## THE MOORCROFT MEDICAL CENTRE (with branch site MOSS GREEN SURGERY)

## (Integrated with North Staffordshire Combined Healthcare NHS Trust)

##  Privacy Notice for Patients

**Data Protection Privacy Notice for Patients**

### **Introduction**

This privacy notice lets you know what happens to any personal data that you give to us, or any information that we may collect from you or about you from other organisations.

This privacy notice applies to personal information processed by or on behalf of the practice.

This Notice explains:

* Who we are and how we use your personal information
* Information about our Data Protection Officer
* What kinds of personal information we hold about you and what information we use
* The legal grounds for processing your personal information, including when we share it with other organisations.
* What to do if your personal information changes
* For how long your personal information is retained for/stored by us
* What your rights are under Data Protection laws

The General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA18) became law on 25th May 2018. The GDPR is a single EU-wide regulation on the protection of confidential and sensitive information and the DPA18 implements the regulations into comprehensive UK legislation. Following the decision for the UK to leave the European Union and following the end of the transition period, from January 1st, 2021 the UK has been subject to an Adequacy Agreement which will allow data to continue to be shared with European Union Countries without further safeguarding being necessary. This has allowed the European Commission suitable time to grant the UK with adequacy status, meaning The UK has met the required standards in ensuring data transfers to and from the UK are safe. All references to GDPR will now be referred to as **UK GDPR**.

For the purpose of applicable data protection legislation (including UK GDPR) and the Data Protection Act 2018 the practice responsible for your personal data, and referred to as the Data Controller, is **The Moorcroft Medical Centre. Moss Green Surgery is a branch site for Moorcroft Medical Centre.**

This Notice describes how we collect, use, and process your personal data, and how in doing so, we comply with our legal obligations to you. Your privacy is important to us, and we are committed to protecting and safeguarding your data privacy rights.

**How we use your information and the law**

We collect basic personal data about you, which includes name, address, telephone number, email address, date of birth, next of kin information, NHS number etc.

We will also collect sensitive confidential data known as ‘**special category personal data**’, which includes your health information, religious beliefs, (if required in a healthcare setting) ethnicity, sexuality etc. and we may also receive this information about you from other health providers or third parties.

### **Your rights over your personal information**

As an individual you have a number of rights over your personal information, as detailed in the Data Protection Act 2018/UK GDPR. These rights are listed below:

**Right to be informed** – you have the right to be informed on how we handle, process, and share your personal information; this privacy notice ensures as a practice we satisfy this right. We have produced this notice in different formats and at any point you can ask us for a copy of this notice.

**Right to access your personal information**– you can request access to and/or copies of the personal data we hold about you, free of charge (subject to exemptions) within one calendar month. Such requests can be made verbally or in writing, but we do request that you provide us with adequate information to process your request, such as providing full name, address, date of birth, NHS number and details of your request and, where necessary, any documents to verify your identity.

On processing a request there may be occasions when information may be withheld if we as a practice believe that releasing the information to you could cause serious harm or distress. Information may also be withheld if another person (i.e., third party) is identified in the record, and they do not want their information disclosed to you. However, if the other person mentioned in your records was acting in their professional capacity in caring for you, in normal circumstances they could not prevent you from having access to that information.

To request a copy or request access to information we hold about you please contact:

**Post:** Duty Manager, Moorcroft Medical Centre, Botteslow Street, Hanley, Stoke on Trent ST1 3NJ.

**Tel:** 01782 281806

**Email:**

**Right to rectification** - The correction of personal data when incorrect, out of date or incomplete will be acted upon within one calendar month of receipt of such a request. Please ensure The Moorcroft Medical Centre has the correct contact details for you at all times and be prepared to have information checked at each communication with the practice.

**Right to erasure** - Under Article 17 of the UK GDPR individuals have the right to have personal data erased. This is also known as the ‘**right to be forgotten’**. The right is not absolute and only applies in certain circumstances, for example when your personal data is no longer necessary for the purpose which it was originally collected or processed for, or if you wish to withdraw your consent after you have previously given your consent.

**Right to restrict processing** – Article 18 of the UK GDPR gives individuals the right to restrict the processing of their personal data in certain circumstances. This means that you can limit the way that the practice uses your data. This is an alternative to requesting the erasure of your data.

Individuals have the right to restrict the processing of their personal data where they have a particular reason for wanting the restriction.

**Right to data portability -** The right to data portability gives individuals the right to receive personal data they have provided to the Practice in a structured, commonly used, and machine-readable format (i.e., email, upload to a portable device etc.).

**Right to object to processing** – you have the right to object to processing, however, please note if we can demonstrate compelling legitimate grounds which outweighs your interest, then processing can continue. If we did not process any information about you and your health care it would be very difficult for us to care and treat you.

