



Witheridge Medical Centre, Morchard Bishop Surgery and Cheriton Fitzpaine Surgery

Privacy Notice

This privacy notice describes the data, the practice holds about you, why we hold it, where and how we store it, how long for and how we protect it. It also tells you about your rights under the Data Protection Legislation and how the law protects you.

Who we are and what do we do?

The Mid Devon Medical Practice

Witheridge Medical Centre, Cannington Road, Witheridge, EX16 8EZ

Tel: 01884 860205 Email D-icb.Witheridge@nhs.net

Morchard Bishop Surgery, Chulmleigh Road, Morchard Bishop, EX17 6NZ

Tel: 01363 877208 Email: D-icb.Morchardbishop@nhs.net

Cheriton Fitzpaine Surgery, Barton Close, Cheriton Fitzpaine, EX17 4JB

Tel: 01363 866322 Email: D-icb.Cheritonfitzpaine@nhs.net

The Mid Devon Medical Practice is a Data Controller for the data we hold about you. We hold your data to provide you with health and social care.

What is personal data and what data do we use?

Your personal data is any information that can be connected to you personally. If you can be identified from the data, it is personal data. The types of personal data we use and hold about you are:

- Details about you: your name, address, contact number, email address, date of birth, gender, and NHS number. We may also hold information about your emergency contact, next of kin and carer.
- Details about your medical care: medical diagnosis, record of treatment received, referrals, history of prescribed medication, results of investigations such as X-rays etc.
- Information provided by you: this includes correspondence relating to feedback, concerns, and complaints about the service you have received.

- Relevant information from other healthcare professionals, relatives or those who care for you.

We may also hold the following information about you:

- Religion or other beliefs of a similar nature,
- Family, lifestyle and/or social circumstances,
- Employment details,
- Financial details.

When we collect your mobile number, we use it to text you to remind you of appointments, inform you of changes to the practice's services (including closures) and to invite you to complete part of an Asthma or Diabetic Review. We may also use your mobile number to send out messages from the practice to alert you to changes to our service or half day closing for staff training. If you no longer wish to receive communication this way, please let a member of staff know who will be able to update your preferences.

When we collect your email address, we use it to correspond with you should we be unable to contact you via the telephone or we would use your email if you have specified that this is your preferred way of contact. We may use your email address to remind you of appointments or invitations to screening if requested. If you no longer wish to receive communication this way, please let a member of staff know who will be able to update your preferences.

Why do we process your data and what legal basis do we have to process your data?

To process your personal data or share your personal data outside of the practice, we need a legal basis to do so. If we process or share special category data, such as health data, we will need an additional legal basis to do so.

We rely upon Article 6(1)(e) (public interest task) and Article 9(2)(h) (health and social care) for most of our processing and sharing, in particular to:

- Provide you with health and care,
- Share data from, or allow access to, your GP record, for healthcare professionals involved in providing you with health and care,
- Receive data from or access your data on other NHS organisation clinician systems,
- Work effectively with other organisations and healthcare professionals who are involved in your care,
- Ensure that your treatment and advice, and the treatment of others is safe and effective,
- Participate in National Screening Programmes,
- Use a computer program to identify patients who might be at risk from certain diseases or unplanned admissions to Hospitals,

- Help NHS Digital and the practice to conduct clinical audits to ensure you are being provided with safe, high-quality care,
- Support medical research when the law allows us to do so,
- Supply data to help plan and manage services and prevent infectious diseases from spreading.

We rely upon Article 6(1)(d) (vital interest) and Article 9(2)(c) (vital interests) to share information about you with another healthcare professional in a medical emergency.

We rely upon Article 6(1)(e) (public interest task) and Article 9(2)(g) (substantial public interest) to support safeguarding for patients who, for instance, may be particularly vulnerable to protect them from harm or other forms of abuse.

