterside Primary Care Network
- Other GP Practices
- NHS Trusts/Foundation Trusts
- NHS Commissioning Support Units (CSUs)
- Community Services (District Nurses, Rehabilitation Services and out of hours services)
- Ambulance or emergency services
- Independent contractors such as Pharmacies, Dentists and Opticians
- Devon Clinical Commission Group (CCG)
- NHS Digital
- NHS England
- Local authorities
- Health and Social Care Information Centre (HSCIC)
- Police and Judicial Services
- Educational Services
- NHS 111
- Public Health England and Screening
- Non-NHS health care providers
- Research providers

We also use KLINIK which is an online tool that allows you to get advice and treatment, request sick notes and results or self-help.

KLINIK is provided by a third-party organisation and by using KLINIK. You can also use KLINIK in conjunction with the NHSApp. (Further information regarding the role of NHS England and the practice can be found: <https://www.nhs.uk/using-the-nhs/nhs-services/the-nhs-app/privacy/online-consultations/>)

Is my personal data safe with Klinik?

Potentially sensitive data is stored within the UK using technical architecture, processes and security features approved by the NHS. Klinik assures compliance with regulatory and legal requirements for both UK and EU, i.e., GDPR in general, Data Security and Protection Toolkit (NHS) and Cyber essentials (NHS). We are the data controller and Klinik acts as a data processor meaning that all personal data is accessed only by GP practices and professionals.

Who do we share your data with?

In order to deliver and coordinate your health and social care, we may sometimes share information with other organisations. We will only ever share information about you if other agencies involved in your care have a genuine need for it. Anyone who receives information from the practice is under a legal duty to keep it confidential and secure.

Please be aware that there may be certain circumstances, such as assisting the police with the investigation of a serious crime, where it may be necessary for the practice to share your personal information with external agencies without your knowledge or consent.

We may share information with the following organisations:

- The GP Practices within the Waterside Primary Care Network (Devonport Health Centre, West Hoe Surgery, Stoke Surgery, Peverell Park Surgery and University Medical Centre and St Neots Surgery)
- Other GP Practices
- NHS Trusts/Foundation Trusts
- Devon Clinical Commission Group (CCG)
- NHS Commissioning Support Units
- Community Services (District Nurses, Rehabilitation Services and out of hours services)
- Ambulance or emergency services
- Independent contractors such as Pharmacies, Dentists and Opticians
- Local authorities
- Multi-Agency Safeguarding Hub (MASH)
- Health and Social Care Information Centre (HSCIC)
- Police and Judicial Services
- Educational Services
- Fire and Rescue Services
- NHS 111
- The Care Quality Commission, ICO and other regulated auditors
- Public Health England and Screening

- NHS England
- NHS Digital
- Non-NHS health care providers
- Research providers
- Direct care providers via the DCCR (Devon and Cornwall care Record)

In addition to sharing data with the above services, the practice will also use carefully selected third party service providers that process data on behalf of the practice. When we use a third party service provider, 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 responsibly to ensure the protection of your data. Examples of functions that may be carried out by third parties includes:

- *Organisations 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 video consultation, appointment bookings or electronic prescription services; document management services etc.*
- *Organisations who are delivering services on behalf of the practice (for example conducting Medicines Management Reviews to ensure that you receive the most appropriate, up to date and cost-effective treatments or supporting practices in offering choices of providers and appointments to patients who are being referred via the NHS E-Referral system).*
- *Delivery services (for example if we were to arrange for delivery of any medicines to you).*
- *Payment providers (if for example you were paying for a prescription or a service such as travel vaccinations).*

For further information of who we share your personal data with and our third-party processors, please contact reception at Adelaide or S Levan Surgery who will put you in touch with the appropriate team member.

Where do we store your data?

We use a number of IT systems and tools to store and process your data, on behalf of the practice. Examples of tools we use include our Core Clinical System (TPP - systmone), NHSmail, Microsoft 365, eConsult and AccuRx.

For further information on this, please contact reception at Adelaide or S Levan Surgery who will put you in touch with the appropriate team member.

Enhanced Data Sharing Module:

We share your record using Enhanced Data Sharing Module to make sure that, whether you are visiting the practice, attending hospital, or being seen in the community or at home by a care professional, everyone knows the care you need and how you want to be treated. Your electronic health record is available to the practices in Waterside Primary Care Network and other local providers e.g. UHP, Livewell, St Lukes who are involved in your care. This

includes the sharing of, personal contact details, diagnosis, medications, allergies and test results. Your records will be treated with the strictest confidence and can only be viewed if you use their service.