**Rights in relation to automated decision making and profiling -** Automated individual decision-making is a decision made by automated means (i.e., a computer system) without any human involvement. If any of the processes we use rely on automated decision making, you do have the right to ask for a human to review any computer-generated decision at any point.

### **Why we need your information.**

The healthcare professionals who provide you with care maintain records about your health and any treatment or care you have received previously. These records help to provide you with the best possible healthcare and treatment.

NHS health records may be electronic, paper-based or a mixture of both. We use a combination of working practices and technology to ensure that your information is kept confidential and secure.

Records about you may include the following information:

* Details about you, such as your address, your carer or legal representative and emergency contact details.
* Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments.
* Notes and reports about your health.
* Details about your treatment and care.
* Results of investigations such as laboratory tests, x-rays etc.
* Relevant information from other health professionals, relatives or those who care for you.
* Contact details (including email address, mobile telephone number and home telephone number)

To ensure you receive the best possible care, your records are used to facilitate the care you receive, including contacting you. Information held about you may be used to help protect the health of the public and to help us manage the NHS and the services we provide. Limited information may be used within the GP practice for clinical audit to monitor the quality of the service we provided.

### **How we lawfully use your data.**

We need your personal, sensitive, and confidential data in order to provide you with healthcare services as a General Practice, under the UK GDPR we will be lawfully using your information in accordance with:

*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.*

*Article 9 (2) (h) 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.*

This Privacy Notice applies to the personal data of our patients and the data you have given us about your carers/family members.

### **Risk Stratification**

Risk stratification data tools are used in the NHS to help determine a person’s risk of developing a health condition, prevent unplanned or (re)admissions into hospital and to identify a need for early intervention in cases where a patient is deemed to be a higher risk. Information about you is collected from several sources including NHS Trusts and from this GP Practice. The identifying parts of your data (i.e. name, address, ate of birth etc.) are removed and analysis of your data is undertaken with an overall risk score allocated. This information is provided back to us as a practice, and in our role as data controller, in an identifiable form which will enable us to work more closely with you.

Risk stratification enables us as your GP practice to focus on initiatives for preventing ill health and not just the treatment of sickness, so being far more proactive in the way we care for your health needs. Adopting risk stratification enables us as a GP practice to consider additional services to aid your health and well-being. Please note that you have the right to opt-out of your data being used in this way in most circumstances if you are not happy with you information being used in this way.

Individual Risk Management at a GP practice level however is deemed to be part of your individual healthcare and is covered by our legal powers as previously detailed.

### As a practice, we use Aristotle Risk Stratification software, which is operated by members of the Clinical Coding and Summarising Team, who are trained to abide by strict confidentiality requirements.

### **Population Health Management**

Population Health Management is a mechanism adopted for improving the health of our population by using data to help make choices on the provision of health care locally. It includes various strategic tools to identify local ‘at risk’ cohorts of patients which enables us to then work to design and target interventions to prevent ill-health and to improve care and support for people with ongoing health conditions and to reduce inequalities in healthcare.

The benefits of Population Health Management are:

* Using data to provide a greater insight into health conditions and evidence of best practice to inform targeted interventions to improve the health & wellbeing of specific populations and cohorts.
* Helping us to understand our current, and predict our future, health and care needs so we can take action in tailoring better care and support with individuals, design more joined up and sustainable health and care services, and make better use of public resources.
* Understanding how we use historical and current data to understand what factors are driving poor outcomes in different population groups.
* Designing new proactive models of care which will improve health and wellbeing today as well as in 20 years’ time. This could be by stopping people becoming unwell in the first place, or, where this isn’t possible, improving the way the system works together to support them.
* Developing a partnership approach across the NHS and other public services including: councils, the public, schools, fire service, voluntary sector, housing associations, social services and police. All have a role to play in in addressing the interdependent issues that affect people’s health and wellbeing.

### **Medicines Management**

The Practice are contractually required to conduct Medicines Management Reviews of all medications prescribed to our patients. This is necessary to ensure patients receive the most appropriate, up-to-date and cost-effective treatments. The reviews are carried out by the Staffordshire and Stoke-on-Trent Clinical Commissioning Group’s Medicines Management Team under a Data Processing contract with the Practice. All members of the Medicines Management Team are appropriately qualified Pharmacists or Clinical experts, and we work collectively to ensure your medical needs are being met.