We rely upon Article 6(1)(c) (legal obligation) and Article 9(2)(h) to share your information for mandatory disclosures of information (such as NHS England, CQC and UK Health Security Agency and Office for Health Improvement and Disparities).

We rely upon Article 6(1)(c) (legal obligation) and Article 9(2)(f) (legal claims) to help us investigate legal claims and if a court of law orders us to do so.

We rely upon Article 6(1)(a) (consent) and Article 9(2)(a) (explicit consent), in order to:

- Help the practice investigate any feedback, including patient surveys, complaints or concerns you may have about contact with the practice,
- Help manage how we provide you with services from the practice, for example, when you nominate individuals to contact the practice on your behalf,
- Contact you if you have signed up to our patient participation group,
- Share your information with third parties, for example, insurance companies and medical research organisations.

We also use anonymised data to plan and improve health care services. Specifically, we use it to:

- Review the care being provided to make sure it is of the highest standard,
- Check the quality and efficiency of the services we provide,
- Prepare performance reports on the services we provide.

Common law duty of confidentiality

Healthcare staff will respect and comply with their obligations under the common law duty of confidence. We meet the duty of confidentiality under one of the following:

- You have provided us with your explicit consent,
- For direct care, we rely on implied consent,

- We have approval from the [Confidentiality Advisory Group \(CAG\)](#).
- We have a legal requirement to collect, share and use the data,
- On a case-by-case basis, we will share information in the public interest.

How do we collect your data?

The practice collects data that you provide when you:

- Receive treatment or care from the practice,
- Contact the practice by telephone (We record all calls to and from the practice when you contact the practice by telephone. All calls are recorded for training and monitoring purposes). online via an online triage system, or in person,
- Complete a form electronically or in paper,
- Visit the practice's website (If cookies are enabled).

We receive information about you from other providers to ensure that we provide you with effective and comprehensive treatment. These providers may include:

- The GP Practices within the Tiverton Primary Care Network (Amicus Health and Castle Place Practice)
- Other GP Practices
- NHS Trusts/Foundation Trusts
- NHS Commissioning Support Units (CSUs)
- Community Services (District Nurses, Rehabilitation Services and out of hours services)
- Ambulance or emergency services
- Independent contractors such as Pharmacies, Dentists and Opticians
- Devon Integrated Care Board (ICB)
- NHS England
- Local authorities
- Police and Judicial Services
- Educational Services
- NHS 111
- UK Health Security Agency
- Office for Health Improvement and Disparities
- Non-NHS health care providers
- Research providers

We also use AccuRx which is an online tool that allows you to get advice and treatment, request sick notes and results or self-help.

AccuRx is provided by a third-party organisation and by using AccuRx, you are submitting your information to them. This information is then provided to the practice to be reviewed. Further information on AccuRx can be found <https://www accurx.com/privacy-policy>

You can also use AccuRx via the NHSApp. Further information regarding the role of NHS England and the practice can be found: <https://www.nhs.uk/using-the-nhs/nhs-services/the-nhs-app/privacy/online-consultations/>

Who do we share your data with?

To deliver and coordinate your health and care, we may sometimes share information with other organisations. We will only ever share information about you if other agencies involved in your care have a genuine need for it. Anyone who receives information from the practice is under a legal duty to keep it confidential and secure.

Please be aware that there may be certain circumstances, such as assisting the police with the investigation of a serious crime, where it may be necessary for the practice to share your personal information with external agencies without your knowledge or consent.