Please note that if you have previously dissented (opted-out) to sharing your records, this decision will be upheld, and your record will only be accessed by the practice. Should you wish to opt-out of, please speak to the Reception Teams who will be able to update your personal preferences. **Please note that by opting out of this sharing, other health professionals may not be able to see important medical information, which may impact on the care you receive.**

Summary Care Record (SCR)

NHS England have implemented the SCR which contains information about you; including your name, address, data of birth, NHS number, medication you are taking and any bad reactions to medication that you have had in the past. This information is automatically extracted from your records and uploaded onto a central system.

Many patients who are seen outside of their GP Practice are understandably not able to provide a full account of their care or may not be in a position to do so. The SCR means patients do not have to repeat their medical history at every care setting and the healthcare professional they are seeing is able to access their SCR. The SCR can only be viewed within the NHS on NHS smartcard-controlled screens or by organisations, such as pharmacies, contracted to the NHS.

As well as this basic record, additional information can be added to include further information. However, any additional data will only be uploaded if you specifically request it and with your consent. You can find out more about the SCR here:

<https://digital.nhs.uk/services/summary-care-records-scr>

Summary Care Record supplementary transparency notice - Information for patients explaining how health and social care organisations may use your Summary Care Record information within the health and social care system to protect you and others.

This notice describes how NHS Digital, GPs and other health and social care organisations may use your information within the health and social care system to protect you and others with regard to your [Summary Care Record](#). Please follow this link to view the supplementary transparency notice.

[Summary Care Record supplementary transparency notice - NHS Digital](#)

During the height of the pandemic changes were made to the Summary Care Record (SCR) to make additional patient information available to all appropriate clinicians when and where they needed it, to support direct patients care, leading to improvements in both care and outcomes.

These changes to the SCR will remain in place, unless you decide otherwise.

Regardless of your past decisions about your Summary Care Record preferences, you will still have the same options that you currently have in place to opt out of having a Summary Care Record, including the opportunity to opt-back in to having a Summary Care Record or opt back in to allow sharing of Additional Information.

You can exercise these choices by doing the following:

1. **Choose to have a Summary Care Record with all information shared.** This means that any authorised, registered and regulated health and care professionals will be able to see a detailed Summary Care Record, including Core and Additional Information, if they need to provide you with direct care.
2. **Choose to have a Summary Care Record with Core information only.** This means that any authorised, registered and regulated health and care professionals will be able to see limited information about allergies and medications in your Summary Care Record if they need to provide you with direct care.
3. **Choose to opt-out of having a Summary Care Record altogether.** This means that you do not want any information shared with other authorised, registered and regulated health and care professionals involved in your direct care. You will not be able to change this preference at the time if you require direct care away from your GP practice. This means that no authorised, registered and regulated health and care professionals will be able to see information held in your GP records if they need to provide you with direct care, including in an emergency.

To make these changes, you should inform your GP practice or complete this [form](#) and return it to your GP practice.

Legal basis for sharing this data

In order for your Personal Data to be shared or processed, an appropriate 'legal basis' needs to be in place and recorded. The legal bases for direct care via SCR is the same as the legal bases for the care you would receive from your own GP, or another healthcare provider:

- for the processing of personal data: Article 6.1 (e) of the UK GDPR: 'processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller'.
- for the processing of 'Special Category Data' (which includes your medical information): Article 9.2 (h) of the UK GDPR: 'processing is necessary for the purposes of preventive 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'.

Your rights

Because the legal bases used for your care via SCR are the same as used in other direct care situations, the legal rights you have over this data under UK GDPR will also be the same- these are listed elsewhere in our privacy notice.

[Find out more about SCR](#)

The SCR improves care; however, if you do not want one, you have the right to object to sharing your data or to restrict access to specific elements of your records. This will mean that the information recorded by the practice will not be visible at any other care setting. If you wish to discuss your options regarding the SCR, please speak to a member of staff at the practice. You can also reinstate your consent at any time by giving your permission to override your previous dissent.

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.

Legal basis for sharing this data

In order for your Personal Data to be shared or processed, an appropriate “legal basis” needs to be in place and recorded. The legal bases for direct care via GP Connect is the same as the legal bases for the care you would receive from your own GP, or another healthcare provider:

- for the processing of personal data: Article 6.1 (e) of the UK GDPR: “processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller”.
- for the processing of “Special Category Data” (which includes your medical information): Article 9.2 (h) of the UK GDPR: “processing is necessary for the purposes of preventive 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”.

Your rights

Because the legal bases used for your care using GP Connect are the same as used in other direct care situations, the legal rights you have over this data under UK GDPR will also be the same- these are listed elsewhere in our privacy notice.

[Find out more about GP Connect.](#)

One Devon Dataset

As well as using your data to support the delivery of care to you, your data may be used to help improve the way health and social care is delivered to patients and service users throughout Devon using Population Health Management methods.