### **Patient Communication**

The Practice would like to use your name, contact details, and email address to inform you of NHS services, or provide information about your health to manage your healthcare needs. There may be occasions where authorised research facilities would like you to take part in research in regard to your particular health issues, to try and improve your health. Your contact details may be used to invite you to receive further information about such research opportunities, but you must give your explicit consent to receive messages for research purposes. We do operate an SMS Text-Messaging service and you will be asked whether you wish to provide your explicit consent to enable us to contact you via this method. When using electronic methods to communicate with our patients, we ensure we abide by the requirements of the [Privacy and Electronic Communication Regulations 2003](https://ico.org.uk/for-organisations/guide-to-pecr/what-are-pecr/) and review these regulations alongside the UK GDPR to ensure we are using your data appropriately when communicating with you.

### **Safeguarding**

The Practice is dedicated to ensuring that the principles and duties of safeguarding adults and children are holistically, consistently, and conscientiously applied with the wellbeing of all patients being at the heart of what we do.

Our legal basis for processing information for safeguarding purposes, as stipulated in the UK GDPR is:

 *Article 6(1)(e) ‘…exercise of official authority…’.*

For the processing of special categories data, the basis is:

*Article 9(2)(b) – ‘processing is 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…’*

### **Categories of personal data**

### The data collected by Practice staff in the event of a safeguarding situation, will be minimised to include only the personal information as is necessary in order to handle the situation. In addition to some basic demographic and contact details, we will also process details of what the safeguarding concern is. This is likely to be special category information.

### **Sources of the data**

The Practice will either receive or collect information when someone contacts the organisation with safeguarding concerns, or we believe there may be safeguarding concerns and make enquiries to relevant providers.

### **Recipients of personal data**

The information is used by the Practice when handling a safeguarding incident or concern. We may share information accordingly to ensure duty of care and investigation as required with other partners such as local authorities, the police or healthcare professionals (i.e., their GP or mental health team)

**Clinical Practice Research Datalink**

Clinical Practice Research Datalink (CPRD) is a real-world research service supporting retrospective and prospective public health and clinical studies. CPRD is jointly sponsored by the [Medicines and Healthcare Products Regulatory Agency](https://www.gov.uk/government/organisations/medicines-and-healthcare-products-regulatory-agency/) and the [National Institute for Health Research (NIHR)](http://www.nihr.ac.uk/), as part of the Department of Health and Social Care.

CPRD collects anonymised patient data from a network of GP practices across the UK. Primary care data are linked to a range of other health related data to provide a longitudinal, representative UK population health dataset. The data encompass 60 million patients, including 16 million currently registered patients.

You can opt out of your information being used for research purposes at any time by contacting our practice and further information on CPRD, including privacy information, can be found by accessing the following links:

<https://www.cprd.com/home>

https://www.cprd.com/privacy-notice

### **General Practice Data for Planning and Research**

The NHS needs data about the patients it treats in order to plan and deliver its services and to ensure that care and treatment provided is safe and effective. The **General Practice Data for Planning and Research** data collection aims to help the NHS to improve health and care services for everyone by collecting patient data that can be used to do this. For example, patient data can help the NHS to:

* Monitor the long-term safety and effectiveness of care.
* Plan how to deliver better health and care services.
* Prevent the spread of infectious diseases.
* Identify new treatments and medicines through health research.

GP practices already share patient data for these purposes, but this new data collection aims to be more efficient and effective. Patient data will in time be shared with NHS Digital who will securely store, analyse, publish, and share this patient data to improve health and care services for everyone. This includes:

* informing and developing health and social care policy
* planning and commissioning health and care services
* taking steps to protect public health (including managing and monitoring the coronavirus pandemic)
* In exceptional circumstances, providing you with individual care.
* enabling healthcare and scientific research

This means that we can get on with looking after our patients and NHS Digital can provide controlled access to patient data to the NHS and other organisations who need to use it to improve health and care for everyone. Contributing to research projects will benefit us all as better and safer treatments are introduced more quickly and effectively without compromising your privacy and confidentiality.

NHS Digital has engaged with the [British Medical Association (BMA)](http://www.bma.org.uk/), [Royal College of GPs (RCGP)](http://www.rcgp.org.uk/) and the [National Data Guardian (NDG)](http://www.gov.uk/government/organisations/national-data-guardian) to ensure relevant safeguards are in place for patients and GP practices.

### The Government have announced they are delaying the implementation of the General Practice Data for Planning and Research (GP DPR) programme until four key areas of work are strengthened:

* the ability for patients to opt out or back in to sharing their GP data with NHS Digital, with data being deleted even if it has been uploaded
* the backlog of opt-outs has been fully cleared
* a Trusted Research Environment (TRE) is available where approved researchers can work securely on de-identified patient data which does not leave the environment
* a campaign of engagement and communication has increased public awareness of the programme, explaining how data is used and patient choices

This delay will also provide more time to speak with patients, doctors, health charities and others.