We may share information with the following organisations:

- The GP Practices Clare House Surgery and Bampton Surgery
- Other GP Practices
- NHS Trusts/Foundation Trusts
- Devon Integrated Care Board (ICB)
- NHS Commissioning Support Units
- Community Services (District Nurses, Rehabilitation Services and out of hours services)
- Ambulance or emergency services
- Independent contractors such as Pharmacies, Dentists and Opticians
- Local authorities
- Multi-Agency Safeguarding Hub (MASH)
- Police and Judicial Services
- Educational Services
- Fire and Rescue Services
- NHS 111
- The Care Quality Commission, ICO and other regulators
- UK Health Security Agency
- Office for Health Improvement and Disparities
- NHS England
- Non-NHS health care providers
- Research providers

In addition to sharing data with the above services, the practice will also use carefully selected third party service providers that process data on behalf of the practice. When we use a third-party service provider, we will always have an appropriate agreement in place to ensure that they keep the data secure, that they do not use or share information other than in accordance with our instructions and that they are operating responsibly to ensure the protection of your data. Examples of functions that may be carried out by third parties includes:

- Organisations that provide IT services & support, including our core clinical systems; systems which manage patient facing services (such as our website and service accessible through the same); data hosting service providers; systems which facilitate video consultation, telephone recording, appointment bookings or electronic prescription services; document management services etc.
- Organisations who are delivering services on behalf of the practice (for example conducting Medicines Management Reviews to ensure that you receive the most appropriate, up to date and cost-effective treatments or supporting practices in offering choices of providers and appointments to patients who are being referred via the NHS E-Referral system).
- Delivery services (for example if we were to arrange for delivery of any medicines to you).
- Payment providers (if for example you were paying for a prescription or a service such as travel vaccinations).
- Organisations that provide digital dictation and document creation systems.

For further information of who we share your personal data with and our third-party processors, please contact the Practice Manager.

Where do we store your data?

We use a number of IT systems and tools to store and process your data, on behalf of the practice. Examples of tools we use include our Core Clinical System EMIS, NHSmail, Microsoft 365, Surgery Connect, AccuRx, Joy App and Lexacom.

For further information on this, please contact the Practice Manager.

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 the practices in Mid Devon Healthcare Primary Care Network and 111 via GPConnect 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 find below links to both the NHS England GP Connect Transparency Notice and the Portal for organisations who have signed up to use this add other relevant services:

<https://digital.nhs.uk/services/gp-connect/gp-connect-in-your-organisation/transparency-notice>

<https://transparency.ndsp.gpconnect.nhs.uk/Name>

Please note that if you have previously dissented (opted-out) to sharing your records, this decision will be upheld, and your record will only be accessed by the practice. Should you wish to opt-out of, please speak to the Practice Manager who will be able to update your personal preferences. **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.**

One Devon Dataset

As well as using your data to support the delivery of care to you, your data may be used to help improve the way health and social care is delivered to patients and service users throughout Devon using Population Health Management methods.

We will use a pseudonymised extract (i.e., *not* identifiable information) which will be sent securely to NHS Devon ICB (Integrated Care Board) and in partnership with the Local Authorities. Data will be used to support the Devon Integrated Care System to improve short-term and medium-term health outcomes for local populations. If you would benefit from some additional care or support, your information will be shared back to the practice, or another local provider involved in your care, so that they can offer you direct care.

Further information about Population Health Management can be found here:

<https://www.england.nhs.uk/integratedcare/what-is-integrated-care/phm/>

Further information about the One Devon Dataset can be found here:

<https://devon.icb.nhs.uk/privacy-notice/>

We will rely on public interest task as the legal basis for processing your data for this purpose. You have a right to object to your information being used in this way. If you wish to discuss this further, please contact the Practice Manager

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 able 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 can be added to include further information. However, any additional data will only be uploaded if you specifically request it and with your consent. You can find out more about the SCR here:

<https://digital.nhs.uk/services/summary-care-records-scr>

Devon and Cornwall Care Record

Health and social care services in Devon and Cornwall have developed a system to share patient data efficiently and quickly and, ultimately, improve the care you receive.

This shared system is called the Devon and Cornwall Care Record.

It's important that anyone treating you has access to your shared record, so they have all the information they need to care for you. This applies to your routine appointments and in urgent situations such as going to A&E, calling 111 or going to an out-of-hours appointment.

It's also quicker for staff to access a shared record than to try to contact other staff by phone or email.

