Privacy Notice and Data Sharing Consent for Patients

This is a privacy notice – also known as a Fair Processing Notice.

This describes how we at Frome Medical Practice use and manage the information we hold about our patients, including how we share information with other NHS organisations and with non-NHS organisations, and how we maintain the confidentiality of patient information.

Personal data is information that relates to a living individual who can be identified from that data.

We hold personal data about our patients for the purposes of providing them with appropriate care and treatment.

We keep records about the health care and treatment we provide to our patients. This helps to make sure that patients receive the best possible care from us.

We may also use personal details to issue patient satisfaction surveys relating to the services used.

Sharing data helps patients because:

- Accurate, up-to-date information is important for providing the right care;
- If a patient has to see another doctor or is referred to a specialist or to another part of the NHS, then full details of the patient's healthcare can be made available;
- Satisfaction surveys enable us to improve the way we delivers healthcare to our patients.

Sharing data helps us:

- To plan, manage and audit the health services we provides;
- To prepare statistics on our performance;
- To teach and train healthcare professionals;
- To conduct health research and development

We are registered with the Information Commissioner’s Office as a Data Controller reference Z5984928, as required by the Data Protection Act 1998.

Patients have the right to access personal information about them held by us, either to view the information in person, or to be provided with a copy. Please ask if you would like more information.

What kind of information we hold about patients:

- Their personal data, such as address and next of kin;
- Their history with us, such as appointments, vaccinations, clinic visits, emergency appointments etc;
- Notes and reports about their health;
- Details about their treatment and care;
- Results of investigations and referrals such as blood tests, x-rays, etc; and
- Relevant information from other health professionals, relatives or those who care for them.
How patient records are kept confidential

Everyone working for the NHS is subject to the Common Law Duty of Confidence.

Information provided in confidence will only be used for the purposes advised and consented to by the patient, except in circumstances where the law requires or allows us to act otherwise.

Under the Confidentiality Code of Conduct, all practice staff are required to protect patient information, to keep patients informed of how their information will be used, and to allow patients to decide about how their information can be shared.

This will be noted in patients’ records.

How patient records are shared

We share patient information with a range of organisations or individuals for a variety of lawful purposes, including:

- Disclosure to Hospitals and other NHS staff for the purposes of providing direct care and treatment to the patient, including administration;
- Disclosure to social workers or to other non-NHS staff involved in providing healthcare;
- Disclosure to specialist organisations for the purposes of clinical auditing;
- Disclosure to those with parental responsibility for patients, including guardians;
- Disclosure to carers without parental responsibility (subject to explicit consent);
- Disclosure to medical researchers for research purposes (subject to explicit consent, unless the data is anonymous);
- Disclosure to NHS managers and the Department of Health for the purposes of planning, commissioning, managing and auditing healthcare services;
- Disclosure to bodies with statutory investigative powers - e.g. the Care Quality Commission, the GMC, the Audit Commission, the Health Service Ombudsman;
- Disclosure to national generic registries - e.g. the UK Association of Cancer Registries;
- Disclosure, where necessary and appropriate, to non-statutory investigations - e.g. Members of Parliament;
- Disclosure, where necessary and appropriate, to government departments other than the Department of Health;
- Disclosure to solicitors, to the police, to the Courts (including a Coroner’s Court), and to tribunals and enquiries;
- Disclosure to the media (normally the minimum necessary disclosure subject to explicit consent)

Confidential patient-identifiable information is only shared with other organisations where there is a legal basis for it as follows:

- When there is a Court Order or a statutory duty to share patient data;
- When there is a statutory power to share patient data;
- When the patient has given his/her explicit consent to the sharing;
- When the patient has implicitly consented to the sharing for direct care purposes;

Patient information may be shared, for the purposes of providing direct patient care, with other NHS ‘provider’ organisations, such as NHS Acute Trusts (hospitals), NHS Community Health (primary care), NHS general practitioners (GPs), NHS ambulance services etc.
In such cases, the shared data must always identify the patient for safety reasons.

For the purposes of commissioning and managing healthcare, patient information may also be shared with other types of NHS organisations, such as the local Clinical Commissioning Group (CCG), and the Health & Social Care Information Centre (part of NHS England).

In such cases, the shared data is made anonymous, wherever possible, by removing all patient-identifying details, unless the law requires the patient’s identity to be included.

**Information sharing with non-NHS organisations**

For the benefit of the patient, we may also need to share patient health information with non-NHS organisations, which are also providing care to the patient.

These may include social services or private healthcare organisations.

However, we will not disclose confidential health information to third parties without the patient's explicit consent, unless there are exceptional circumstances, such as when the health or safety of others is at risk or where the law requires disclosure.