We will keep our Privacy Notice updated to reflected any updates in proposed implementation however this may not be for at least another 12 months.

For further information please refer to [General Practice Data for Planning and Research (GPDPR)](https://digital.nhs.uk/data-and-information/data-collections-and-data-sets/data-collections/general-practice-data-for-planning-and-research)

### **Opting Out**

If you don’t want your identifiable patient data to be shared for purposes except for your own care, you can opt-out by registering a [Type 1 Opt-out](https://digital.nhs.uk/about-nhs-digital/our-work/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information/your-information-choices/opting-out-of-sharing-your-confidential-patient-information) or a [National Data Opt-out](https://digital.nhs.uk/services/national-data-opt-out), or both. These opt-outs are different, and they are explained in more detail below. Your individual care will not be affected if you opt out using either option.

**Type 1 Opt-Outs** - If you do not want your identifiable patient data to be shared outside of the GP practice for purposes except your own care, you can register an opt-out with the GP practice. This is known as a Type 1 Opt-out. Type 1 Opt-outs were introduced in 2013 for data sharing from GP practices, but may be discontinued in the future as a new opt-out has since been introduced to cover the broader health and care system, called the [National Data Opt-out](https://www.nhs.uk/your-nhs-data-matters/). If this happens, patients who have registered a Type 1 Opt-out will be informed. You can register a Type 1 Opt-out at any time. You can also change your mind at any time and withdraw a Type 1 Opt-out.

If you have already registered a Type 1 Opt-out with us your data will not be shared with NHS Digital. If you wish to register a Type 1 Opt-out with us before data sharing starts with NHS Digital, this should be done by [returning this form](https://nhs-prod.global.ssl.fastly.net/binaries/content/assets/website-assets/data-and-information/data-collections/general-practice-data-for-planning-and-research/type-1-opt-out-form.docx) to the practice. If you do intend to opt out of the GPDPR we will update this Privacy Notice with the date by which you must provide your opt-out to allow us time for processing it. If you have previously registered a Type 1 Opt-out and you would like to withdraw this, you can also use the form to do this. You can send the form by post or email to us at the GP Practice or call **0300 3035678** for a form to be sent out to you.

If you do not want NHS Digital to share your identifiable patient data with anyone else for purposes beyond your own care, then you can also register a National Data Opt-Out.

### **National Data Opt-Out**

If you don’t want your confidential patient information to be shared by NHS Digital with other organisations for purposes except for your own care, i.e. planning and research purposes - either GP data, or other data it holds, such as hospital data - you can register a [National Data Opt-Out](https://www.nhs.uk/your-nhs-data-matters/).

If you have already registered a National Data Opt-Out, NHS Digital will not share any confidential patient information about you with other organisations, unless there is an exemption to this, such as where there is a legal requirement or where it is in the public interest to do so, for example for helping to manage contagious diseases like coronavirus. You can find out more about [exemptions on the NHS website](https://www.nhs.uk/your-nhs-data-matters/where-your-choice-does-not-apply/).

There is an intention for the National Data Opt-out to apply to any confidential patient information shared by the GP practice with other organisations for purposes except your individual care. This means it will replace the Type-1 Opt out. If this happens, patients who have registered a Type 1 Opt-

Out will be informed. Please note that the National Data Opt-out will not apply to confidential patient information being shared by GP practices with NHS Digital as it is a legal requirement for us to share data with NHS Digital and the National Data Opt-out does not apply whether there is a legal requirement to share data

You can find out more about and register a National Data Opt-out or change your choice on [nhs.uk/your-nhs-data-matters](https://www.nhs.uk/your-nhs-data-matters/) or by calling **0300 3035678.**

You can also set your opt-out preferences via the NHS App if you are registered to use this application.

**The practice is now fully compliant with the National Data Opt-Out requirements**, and we have a designated section on our practice website which provides all of the key information regarding this national requirements. This includes a fully compliant Data Protection Impact Assessment, a National Data Opt-Out Policy which all staff are required to abide by when following National Data Opt-Out requirements, details on how patients can set their preferences as well has having the functionality to now set preferences through our practice system, EMIS.

### **The legal bases for processing this information.**

The Health and Social Care Act 2012 covers the sharing and collection of health and care data. It says that when the Secretary of State for Health and Social Care needs to collect and analyse data to help the health service, they can tell NHS Digital to do this for them. The instruction, which NHS Digital must act on, is called a **direction**. In this case:

1.) The Secretary of State for Health and Social Care sent a direction to NHS Digital, instructing them to collect and analyse general practice data for health and social care purposes including policy, planning, commissioning, public health, and research purposes.

