**The Gynaecology Partnership Ltd**

**Protecting your Confidentiality – Privacy Notice**

**Your information, what you need to know**
This Privacy notice explains why we collect information about you, how that information may be used and how we keep it safe and confidential.

We, at The Gynaecology Partnership Ltd, are a **Data Controller** of your information. This means we are responsible for collecting, storing and handling your personal and healthcare information when we register you with us as a patient following a referral by your GP. . There may be times when we have to process your information for a specific purpose, hence we may also be **Data Processors.**

The **Data Protection Officer** is the Service Manager. You can contact her with any questions regarding this notice.

**Why we collect information about you**Health care professionals who provide you with care are required by law to maintain records about your health and any treatment or care you have received within any NHS organisation.
These records help to provide you with the best possible healthcare.
We collect and hold data for the sole purpose of providing healthcare services to our patients.
In carrying out this role we may collect information about you which helps us respond to your queries or secure specialist services. We may keep your information in written form and/or in digital form. The records may include basic details about you, such as your name and address.
They may also contain more sensitive information about your health and also information such as outcomes of needs assessments.

**Details we collect about you**The health care professionals who provide you with care maintain records about your health and any treatment or care you have received previously (eg. NHS Trust, GP Surgery, Walk-in clinic, etc.). These records help to provide you with the best possible healthcare.

Records which this organisation may hold about you may include the following:

* Details about you, such as your contact details, ethnicity, email address, home/work/mobile telephone numbers
* Name , address and contact number for your next of kin
* Any contact the service has had with you, such as appointments, clinic visits,
telephone consultations 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

**How we keep your information confidential and safe**

Everyone working for the NHS is subject to the Common Law Duty of Confidence. Information provided in confidence will only be used for the purposes advised with consent given by the patient, unless there are other circumstances covered by the law. The NHS Digital Code of Practice on Confidential Information applies to all our staff and they are required to protect your information, inform you of how your information will be used, and allow you to decide if and how your information can be shared. All our staff are expected to make sure information is kept confidential and receive annual training on how to do this.

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. Your records are backed up securely in line with NHS standard procedures. We ensure that the information we hold is kept in secure locations, is protected by appropriate security and access is restricted to authorised personnel.
We also make sure external data processors that support us are legally and contractually bound to operate and prove security arrangements are in place where data that could or does identify a person are processed.

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

* Data Protection Act 1998
* General Data Protection Regulation 2018
* Human Rights Act
* Common Law Duty of Confidentiality
* NHS Codes of Confidentiality and Information Security
* Health and Social Care Act 2015

We maintain our duty of confidentiality to you at all times. 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), or where the law requires information to be passed on.

**How we use your information**

Under the powers of the Health and Social Care Act 2015, NHS Digital can request personal confidential data from NHS providers without seeking patient consent. Improvements in information technology are also making it possible for us to share data with other healthcare providers with the objective of providing you with better care.

You can object to your personal information being shared with other health care providers but if this limits the treatment that you can receive then the doctor will explain this to you at the time.

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.

**Legal Justification for Collecting and Using your Information**

The Law says we need a **legal basis** to handle your personal and healthcare information.

**Contract:** We have a contract with Barnet Clinical Commissioning Group to deliver healthcare services to you. This contract provides that we are under a legal obligation to ensure that we deliver medical and healthcare services to the public.

**Consent:** Sometimes we also rely on the fact that you give us consent to use your personal and healthcare information so that we can take care of your healthcare needs.

Please note that you have the right to withdraw consent at any time if you no longer wish to receive services from us.

**Necessary Care**: Providing you with the appropriate healthcare, where necessary. The Law refers to this as ‘protecting your vital interests’ where you may be in a position not to be able to consent.

