

# **KINGSKERSWELL & IPPLEPEN MEDICAL PRACTICE**

The Health Centre, School Road, Kingskerswell, Newton Abbot, Devon TQ12 5DJ

The Health Centre, Silver Street, Ipplepen, Newton Abbot, Devon TQ12 5QA

WEBSITE: [www.kkipp.GPsurgery.net](http://www.kkipp.GPsurgery.net)

EMAIL: [kkipp.enquiries@nhs.net](mailto:kkipp.enquiries@nhs.net)

TELEPHONE: 01803-874455

## **G4 - 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 that we may collect from or about you.

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

### **This Notice explains**

- Who we are, how we use your information and the role of the Data Protection Officer
- What kinds of personal information about you do we process?
- What are the legal grounds for our processing of your personal information (including when we share it with others)?
- What should you do if your personal information changes?
- For how long your personal information is retained by us?
- What are your rights under data protection laws?

The General Data Protection Regulation (GDPR) becomes law on 25th May 2018. This is a single EU wide regulation on the protection of confidential and sensitive information. The current UK Data Protection Act 2018 will need to be read alongside the EU GDPR to ensure your rights as Data subjects are protected. Even though we are no longer part of the EU we should still comply to the regulation.

For the purpose of applicable data protection legislation (including but not limited to the General Data Protection Regulation, Regulation (EU) 2016/679 the "GDPR"), and the Data Protection Act 2018 (currently in Bill format before Parliament) the practice responsible for your personal data is Kingskerswell & Ipplepen Health 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.

For additional information on the new General Data Protection Regulation please see: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

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

Kingskerswell & Ipplepen Health Centre will be known as the 'Controller' of the personal data you provide to us.

We collect basic personal data about you which does not include any special types of information or location-based information. This does however include name, address, and contact details such as email addresses and mobile phone number etc.

We will also collect sensitive confidential data known as "special category personal data", in the form of health information, religious belief (if required in a healthcare setting) and ethnicity. We collect this if it is necessary during the services we provide to you and/or are linked to your healthcare through other Health Care providers or third parties.

### **Why do we need your information?**

The health care professionals who provide you with care maintain records about your health and

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any treatment or care you have received previously (e.g. A&E, Hospital stays, Other GP Surgeries, Walk in clinics etc.). These records help to provide you with the best possible healthcare.

NHS health records may be electronic, on paper or a mixture of both, and we use a combination of working practices and technology to ensure that your information is kept confidential and secure. Records which the practice holds about you may include the following information:

- Details about you, such as your address, carer, legal representative, emergency contact details
- Any contacts the surgery has had with you, such as appointments, clinic visits, emergency appointments, etc.
- 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.

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

## How do we lawfully use your data?

We need to know your personal, sensitive and confidential data in order to provide you with Healthcare services as General Practice, under the General Data Protection Regulation we will be lawfully using your information in accordance with:

Article 6, 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, (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 increasingly being used in the NHS to help determine a person's risk of suffering a condition, preventing an unplanned or (re)admission to hospital and identifying a need for preventive intervention. Information about you is collected from a number of sources including NHS Trusts and from this GP practice. A risk score is then arrived at through an analysis of your de-identified information and is only provided back to your GP as data controller in an identifiable form. Risk stratification enables your GP to focus on preventing ill health and not just the treatment of sickness. If necessary, your GP may be able to offer you additional services. Please note that you have the right to opt out of your data being used in this way.

## Medicines Management

The practice may conduct Medicines Management Reviews of medications prescribed to its patients. This service performs a review of prescribed medications to ensure patients receive the most appropriate and up to date treatments.

## How do we maintain the confidentiality of your records?

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

- Data Protection Act 2018
- The General Data Protection Regulation
- 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 NHS Data Sharing principle, supported under the Health and Social Care Act and our duty of confidentiality/ safe data sharing.

Our practice policy is to respect the privacy of our patients, their families and our staff and to maintain compliance with the General Data Protection Regulations (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 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 Kingskerswell & Ipplepen Health Centre an appropriate contract will be established for the processing of your information.

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 un-identifiable format.