2.) NHS Digital sent all GP practices a document called a Data Provision Notice, giving details of the data it needs GP Practices like ours to share so it can comply with the direction. All GP Practices in England are required to share data with NHS Digital when they are sent a Data Provision Notice.

Under data protection law, we can only share patient data if we have a legal basis under Articles 6 and 9 of the UK GDPR. Our legal basis for sharing patient data with NHS Digital is **Article 6(1) (c) - legal obligation, as we are required under the 2012 Act to share it with NHS Digital.**

When we are sharing patient data about health, we also need a legal basis under Article 9 of the UK GDPR. This is:

* **Article 9(2) (g)** – as we are sharing patient data for reasons of substantial public interest, for the purposes of NHS Digital exercising its statutory functions under the [General Practice Data for Planning and Research Directions](https://digital.nhs.uk/about-nhs-digital/corporate-information-and-documents/directions-and-data-provision-notices/secretary-of-state-directions/general-practice-data-for-planning-and-research-directions-2021). It is substantially in the public interest to process patient data for planning and research purposes to improve health and care services for everyone. This is permitted under paragraph 6 of Schedule 1 of the Data Protection Act 2018 (DPA).
* **Article 9(2) (h)** – as we are sharing patient data for the purposes of providing care and managing health and social care systems and services. This is permitted under paragraph 2 of Schedule 1 of the DPA.
* **Article 9(2) (I)** - as patient data will also be used for public health purposes. This is permitted under paragraphs 3 of Schedule 1 of the DPA.
* **Article 9(2) (j)** - as patient data will also be used for the purposes of scientific research and for statistical purposes. This is permitted under paragraph 4 of Schedule 1 of the DPA.

### **Third party processors**

# In order to deliver the best possible service, the practice will share data (where required) with other NHS bodies such as other GP practices and hospitals. In addition, the practice will use carefully selected third party service providers. When we use a third-party service provider to process data on our behalf then we will always have an appropriate agreement in place to ensure that they keep the data secure, that they do not use or share information other than in accordance with our instructions and that they are operating appropriately. Examples of functions that may be carried out by third parties include:

* Companies that provide IT services & support, including our core clinical systems; systems which manage patient facing services (such as our website and service accessible through the same); data hosting service providers; systems which facilitate appointment bookings or electronic prescription services; document management services etc.
* 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).

Further details regarding specific third-party processors can be supplied on request to the practice.

### **How we maintain the confidentiality of your records**

We are committed to protecting your privacy and will only use information collected lawfully in accordance with:

* Data Protection Act 2018
* The UK General Data Protection Regulations (UK GDPR)
* Human Rights Act 1998
* Common Law Duty of Confidentiality
* Health and Social Care Act 2012
* NHS Codes of Confidentiality, Information Security and Records Management
* Information: To Share or Not to Share Review

Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential.

We will only ever use or pass on information about you if others involved in your care have a genuine need for it. We will not disclose your information to any third party without your permission unless there are exceptional circumstances (i.e., life or death situations), where the law requires information to be passed on and/or in accordance with the information sharing principle following Dame Fiona Caldicott’s information sharing review (Information to share or not to share) where “The duty to share information can be as important as the duty to protect patient confidentiality.” This means that health and social care professionals should have the confidence to share information in the best interests of their patients within the framework set out by the Caldicott Principles.

Our practice policy is to respect the privacy of our patients, their families, and our staff and to maintain compliance with the UK GDPR and all UK-specific Data Protection Requirements. Our policy is to ensure all personal data related to our patients will be protected.

All employees and sub-contractors engaged by our practice are asked to sign a confidentiality agreement. The practice will, if required, sign a separate confidentiality agreement if the client deems it necessary. If a sub-contractor acts as a data processor for our practice, an appropriate contract will be established for the processing of your information.

In certain circumstances you may have the right to withdraw your consent to the processing of data. Please contact the practice if you wish to withdraw your consent. In some circumstances we may need to store your data after your consent has been withdrawn to comply with a legislative requirement.

Some of this information will be held centrally and used for statistical purposes. Where we do this, we take strict measures to ensure that individual patients cannot be identified. Sometimes your information may be requested to be used for research purposes – the surgery will always gain your consent before releasing the information for this purpose in an identifiable format. In some circumstances you can Opt-out of the surgery sharing any of your information for research purposes.

### **Where we store your electronic information**

All the personal data is held electronically on our practice system, **EMIS** (Egton Medical Information Systems), a system that has developed over the past 30 years to ensure healthcare professionals working in the NHS have all the information they need by providing them with instant access to electronic records. To learn more about EMIS and the way your personal data is held, you can access the EMIS privacy notice by clicking on the following link: [EMIS Health Privacy Notice](https://www.emishealth.com/legal/)

Staff are allocated access to the EMIS system, dependent upon their job role and the need to access the information to enable them to carry out the duties of their role. As a practice we maintain accurate records of all staff members who have access to the electronic system and monitor this regularly. No third party organisations have access to your personal data unless the law allows them to do so, and appropriate safeguards have been put in place.

