



## Privacy Notice – GP Extended Hours

### Plain English explanation

This practice keeps data on you relating to who you are, where you live, what you do, your family, possibly your friends, your employers, your habits, your problems and diagnoses, the reasons you seek help, your appointments, when you are seen and who by, referrals made to specialists and other healthcare providers, tests carried out here and in other places, investigations and scans, treatments and outcomes of treatments, your treatment history, the observations and opinions of other healthcare workers, within and outside the NHS as well as comments and aide memoires reasonably made by healthcare professionals who are appropriately involved in your health care.

In order to provide you access to medical services outside of our normal working hours (GP Extended Hours Access), we have formal arrangements in place with General Practice Alliance, who offer this service on our behalf.

If your health needs require care from GP Extended Hours Access (GPEHA) we will exchange with them whatever information about you that is necessary for them to provide that care. The practice has robust Data Sharing Agreement and other clear arrangements in place to ensure your data is always protected and used for those purposes only.

When you make contact with healthcare providers outside the practice but within the NHS it is usual for them to send us information relating to that encounter. We will retain part or all of those reports.

Your consent to this sharing of data with GPEHA is assumed and is allowed by the Law.

People who have access to your information will only normally have access to that which they need to fulfil their roles, for instance admin staff will normally see your name, address, contact details, appointment history and registration details in order to book appointments, the nurses will normally have access to your immunisation, treatment, significant active and important past histories, your allergies and relevant recent contacts whilst the GP you see or speak to will

normally have access to everything in your record.

You have the right to object to our sharing your data in these circumstances but we have an overriding responsibility to do what is in your best interests.

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

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| <p><b>1) Data Controller</b><br/>contact details</p>         | <p>Eleanor Cross Healthcare<br/>Delapre Medical Centre<br/>Gloucester Avenue<br/>Northampton<br/>NN4 8QF</p>  |
| <p><b>2) Data Protection Officer</b><br/>contact details</p> | <p>Hayley Gidman<br/>Midlands and Lancashire CSU<br/>FAO: Delapre Medical Centre<br/>Gloucester Avenue<br/>Northampton<br/>NN4 8QF</p>  |
| <p><b>3) Purpose of the processing</b></p>                   | <p>GPEHA Care is care delivered to the individual alone, most of which is provided out of the surgery. After a patient agrees to an appropriate appointment for care at GPEHA necessary and relevant information about the patient, their circumstances and their problem will need to be shared with the other healthcare workers. The information is shared to enable the other healthcare workers to provide the most appropriate advice, investigations, treatments, therapies and/ or care.</p>  |
| <p><b>4) Lawful basis for processing</b></p>                 | <p>The processing of personal data in the delivery of direct care and for the providers' administrative purposes in support of direct care elsewhere 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) '...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...'</i></p> <p><i>Article 9(2)(h) 'necessary for the purposes of preventative or occupational medicine for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...'</i></p> <p>We will also recognise your rights established under UK case law collectively known as the "Common Law Duty of Confidentiality"*.</p> |

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| <b>5) Recipient or categories of recipients of the processed data</b> | The data will be shared with Health and Care Professionals and support staff in GPEHA centre. Currently on behalf of this practice GPEHA is provided by General Practice Alliance.  |
| <b>6) Right to object</b>   | <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>                               |
| <b>7) Right to access and correct</b>                                 | You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a Court of Law.   |
| <b>8) Retention period</b>  | The data will be retained in line with the law and national guidance. Further information can be found at <a href="https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016">https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</a> or speak to the practice. |
| <b>9) Right to complain</b>   | You have the right to complain to the Information Commissioner’s Office, you can use this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a> 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.