## **With your consent we would also like to use your information to:**

We would like to use your name, contact details and email address to inform you of practice services and initiatives that may benefit you, with your consent only.

At any stage where we would like to use your data for anything other than the specified purposes and where there is no lawful requirement for us to share or process your data, we will ensure that you have the ability to consent and opt out prior to any data processing taking place. This information is not shared with third parties or used for any marketing and you can unsubscribe at any time via phone, email or by informing the practice DPO as below.

## **General Practice Data for Planning and Research Data Collection (GPDfPR)**

As well as using your information to support the delivery of care to you, your data may be used by NHS Digital to help improve the way health and social care is delivered to patients and service users throughout England. From the 1<sup>st</sup> September 2021, NHS Digital will securely extract your information to provide access to patient data to the NHS and other organisations who need to use it, to improve health and social care for everyone. NHS Digital will primarily

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use your information in a way that does not identify you (your information will be pseudonymised). However, they will be able to use their software to identify you in certain circumstances, and where there is a valid legal reason to do so. NHS Digital may also share your information with third parties such as Local Authorities, primary care networks

(PCNs), clinical commissioning groups (CCGs), research organisations, including universities, and pharmaceutical companies.

At the time of publication (May 2021), 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 GPDfPR can be found here: <https://digital.nhs.uk/data-and-information/data-collections-and-data-sets/data-collections/general-practice-data-for-planning-and-research/transparency-notice>

We will rely on Legal Obligation (Article (6)(1)(c)), Health and Social Care (Article 9(2)(h)) and Public Health (Article (9)(2)(i)) as the legal basis for processing your data for this purpose.

If you have any concerns regarding the type 1 Opt-Out please speak to Information Governance Lead for the practice Sonia Cartwright.

## Where do we store your information electronically?

All the personal data we process is processed in the UK. 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. We have a Data Protection regime in place to oversee the effective and secure processing of your personal and or special category (sensitive, confidential) data.

## Who are our partner organisations?

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

- NHS Trusts / Foundation Trusts
- GP's
- 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)
- Local Authorities
- Education Services
- Fire and Rescue Services
- Police & Judicial Services
- Voluntary Sector Providers
- Private Sector Providers
- Other 'data processors' which you will be informed of

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## “Population Health Analytics”

As well as using your information in caring for you, your information may be used to help improve the way we provide health and social care through research, service planning and population health management approaches. Using the information in this way is sometimes called ‘secondary use’.

We are working with Optum to support the Devon Integrated Care System to improve short term and medium-term health outcomes for local populations through the application of Population Health Management. We will use the services of NHS Devon CCG to send an extract of data to Optum. A small number of analytics specialists from Optum alongside analytics staff at NHS Devon CCG, all of whom are based in the UK will have access to your data (which will have been pseudonymised in accordance with the ICO Code of Practice). This means that no unauthorised person will be able to identify individuals and the data they receive will ensure anonymity. Only clinicians with direct responsibility for patient care will be able to re-identify patients. Individual patients who have chosen not to share their data will be excluded from source and their data will never be extracted from the GP system.”

## How long will we store your information?

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 online at:

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

## How can you access, amend move the personal data that you have given to us?

Even if we already hold your personal data, you still have various rights in relation to it. If you contact us about this we will seek to deal with your request without undue delay and in any event in accordance with the requirements of any applicable laws. Please note that we may keep a record of your communications to help us resolve any issues which you raise.

**Right to object:** If we are using your data because we deem it necessary for our legitimate interests to do so, and you do not agree, you have the right to object. We will respond to your request within 30 days (although we may be allowed to extend this period in certain cases). Generally, we will only disagree with you if certain limited conditions apply.

**Right to withdraw consent:** Where you have given your consent to process your personal data for certain activities (for example for a research project), or consent to market to you, you may withdraw your consent at any time.

**Right to erasure:** In certain situations (for example, where we have processed your data unlawfully), you have the right to rectification. We will respond to your request within 30 days (although we may be allowed to extend this period in certain cases) and will only disagree with you if certain limited conditions apply. If we do agree to your request, we will rectify your data accordingly.