**EMIS Web**

Since June 2019, EMIS commenced storing personal information via EMIS Web, which uses a highly secure, cloud-hosted environment provided by Amazon Web Services (“AWS”). The data stored in this cloud environment remains in the UK at all times and is fully encrypted both in transit and at rest. There is no change to the control of access to your data and the hosted service provider will not have any access to the decryption keys. AWS is one of the world’s largest cloud companies, already supporting numerous public sector clients (including the NHS), and it offers the very highest levels of security and support. For further information on EMIS Web, please click on the following link: [EMIS Web for Primary Care](https://www.emishealth.com/products/emis-web/emis-web-for-primary-care/)

For further information on AWS and the work they do with the NHS please click on the following link: [AWS and NHS](https://aws.amazon.com/partners/success/nhs-digital-privitar/)

### **Our partner organisations**

We may also have to share your information, subject to strict agreements on how it will be used, with the following organisations:

* NHS Trusts/Foundation Trusts
* Other GP Practices
* Primary Care Networks (PCNs)
* Integrated Care Systems (ICSs)
* NHS Commissioning Support Units
* Independent Contractors such as dentists, opticians, pharmacists
* Private Sector Providers
* Voluntary Sector Providers
* Ambulance Trusts
* Clinical Commissioning Groups
* Social Care Services
* NHS England (NHSE) and NHS Digital (NHSD)
* Multi Agency Safeguarding Hub (MASH)
* Local Authorities
* Education Services
* Fire and Rescue Services
* Police & Judicial Services
* Other ‘data processors’ with a proven legal basis allowing us to share.

You will be informed who your data will be shared with and in some cases asked for consent for this to happen when this is required.

### **Computer System of Choice**

This practice operates a Clinical Computer System of Choice on which NHS Staff record information securely. This information can then be shared with other clinicians so that everyone caring for you is fully informed about your medical history, including allergies and medication.

To provide around the clock safe care, unless you have asked us not to, we will make information available to our Partner Organisations (as listed above). Wherever possible, their staff will ask for your consent before your information is viewed.

### **Integrated Care Record – One Health and Care**

### Information regarding your health and care is recorded across NHS organisations and local authorities. One Health and Care pulls the key information from these different health and social care systems and displays it in one combined record. This enables registered health and social care professionals involved in your care to find all the key, most up-to-date information in one place which helps to provide better, safer care.

When you contact a partner organisation involved in your care as a patient / service user, information is collected about you and records maintained about the care and services that have been provided.

The organisations across Staffordshire and Stoke-on-Trent that are participating in One Health and Care are:

* Staffordshire and Stoke-on-Trent GP practices
* University Hospitals of North Midlands NHS Trust
* University Hospitals of Derby and Burton NHS Foundation Trust
* Midlands Partnership NHS Foundation Trust
* North Staffordshire Combined Healthcare NHS Trust
* Staffordshire County Council (Social Care)
* Stoke-on-Trent City Council (Social Care)
* Continuing Healthcare Services
* West Midlands Ambulance Service

During 2021 organisations in Shropshire, Telford and Wrekin also signed up to utilise One Health and Care. The organisations across Shropshire Telford and Wrekin that are participating in One Health and Care are:

* Shropshire, Telford and Wrekin GP practices
* Shropshire Community Health NHS Trust
* Midlands Partnership NHS Foundation Trust
* Shropshire Council (Social Care)
* Telford and Wrekin Council (Social Care)
* Shrewsbury and Telford Hospital NHS Trust
* Robert Jones & Agnes Hunt Orthopaedic Hospital

All partner organisations involved with One Health and Care are registered with the Information Commissioner’s Office (ICO) to process your personal data in accordance with the current Data Protection Legislation and any subsequent revisions.

More information on this initiative can be found by accessing the One Health and Care Website by clicking [here](https://primarypoint.co.uk/assets/portal/results/One%20Health%20and%20Care%20Privacy%20Notice%20%28stwics.org.uk%29)

**Summary Care Records**

When you register with a GP practice in England your Summary Care Record (SCR) is created automatically, unless you have opted out. 98% of practices are now using Summary Care Records, which upload information to the NHS Spine, a national system which allows information to be shared securely through national services such as the [Electronic Prescription Service](https://digital.nhs.uk/services/electronic-prescription-service), [Summary Care Record](https://digital.nhs.uk/services/summary-care-records-scr) and the [e-Referral Service](https://digital.nhs.uk/services/e-referral-service).