**Law:** Sometimes the Law obliges us to provide your information to an organisation (see above).

**Special Categories**

The Law states that personal information about your health falls into a special category of information because it is very sensitive. Reasons that may entitle us to use and process your information may be as follows:

**Public Interest**: Where we may need to handle your personal information when it is considered to be in the public interest. For example, when there is an outbreak of a specific disease and we need to contact you for treatment, or we need to pass your information to relevant organisations to ensure you receive advice and/or treatment;

**Consent**: When you have given us consent;

**Vital Interest**: If you are incapable of giving consent, and we have to use your information to protect your vital interests (e.g. if you have had an accident and you need emergency treatment);

**Defending a Claim**: If we need your information to defend a legal claim against us by you, or by another party;

**Providing you with Medical Care**: Where we need your information to provide you with medical and healthcare services

**REASONS FOR SHARING YOUR INFORMATION**

**Clinical Audit**

Information may be used for clinical audit to monitor the quality of the service provided.

**Clinical Research/Education**Occasionally your information may be requested to be used for research purposes. The service would always gain your consent before releasing any information for this purpose.

**Cabinet Office**
The use of data by the Cabinet Office for data matching is carried out with statutory authority under Part 6 of the Local Audit and Accountability Act 2014. It does not require the consent of the individuals concerned under the Data Protection Act 1998.

Data matching by the Cabinet Office is subject to a Code of Practice.

Information on the Cabinet Office’s legal powers and reasons why it matches particular information. <https://www.gov.uk/government/publications/code-of-data-matching-practice-for-nationalfraud-initiative>

**Individual Funding Request**

An ‘Individual Funding Request’ is a request made on your behalf, with your consent, by a clinician, for funding of specialised healthcare which falls outside the range of services and treatments that CCG has agreed to commission for the local population. An Individual Funding Request is taken under consideration when a case can be set out by a patient’s clinician that there are exceptional clinical circumstances which make the patient’s case different from other patients with the same condition who are at the same stage of their disease, or when the request is for a treatment that is regarded as new or experimental and where there are no other similar patients who would benefit from this treatment. A detailed response, including the criteria considered in arriving at the decision, will be provided to the patient’s clinician.

**Invoice Validation**
Invoice validation is an important process. It involves using your NHS number to check the CCG that is responsible for paying for your treatment. Section 251 of the NHS Act 2006 provides a statutory legal basis to process data for invoice validation purposes. We can also use your NHS number to check whether your care has been funded through specialist commissioning, which NHS England will pay for. The process makes sure that the organisations providing your care are paid correctly.

**Supporting Medicines Management**

CCGs support local primary, secondary and community services with prescribing queries which generally don’t require identifiable information. CCG pharmacists work with us to provide advice on medicines and prescribing queries, and review prescribing of medicines to ensure that it is safe and cost-effective.

**Safeguarding**To ensure that adult and children’s safeguarding matters are managed appropriately, access to identifiable information will be shared in some limited circumstances where it’s legally required for the safety of the individuals concerned.

**Data Retention**

We will approach the management of patient records in line with the Records Management NHS Code of Practice for Health and Social Care which sets the required standards of practice in the management of records for those who work within or under contract to NHS organisations in England, based on current legal requirements and professional best practice.

**Who are 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:

* Your GP
* NHS Trusts / Specialist Trusts
* Independent Contractors such as dentists, opticians, pharmacists
* Private Sector Providers
* Voluntary Sector Providers
* Ambulance Trusts
* Clinical Commissioning Groups
* Social Care Services
* Local Authorities
* Education Services
* Fire and Rescue Services
* Police
* Other ‘Data Processors’.

We will never share your information outside of health partner organisations without your explicit consent unless there are exceptional circumstances such as when the health or safety of others is at risk, where the law requires it or to carry out a statutory function.
Within the health partner organisations (NHS and Specialist Trusts) and in relation to the above mentioned themes- Invoice Validation, Supporting Medicines Management, – we will assume you are happy to for your information to be shared unless you inform us otherwise.

Anyone you have given your consent to, to view or receive your record, or part of your record. **Please note, if you give another person or organisation consent to access your record we will need to contact you to verify your consent before we release that record. It is important that you are clear and understand how much and what aspects of, your record you give consent to be disclosed**

**Your Rights as a Patient**

**Access to your information**Under the new General Data Protection Regulation (GDPR) 2018 everybody has the right to see, or have a copy, of data we hold that can identify you, with some exceptions. You do not need to give a reason to see your data.