We may also be asked to share basic information about our patients, such as names and addresses, which does not include sensitive health information.

Generally, we would do this where it is necessary to assist an organisation to carry out its statutory duties.

These non-NHS organisations may include, but are not restricted to social services, education services, local authorities, the police, voluntary sector providers, and private sector providers.

As it may not be practical in such circumstances to obtain patients' explicit consent, we are informing our patients through this notice, which is referred to as a Fair Processing Notice, under the Data Protection Act 1998.

**Refusing or withdrawing consent**

The possible consequences of refusing consent will be fully explained to the patient at the time, and could include delays in receiving care.

In those instances where the legal basis for sharing of confidential personal information relies on the patient's explicit or implied consent, then the patient has the right at any time to refuse their consent to the information sharing, or to withdraw their consent previously given.

In instances where the legal basis for sharing information relies on a statutory duty/power, then the patient cannot refuse or withdraw consent for the disclosure.

**How long health records are kept**

All patient records are destroyed to comply with the NHS Retention Schedule, which sets out the appropriate length of time each type of NHS records is kept.

We do not keep patient records for longer than necessary.
All records are destroyed confidentially once their retention period has been met, and we have made the decision that the records are no longer required.

Raising a concern

Patients who have a concern about any aspect of their care or treatment at this practice, or about the way their records are managed, should contact the Practice Manager.

Additionally, patients have the right to complain to the Information Commissioner if they should ever be dissatisfied with the way we have handled or shared their personal information:

The Information Commissioner's Office (ICO)
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 or 01625 545745
Information Commissioner's Office website (www.ico.org.uk)

Further information

To learn more about how we use, manage and maintain confidentiality of patient information, please speak to the health professionals concerned with your care, or contact:

The Practice Manager
Frome Medical Practice
Frome Medical Center
Enos Way
Frome
Somerset
BA11 2FH

Tel: 01373 301300
Data Sharing Consent

We have different types of patient information sharing agreements:

- Summary Care Record
- Somerset Secondary Care Sharing
- Sharing for purposes other than direct care

We would like you to know the difference between each one to help you make the best choice about sharing your information. You can choose to share your details, or not to share your details for each one. You can change your decision at any time.

Summary Care Records – to improve your care

A central computer holds the Summary Care Records. Your Summary Care Record only contains basic information about your:

- medicines
- allergies or reactions to medicines

This record does not include details about your medical history. Only healthcare staff directly involved in your care can see this information. It makes it easier to treat you in an emergency, or while you are away from home.

The information shared could be critical in an emergency.

For more information, please see leaflet “NHS Summary Care Records”.

In the interests of your health, we recommend that you do not tick the box below.

Please Tick box if you do not want to share your records for Summary Care Records (You can change this at any time)

Somerset Secondary Care Sharing (for example – hospitals, A&E, NHS 111 and GP Out of Hours)

Sharing patient records with Somerset Secondary Care organisations will improve care and treatment given to patients in Somerset. It will allow Somerset Secondary Care to have 24 hour access to GP patient records so that they can look at the medical history and current treatment plan before deciding how to treat the patient.

In the interests of your health, we recommend that you do not tick the box below.

Please Tick box if you do not want to share your records for Somerset Secondary Care (You can change this at any time)

Please note: If you tick this box and you have already signed up for online access to your coded medical record, you will no longer be able to view your record online.
Sharing your records for purposes other than direct care

Sometimes information that identifies you can be shared outside the GP practice, for purposes beyond your direct care. This information is used to plan future healthcare services. You can choose not to share your data in this way other than in particular circumstances required by law, such as a public health emergency like an outbreak of a pandemic disease.

Please Tick box if you do not want to share your records for purposes other than direct care
(You can change this at any time)
We will then register a Type 1 Opt-Out which will stop your information being shared outside of the practice except when it is being used for purposes of direct care, or in particular circumstances required by law, such as a public health emergency like an outbreak of a pandemic disease.

Please visit our website to see the privacy notices for data sharing beyond your direct care
https://www.fromemedicalpractice.co.uk/information/sharing-your-records/

Please complete the details below in BLOCK CAPITALS and return to us

I understand that if I do not tick the boxes above my information will be shared.

I can change my data sharing choices at any time.

Title: _______  Surname: _____________________________________________
Forename (s): ___________________________________________________
NHS number (if known): _________________________________________
Date of Birth: __________________________________________________
Address:
_______________________________________________________________
_______________________________________________________________
Postcode: ______________________________

Signed: ___________________________ Date: ___________________________

You can get more of these forms from our website - www.fromemedicalpractice.co.uk