We will use a pseudonymised extract (ie. not identifiable information) which will be sent securely to NHS Devon ICB (Integrated Care Board) and in partnership with the Local Authorities. Data will be used to support the Devon Integrated Care System to improve short-term and medium-term health outcomes for local populations. If you would benefit from some additional care or support, your information will be shared back to the practice, or another local provider involved in your care, so that they can offer you direct care.

Further information about Population Health Management can be found here:
<https://www.england.nhs.uk/integratedcare/what-is-integrated-care/phm/>

Further information about the One Devon Dataset can be found here: [One Devon: NHS Devon Integrated Care Board responsible for the majority of NHS budget and services in Devon](#)

We will rely on public interest task as the legal basis for processing your data for this purpose. You have a right to object to your information being used in this way. If you wish to discuss this further, please contact Liz Brimacombe (Managing Partner).

National Screening Programmes

The NHS provides national screening programmes so that certain diseases can be detected at early stages. These screening programmes include bowel cancer, breast cancer, cervical cancer, aortic aneurysms and a diabetic eye screening service. More information on the national screening programmes can be found at: <https://www.gov.uk/topic/population-screening-programmes>

Risk Stratification

Your medical records will be searched by a computer program 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 at <https://www.england.nhs.uk/ig/risk-stratification/> or speak to the practice.

Population Health Analytics

*As well as using your data to support the delivery of care to you, your data may be used to help improve the way health and social care is delivered to patients and service users throughout Devon using Population Health Management methods. We will only use a pseudonymised extract (ie. **not** identifiable information) which will be sent securely to NHS Devon CCG and in partnership with Optum. Optum have been appointed to provide technical assistance to NHS Devon CCG and use the data to support the Devon Integrated Care System to improve short term and medium-term health outcomes for local populations. Please note that at no time will patient identifiable data be used in the delivery of this programme. Patients who have a Type 1 opt-out will be excluded from this programme and will not have their data extracted for this purpose.*

Further information about Population Health Management can be found here: <https://www.england.nhs.uk/integratedcare/building-blocks/phm/> We will rely on Public interest task as the legal basis for processing your data for this purpose.

Research

We are a research practice and work with various research projects to deliver research studies and trials. Employees of the practices will access your information in order to determine whether you are suitable to be invited to participate in a study. We will only share your information with the research providers with your explicit consent.

Clinical Practice Research Datalink (CPRD)

This practice contributes to medical research and may send relevant data to CPRD. CPRD collects de-identified patient data from a network of GP practices across the UK. Primary care data is linked to a range of other health related data to provide a longitudinal, representative UK population health dataset. Further information regarding CPRD can be found here: <https://cprd.com/transparency-information>

How long do we hold your data?

We only hold your data for as long as necessary and are required to hold your data in line with the NHS Records Management Code of Practice for Health and Social Care 2016 Retention Schedule. Further information can be found online at:

<https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016>

What rights do you have?

You have various rights under the UK GDPR and Data Protection Act 2018:

Right of access:

You have the right to request access to view or request copies of the personal data, we hold about you; this is known as a Subject Access Request (SAR). In order to request access, you should:

Contact Reception at either practice and request a SAR form or request a SAR verbally. We will need to see some ID for this process.

Please note that you are entitled to a copy of your data that we hold free of charge; however, we are entitled to charge in certain circumstances where the law permits us to do so. We are also entitled to refuse a request, where the law permits us to do so. If we require a fee or are unable to comply with your request, we will notify you within 1 calendar month of your request.

CCTV

This section explains how Adelaide and St Levan Surgery uses your data when captured on CCTV. We have CCTV in operation at both sites, inside the buildings in Reception, the waiting rooms and corridors. CCTV will capture images in real time wherever the cameras are pointed (movement sensitive). These cameras may capture footage of you whilst you are on the premises. There are signs in place to inform you that cameras are in use.

Who will use this CCTV data? – Adelaide and St Levan Surgery are the data controller for all data you provide to us.

What personal data do we use in relation to CCTV? Moving images of staff, patients and visitors. Sound is not recorded.

What types of special category personal data does the CCTV collect? We do not deliberately set out to capture any special category personal data. However, cameras may incidentally record information which falls within these categories. Additionally, footage

cameras may be used as evidence regarding criminal offences or related security measures.

Why do we process data in relation to the CCTV?

- to ensure the health and safety of employees, patients and visitors to the sites
- to detect, prevent or reduce the incidence of crime
- to prevent and respond effectively to all forms of possible harassment and disorder
- to reduce the fear of crime
- to create a safer environment
- to provide emergency services assistance
- to assist with health and safety and other serious occurrences, including employment issues, for example, disciplinary investigations, where appropriate to do so
- for the defence of the surgery or its employees with regards to legal or insurance claims

Who may we share your CCTV data with?

