



## Privacy Notice – NHS Health Checks

### Plain English explanation

NHS Health Check is a scheme which provides a health check-up for adults in England aged 40 to 74. This health check can spot early signs of stroke, kidney disease, heart disease, type 2 diabetes or dementia. Eleanor Cross Healthcare participates in this scheme.

This practice keeps data on you including personal information and the information about health and social care you received from us and other organisations who were involved in your health care.

We apply searches and algorithms to your data in order to identify individuals who are able to participate in NHS Health Check scheme.

We use a software which allows us to categorise patients according to risk levels. It also allows Public Health Northamptonshire to view pseudomised information for the purpose of scheme uptake and payment.

The processing of this data occurs outside the practice, but your identity is not visible to the processors. Only this practice is able to identify you and the results of any calculated factors.

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.

Further guidance can be found in Privacy Notice – Commissioning, Planning, Risk Stratification & Patients Identification and Privacy Notice – Payments.

Further information about the scheme can be found at <https://www.northamptonshire.gov.uk/councilservices/health/Pages/free-nhs-health-checks.aspx>.

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

<p><b>1) Data Controller</b> contact details</p>	<p>Eleanor Cross Healthcare Delapre Medical Centre Gloucester Avenue Northampton NN4 8QF</p>
<p><b>2) Data Protection Officer</b> contact details</p>	<p>Hayley Gidman Midlands and Lancashire CSU FAO: Delapre Medical Centre Gloucester Avenue Northampton NN4 8QF</p>
<p><b>3) Purpose of the processing</b></p>	<p>The purpose of the processing is to:</p> <ul style="list-style-type: none"> <li>- help identify high risk patients</li> <li>- support best practice (used to make decisions about care of individual)</li> <li>- provide anonymised information to Public Health Northamptonshire (used for making decisions about planning health and care services for a particular geographic area and payment).</li> </ul>
<p><b>4) Lawful basis for processing</b></p>	<p>The processing of personal data in the delivery of direct care and for providers' administrative purposes in this surgery and 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)(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>
<p><b>5) Recipient or categories of recipients of the processed data</b></p>	<p>The data will be shared with TCR (Nottingham) Ltd, General Practice Alliance and Public Health Northamptonshire.</p>
<p><b>6) Right to object</b></p>	<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>

	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.
<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.  Prescribing Services Ltd will retain data until the end of the Data Processing Agreement.
<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.