



Plain English explanation

According to General Medical Services provision contract we as a practice have to provide availability for you to access online consultation services, which includes viewing of your medical records, prescription requesting, symptom checker.

Eleanor Cross Healthcare has engaged a specialised online consultation supplier NHS Digital to provide part of the online consultation services on our behalf.

This service is provided in the form of NHS App. It can be downloaded from the App Store and Google Play.

NHS App links with other NHS services to provide you online access to other services, for example, COVID-19 vaccination information, referrals to hospitals, organ donation service, National Data Opt-out service, NHS 111 online service.

NHS App retrieves information from different systems and presents that information to you upon your request. In order to be able to provide this service NHS App will retain following information: your name, email address, NHS number and telephone number.

Further information about NHS App can be found at <https://www.nhs.uk/nhs-app/>.

We are required by Articles in the UK GDPR to provide you with the information in the following 9 subsections:

1) Data Controller contact details	Eleanor Cross Healthcare Delapre Medical Centre Gloucester Avenue Northampton NN4 8QF
2) Data Protection Officer contact details	Hayley Gidman Midlands and Lancashire CSU FAO: Delapre Medical Centre Gloucester Avenue

	Northampton NN4 8QF
3) Purpose of the processing	The purpose of processing is to provide access to the medical information without having to wait on the phone or take time to come into the practice in person or when the services are closed.
4) Lawful basis for processing	<p>The processing of personal data in the delivery of online consultation services is supported under the following Article 6 and 9 conditions of the UK GDPR:</p> <p><i>Article 6(1)(a) 'the data subject has given consent to the processing of his or her personal data for one or more specific purposes'.</i></p> <p><i>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'.</i></p> <p><i>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'.</i></p> <p>We will also recognise your rights established under UK case law collectively known as the "Common Law Duty of Confidentiality"*.</p>
5) Recipient or categories of recipients of the processed data	The data will be shared in order to provide this service with NHS Digital and their contractor eConsult Health Limited.
6) Right to object	<p>You have the right to object to some or all the information being processed under Article 21. Please contact the Data Controller or the practice.</p> <p>You should be aware that this is a right to raise an objection, that is not the same as having an absolute right to have your wishes granted in every circumstance.</p> <p>You can stop the processing by closing your account with NHS App.</p>
7) Right to access and correct	<p>You have the right to access the data that is being shared and have any inaccuracies corrected.</p> <p>There is no right to have accurate medical records deleted except when ordered by a court of Law.</p>
8) Retention period	The data will be retained in line with the law and national guidance. Further information can be found at https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016

	or speak to the practice.
g) Right to complain	You have the right to complain to the Information Commissioner’s Office, you can use this link https://ico.org.uk/global/contact-us/ or call their helpline tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate).

* “Common Law Duty of Confidentiality”, common law is not written out in one document like an Act of Parliament. It is a form of law based on previous court cases decided by judges; hence, it is also referred to as 'judge-made' or case law. The law is applied by reference to those previous cases, so common law is also said to be based on precedent.

The general position is that if information is given in circumstances where it is expected that a duty of confidence applies, that information cannot normally be disclosed without the information provider's consent.

In practice, this means that all patient information, whether held on paper, computer, visually or audio recorded, or held in the memory of the professional, must not normally be disclosed without the consent of the patient. It is irrelevant how old the patient is or what the state of their mental health is; the duty still applies.

Three circumstances making disclosure of confidential information lawful are:

- where the individual to whom the information relates has consented;
- where disclosure is in the public interest; and
- where there is a legal duty to do so, for example a court order.