Rarely, we may need to share your information with others. We will only do this when it is necessary, or if we are required to do so by law. We do not plan to share it with anyone else or use it for anything else. When it is necessary, we may disclose footage to specific partners. For example; we may be asked to provide footage to assist the police with their investigations. However, there is no planned regular or scheduled sharing of CCTV footage with any external organisation. Should this situation change, this privacy notice will be updated and reissued, to keep you fully aware of how the surgery plans to use CCTV footage which you may be captured in. CCTV footage will only be processed internally by senior surgery staff who are authorised to do so.

How long will the CCTV data be kept for?

Typically this is kept for 3-4 weeks or until the drive is full when it will be over written.

Right to restrict or object the use of your information:

There are certain circumstances in which you can object from your data being shared. Information regarding your rights to opt-out is detailed below:

Consent:

If the practice is relying on the consent as the basis for processing your data, you have the right to withdraw your consent at any time. Once you have withdrawn your consent, we will stop processing your data for this purpose.

However, this will only apply in circumstances on which we rely on your consent to use your personal data. Please be aware that if you do withdraw your consent, we may not be able to provide certain services to you. If this is the case, we will let you know.

National Screening Programmes:

If you do not wish to receive an invitation to the screening programmes, you can opt out at <https://www.gov.uk/government/publications/opting-out-of-the-nhs-population-screening-programmes> or speak to the practice.

Type 1 Opt-out:

You have the right to object to your confidential patient data being shared for purposes beyond your direct care by asking the practice to apply a “Type 1 opt-out to your medical records.” A type 1 opt-out prevents personal data about you, being extracted from your GP record, and uploaded to any other organisations without your explicit consent. If you wish for a Type 1 opt-out to be applied to your record, please contact the Surgery by telephone on the main lines or via email).

National Data Opt-out:

You have the right to object to your data being shared under the national data opt-out model. The national data opt-out model provides an easy way for you to opt-out of sharing data that identifies you being used or shared for medical research purposes and quality checking or audit purposes.

To opt-out of your identifiable data being shared for medical research or to find out more about your opt-out choices please ask a member of staff or go to NHS Digital’s website:

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

Cancer Registry:

The National Cancer Registration and Analysis Service is run by Public Health England and is responsible for cancer registration in England, to support cancer epidemiology, public health, service monitoring and research.

Further information regarding the registry and your right to opt-out can be found at: <https://www.gov.uk/guidance/national-cancer-registration-and-analysis-service-ncras>

Right to rectification:

You have the right to have any errors or mistakes corrected within your medical records. This applies to matters of fact, not opinion. If the information is of clinical nature, this will need to be reviewed and investigated by the practice. If you wish to have your records amended, please contact Liz Brimacombe, Managing Partner.

If your personal information changes, such as your contact address or number, you should notify the practice immediately so that we can update the information on our system. We will also ask you from time to time to confirm the information we hold for you, is correct.

Right to erasure:

The practice is not aware of any circumstances in which you will have the right to delete correct data from your medical record, which the practice is legally bound to retain. Although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the data and contact the practice if you hold a different view.

Right to complain:

Please let us know if you wish to discuss how we have used your personal data, raise a concern, make a complaint or compliment. You can contact us at the surgeries via email or telephone.

You also have the right to complain to the Information Commissioner's Office. If you wish to complain follow this link: <https://ico.org.uk/global/contact-us/> or call the helpline on **0303 123 1113**.

Data outside EEA

We do not send your personal data outside of the EEA. However, if this is required, the practice would only do so, with your explicit consent.

Data Protection Officer

The Data Protection Officer for the practice is Bex Lovewell and she can be contacted via email on d-ccg.deltppo@nhs.net or by post: Delt Shared Services Limited, BUILDING 2 – Delt, Derriford Business Park, Plymouth, PL6 5QZ.

Cookies

The practice's website uses cookies. A cookie is a small file, typically of letters and numbers, downloaded on to a device (like your computer or smart phone) when you access certain websites. Cookies allow a website to recognise a user's device. Some cookies help websites to remember choices you make (e.g. which language you prefer if you use the Google Translate feature). Analytical cookies are to help us measure the number of visitors to our website. The two types the practices uses are 'Session' and 'Persistent' cookies. Some cookies are temporary and disappear when you close your web browser, others may remain on your computer for a set period of time. We do not knowingly collect or intend to collect any personal information about you using cookies. We do not share your personal information with anyone.

What can I do to manage cookies on my devices?

Most web browsers allow some control of most cookies through the browser settings. To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, visit <http://www.allaboutcookies.org/>.

Changes to privacy notice

The practice reviews this privacy notice regularly and may amend the notice from time to time. If you wish to discuss any elements of this privacy notice, please contact reception at Adelaide or St Levan Surgery who will put you in touch with the appropriate team member.