If you would like a copy of the information we hold about you please email our Data Protection Officer.We will provide this information free of charge however, we may in some **limited and exceptional** circumstances have to make an administrative charge for any extra copies if the information requested is excessive, complex or repetitive.

We have one month to reply to you and give you the information that you require. We would ask, therefore, that any requests you make are in writing and it is made clear to us what and how much information you require.

**Correction**

We want to make sure that your personal information is accurate and up to date. You may ask us to correct any information you think is inaccurate. It is very important that you make sure you tell us if your contact details including your mobile phone number has changed.

**Removal**

You have the right to ask for your information to be removed however, if we require this information to assist us in providing you with appropriate medical services and diagnosis for your healthcare, then removal may not be possible.

**Objection**

We cannot share your information with anyone else for a purpose that is not directly related to your health, e.g. medical research, educational purposes, etc. We would ask you for your consent in order to do this however, you have the right to request that your personal and healthcare information is not shared by the Surgery in this way. Please note the Anonymised Information section in this Privacy Notice.

**Transfer**

You have the right to request that your personal and/or healthcare information is transferred, in an electronic form (or other form), to another organisation, but we will require your clear consent to be able to do this.

**THIRD PARTIES MENTIONED ON YOUR MEDICAL RECORD**

Sometimes we record information about third parties mentioned by you to us during any consultation. We are under an obligation to make sure we also protect that third party’s rights as an individual and to ensure that references to them which may breach their rights to confidentiality, are removed before we send any information to any other party including yourself. Third parties can include: spouses, partners, and other family members.

**Change of Details**It is important that you tell the person treating you if any of your details such as your name or address have changed or if any of your details are incorrect in order for this to be amended. Please inform us of any changes so our records for you are accurate and up to date.

**Mobile Numbers & Email Addresses**If you provide us with your mobile phone number, we may use this to send you reminders about your appointments or other health screening information. Please let us know if you do not wish to receive reminders on your mobile.

If you provide us with your email address, we may use this to send you reminders to make an appointment for a review. Please let us know if you do not wish to receive correspondence by email.

**Notification**
The Gynaecology Partnership Ltd is registered with the Information Commissioners Office (ICO) to describe the purposes for which they process personal and sensitive information.
We are a registered Data Controller and our registration can be viewed online in the public register at: <http://ico.org.uk/what_we_cover/register_of_data_controllers> .

**Complaints**If you have concerns or are unhappy about any of our services, please contact the Serviced Manager.

For independent advice about data protection, privacy and data-sharing issues, you can contact: The Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF - Phone: **0303 123 1113** Website: [www.ico.gov.uk](http://www.ico.gov.uk) .

**Further Information**Further information about the way in which the NHS uses personal information and your rights in that respect can be found here: <https://www.england.nhs.uk/contact-us/privacy/privacy-notice/your-information/>

**The NHS Care Record Guarantee**
The NHS Care Record Guarantee for England sets out the rules that govern how patient information is used in the NHS, what control the patient can have over this, the rights individuals have to request copies of their data and how data is protected under the Data Protection Act 1998. <http://systems.digital.nhs.uk/infogov/links/nhscrg.pdf>

**The NHS Constitution**

The NHS Constitution establishes the principles and values of the NHS in England. It sets out the rights patients, the public and staff are entitled to. These rights cover how patients access health services, the quality of care you’ll receive, the treatments and programmes available to you, confidentiality, information and your right to complain if things go wrong.
<https://www.gov.uk/government/publications/the-nhs-constitution-for-england>

**NHS Digital**NHS Digital collects health information from the records health and social care providers keep about the care and treatment they give, to promote health or support improvements in the delivery of care services in England.
<http://content.digital.nhs.uk/article/4963/What-we-collect>

**Reviews of and Changes to our Fair Processing Notice**You may find a copy of this Notice in our Reception, on our website, or a copy may be provided on request. We will keep our Fair Processing Notice under regular review. This notice was last reviewed following GDPR implementation in May 2018.