**Summary Care Records with Additional Information**

Additional Information in a patient’s SCR will enable health and care professionals to have better medical information about the patient they are treating at the point of care. Additional information includes:

* significant medical history (past and present)
* reason for medication
* anticipatory care information/care plans (such as information about the management of long term conditions)
* end of life care information
* immunisations

By including this Additional Information in your SCR, health and care staff can give you better care if you need health care away from your usual GP practice:

* in an emergency
* when you're on holiday
* when your surgery is closed
* at out-patient clinics
* when you visit a pharmacy

Patients can opt-out of having a summary care record or opt-out of having additional information included. Patients who have opted-out of having a Summary Care Record or chosen to have a core Summary Care Record only by declining to provide consent for Additional Information to be shared will continue to have their preferences respected. Patients can set their SCR preference at any time and can change their mind at any time too. Any patient not wishing to have an SCR or SCR with additional information should inform us at the practice or complete the [SCR patient consent preference form](https://digital.nhs.uk/services/summary-care-records-scr/scr-patient-consent-preference-form) and return to us at the practice.

**Online Access to Your Health Records**

GP practices in England are required to give patients online access to their medical records as part of the NHS Long-Term Plan commitments to provide patients with digital access to their health records. The right of patients to seek access to their medical records is governed by data protection law. An exception can be made where the record contains data that could, in the opinion of your GP, be seriously harmful to the patient if they saw it, or if it contains confidential information about a third party. We are required to validate your identity before we can approve online access to your health records. Patients remain responsible for the way they manage their online records and are urged to keep log in details safe, keep their information secure and be mindful of risks of sharing information.

From **April 1st 2022**, patients at this practice who have online accounts, such as through the NHS App, will be able to read new entries in their health record. GP IT system configuration is being changed so that existing online users have access to their future, or prospective, health information entered after this change is made. New online users set up after this date will also receive this level of access by default. We will be able to customise or remove access for individuals if having access to future, or perspective, GP health information is inappropriate. Patients will be able to see information once it is entered or filed onto their record in the clinical system. Patients will not see their historic, or past, health record information unless we have already given you access previously. Patients will also not have access to administrative tasks or communications between practice staff.

**Sub-Contractors/Accountable Suppliers**

We may use external companies to process personal information on behalf of the practice, such as for archiving purposes. Such companies are bound by contractual agreements to ensure information is

kept confidential and secure. All accountable suppliers and sub-contractors engaged by our practice are asked to sign a Confidentiality Agreement and have appropriate contracts and agreements in place. If a sub-contractor acts as a data processor for Moorcroft Medical Centre, an appropriate contract will be established for the processing of information.

### **Sharing your information without consent**

We will normally ask you for your consent, but there are times when we may be required by law to share your information without your consent, for example:

* where there is a serious risk of harm or abuse to you or other people.
* safeguarding matters and investigations.
* where a serious crime, such as assault, is being investigated or where it could be prevented.
* notification of new births.
* where we encounter infectious diseases that may endanger the safety of others, such as meningitis or measles (but not HIV/AIDS).
* where a formal court order has been issued.
* where there is a legal requirement, for example if you had committed a Road Traffic Offence.

### **How long we store your information for**

We are required under UK law to keep your information and data for the full retention periods as specified by the NHS Records Management Code of Practice for health and social care and national archives requirements.

More information on records retention can be found in the [NHS Records Management Code of Practice 2021](https://www.nhsx.nhs.uk/media/documents/NHSX_Records_Management_CoP_V7.pdf)

### **Destruction**

This will only happen following a review of the information at the end of its retention period. Where data has been identified for disposal, we have the following responsibilities:

* To ensure that information held in manual form is destroyed using a cross-cut shredder or contracted to a reputable confidential waste company that complies with European Standard EN15713 and obtain certificates of destruction. The practice uses **Shred-It** to dispose of confidential waste and they have an ICO Registration Number of Z8335339.
* To ensure that electronic storage media used to store, or process information are destroyed or overwritten to national standards.

**Adoption Records**

As a practice we are committed to applying appropriate legislation in all of our undertakings. In relation to adopted patients, current adoption legislation requires that all adopted patients are given a new NHS number, and that all previous medical information relating to the patient is put into a newly created medical record. Any information relating to the identity or whereabouts of the birth parents will not be included in the new record. Whilst changing or omitting information from medical records would usually be contrary to ethical and professional guidance, this is not the case for the records of adopted patients and there is a legal requirement that it takes place. We will ensure as a Practice we adhere to strict codes of confidentiality when handling any information regarding adoption.