## Right of access (under the DPA and the GDPR you have the right to access the data we hold about you).

Data Subject Access Requests (DSAR): You have a right under the Data Protection legislation to request access to view or to obtain copies of what information the surgery holds about you and to have it amended should it be inaccurate. To request this, you need to do the following:

- Your request should be made to the practice electronically (via email) or in writing – for information from the hospital you should write direct to them

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- There is no charge to have an electronic copy of the information held about you (for the first request).
- We are required to respond to you within one month
- You will need to provide photo and address identification so that your identity can be verified, and your records located information we hold about you at any time.

## What should you do if your personal information changes?

You should tell us so that we can update our records please contact our reception or administration department within the surgery, this is especially important for changes or 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.

### GPConnect

*We share your record using GP Connect 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 local providers 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.*

Should you wish to opt-out of, you should inform your GP practice or complete this [form](#) and return it to your GP practice.

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

### 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 will also be added to include further information. You can find out more about the SCR here: <https://digital.nhs.uk/services/summary-care-records-scr>

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## Your choices in relation to your Summary Care Record

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.

In order to look after your health and care needs we may share your confidential patient information including health and care records with clinical and non-clinical staff in other health and care providers, for example neighbouring GP practices, hospitals and NHS 111. We may also use the details we have to send public health messages to you, either by phone, text or email.

We will now offer you a consultation via telephone, video- conferencing or face to face in person. By accepting the invitation and entering the consultation you are consenting to this. Your personal/confidential patient information will be safeguarded in the same way it would with any other consultation.

You may also be required to share personal/confidential patient information with health and care organisations and other bodies engaged in disease surveillance for the purposes of protecting public health, providing healthcare services to the public and monitoring and managing the outbreak. Further information about how health and care data is being used and shared by other NHS and social care organisations in a variety of ways to support the Covid-19 response is [here](#).

NHS England and Improvement and NHSX have developed a single, secure store to gather data from across the health and care system to inform the Covid-19 response. This includes data already collected by NHS England, NHS Improvement, Public Health England and NHS Digital. New data will include 999 call data, data about hospital occupancy and A&E capacity data as well as [data provided by patients themselves](#). All the data held in the platform is subject to strict controls that meet the requirements of data protection legislation.

In such circumstances where you tell us you're experiencing Covid-19 symptoms we may need to collect specific health data about you. Where we need to do so, we will not collect more information than we require and we will ensure that any information collected is treated with the appropriate safeguards.

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We may amend this privacy notice at any time so please review it frequently. The date at the top of this page will be amended each time this notice is updated.

## **National Data Opt Out:**

Please refer to the link below to read more and make a choice if data from your health records is shared for research and planning.

[Make your choice about sharing data from your health records - NHS \(www.nhs.uk\)](http://www.nhs.uk)

## **Objections / Complaints**

Should you have any concerns about how your information is managed at Kingskerswell & Ipplepen Health Centre, please contact the Practice Manager or the Data Protection Officer as below. If you are still unhappy following a review by the GP practice, you have a right to lodge a complaint with a supervisory authority: You have a right to complain to the UK supervisory authority as below.

Information Commissioners Office  
Wycliffe house  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 0303 123 1113 or 01625 545745

<https://ico.org.uk/for-the-public/raising-concerns/>

If you are happy for your data to be extracted and 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 Data Protection Officer.

If you would like to know more about your rights in respect of the personal data we hold about you, please contact the Data Protection Officer as below.

## **Data Protection Officer:**

The practice Data Protection Officer is Bex Lovewell. Any queries in regard to Data Protection concerns should be addressed to her at: -

Data Protection Officer  
Delt Shared Services Ltd.  
BUILDING 2 - DELT  
Derriford Business Park  
Plymouth  
PL6 5QZ  
01752 580321

Email: [bex.lovewell@nhs.net](mailto:bex.lovewell@nhs.net)



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The practice Information Governance Lead and Caldicott Guardian is Assistant Manager Sonia Cartwright. Dr John McCormick GP Partner is the Senior Information Risk Owner.

## **Changes:**

It is important to point out that we may amend this Privacy Notice from time to time. If you are dissatisfied with any aspect of our Privacy Notice, please contact the practice Data Protection Officer as above.