**Transgender Records**

As a practice we are committed to demonstrating we reflect our core values and the values of North Staffordshire Combined Healthcare NHS Trust which is to provide compassionate, approachable, responsible and excellent care to all, and ensure this is inclusive of all patients. Any patient who identifies as a different gender, or indeed as a non-binary person, will be treated with the same levels of care and compassion as all patients.

Patients may request to change gender on their patient record at any time and do not need to have undergone any form of gender reassignment treatment in order to do so. When a patient changes gender, the current process on NHS systems requires that they are given a new NHS number and must be registered as a new patient at the practice. All previous medical information relating to the patient will be transferred into a newly created medical record with reference to previous gender or NHS number removed. Any patient who wishes to change gender on their medical records must inform us that they wish to register their new gender on the clinical system; we will then inform the patient that this will involve a new NHS number being issued for them. Subsequent changes to gender would involve a new NHS number. Any requests to formally change gender will be processed within 5 working days to ensure there is no interruption to clinical care as per the guidance issued by Primary Care Support England which can be accessed by clicking this link: [PCSE Gender Reassignment Process](https://pcse.england.nhs.uk/help/patient-registrations/adoption-and-gender-re-assignment-processes/)

### **Primary Care Networks**

The objective of Primary Care Networks (PCNs) is for group practices working together to create more collaborative workforces which ease the pressure of GP’s, leaving them better able to focus on patient care. The aim is for all areas within England to be covered by a PCN.

Primary Care Networks form a key building block of the NHS long-term plan. Bringing general practices together to work at scale has been a policy priority for some years for a range of reasons, including improving the ability of practices to recruit and retain staff; to manage financial and estates pressures; to provide a wider range of services to patients and to integrate with the wider health and care system more easily.

All GP practices are expected to come together in geographical networks covering populations of approximately 30–50,000 patients and take advantage of additional funding attached to the GP contract. This means the practice may share your information with other practices within the PCN to provide you with your care and treatment.

THE MOORCROFT MEDICAL CENTRE (and branch site Moss Green Surgery) is a member of the **Hanley, Bucknall and Bentilee PCN** which includes the following local GP Practices:

Harley Street Medical Centre, ST1 3RX

Potteries Medical Centre, ST2 0JG

Cambridge House, ST2 9AJ

### **What to do if your personal information changes**

You should tell us so that we can update our records as we are required to keep accurate and up-to-date records at all times. Please contact the Practice as soon as any of your details change, this is especially important for changes of address or contact details (such as your mobile phone number). The practice will from time to time ask you to confirm that the information we currently hold is accurate and up to date.

### **Objections/Complaints**

Should you have any concerns about how your information is managed at the practice, please contact the Duty Manager, in the first instance, or the Data Protection Officer.

If you are still unhappy following a review of your concerns by the practice, you have the right to lodge a complaint with a supervisory authority, the Information Commissioner’s Office using the contact details below:

Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Tel: 01625 545745

<https://ico.org.uk/>

**Practice ICO Registration number- Z8606519 (North Staffordshire Combined Healthcare NHS Trust)**

If you are happy for your data to be used for the purposes described in this privacy notice, then you do not need to do anything. If you have any concerns about how your data is shared, then please contact the practice in the first instance, or the practice Data Protection Officer using the below contact information:

Named Data Protection Officer: **Mrs. Liz Griffiths**

North Staffordshire Combined Healthcare NHS Trust

Lawton House

Bellringer Road

Trentham

Stoke-on-Trent ST4 8HH

**Tel: 0300 123 1535 E-mail:** **nscht.informationgovernance@combined.nhs.uk**

**Direct DPO e-mail: liz.griffiths@combined.nhs.uk**

### **Useful Links**

Please find below some links to external webpages which you may wish to access to find out additional information:

* [Information Commissioners Office](https://ico.org.uk/)
* [NHSX Information Governance Pages](https://www.nhsx.nhs.uk/information-governance/)
* [Summary Care Records - information for Patients](https://digital.nhs.uk/services/summary-care-records-scr/summary-care-records-scr-information-for-patients)
* [NHS Constitution](https://www.gov.uk/government/publications/the-nhs-constitution-for-england)
* [NHS Digital Guide to Confidentiality in Health and Social Care](https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-practice-for-handling-information-in-health-and-care/a-guide-to-confidentiality-in-health-and-social-care)
* [Health Research Authority](https://www.hra.nhs.uk/)
* [Health Research Authority Confidentiality Advisory Group (CAG)](https://www.hra.nhs.uk/planning-and-improving-research/application-summaries/confidentiality-advisory-group-registers/)
* [National Data Opt-Out](https://digital.nhs.uk/services/national-data-opt-out)
* [NHS Long Term Plan](https://www.longtermplan.nhs.uk/)