Only authorised staff can access the Devon and Cornwall Care Record and the information they see is carefully checked so that it relates to their job. Also, systems do not share all your data – just data that services have agreed is necessary to include.

For more information about the Devon and Cornwall Care Record, please go to

<https://www.devonandcornwallcarerecord.nhs.uk/>

National Screening Programmes

The NHS provides national screening programmes so that certain diseases can be detected at early stages. These screening programmes include bowel cancer, breast cancer, cervical cancer, aortic aneurysms, and a diabetic eye screening service. More information on the national screening programmes can be found at: <https://www.gov.uk/topic/population-screening-programmes>

Risk Stratification

Your medical records will be searched by a computer program so that we can identify patients who might be at considerable risk from certain diseases such as heart disease or unplanned admissions to hospital. This means we can offer patients additional care or support as early as possible.

This process will involve linking information from your GP record with information from other health or social care services you have used. Information which identifies you will only be seen by this practice. More information can be found at <https://www.england.nhs.uk/ig/risk-stratification/> or speak to the practice.

Research

We're excited to share news of our partnership with seasoned NIHR RRDN (National Institute for Health Research Regional Research Delivery Network) experts, seamlessly integrated into our practice team. In the pursuit of advancing medical research, these professionals, alongside our practice team, may access your patient record for pre-consented activities. This involves identifying potential eligibility for research opportunities and supporting recruitment and follow-up for clinical trials. This process operates under the lawful bases of Article 6 (public task) and Article 9 (substantial public interest) of the GDPR. Be assured, that your privacy and data security are rigorously safeguarded. This collaboration also supports NIHR and NHS's pursuit in improving equality to access research. Any eligible individuals will be contacted by the practice, and their consent will be requested before any further processing takes place.

<https://www.nihr.ac.uk/documents/nihr-privacy-policy/12242>

How long do we hold your data?

We only hold your data for as long as necessary and are required to hold your data in line with the NHS Records Management Code of Practice Retention Schedule. Further information can be found online at:

<https://www.nhs.uk/information-governance/guidance/records-management-code/>

Documents such as insurance reports are scanned onto your medical records and saved in our clinical system and form part of your medical records which are kept in accordance with the retention schedule.

Confidential correspondence received on paper by a third party is securely and confidentially destroyed and a Certificate of Destruction is held by the Practice.

Surgery Connect (X-On)

X-On, who provide the cloud-based telephony service for the Amicus Health Group will retain copies of call recordings for 36 months. The Practice will retain the original audio recording for 4 years in line with the NHS retention schedule. Staff at the Practice will also document relevant information direct into the patient record through transcription or summarisation in real time during the call.

What rights do you have?

You have various rights under the UK GDPR and Data Protection Act 2018:

Right of access:

You have the right to request access to view or request copies of the personal data, we hold about you; this is known as a Subject Access Request (SAR). To request access, you should:

Requests can be made verbally or in writing. Requests can be made via email, but the email address the request is sent from must match the email address we hold on record.

Please note that you are entitled to a copy of your data that we hold free of charge; however, we are entitled to charge in certain circumstances where the law permits us to do so. We are also entitled to refuse a request, where the law permits us to do so. If we require a fee or are unable to comply with your request, we will notify you within 1 calendar month of your request.

Right to restrict or object the use of your information:

There are certain circumstances in which you can object from your data being shared. Information regarding your rights to opt-out is detailed below:

Consent:

If the practice is relying on the consent as the basis for processing your data, you have the right to withdraw your consent at any time. Once you have withdrawn your consent, we will stop processing your data for this purpose.

However, this will only apply in circumstances on which we rely on your consent to use your personal data. Please be aware that if you do withdraw your consent, we may not be able to provide certain services to you. If this is the case, we will let you know.

Summary Care Record:

The SCR improves care; however, if you do not want one, you have the right to object to sharing your data or to restrict access to specific elements of your records. This will mean that the information recorded by the practice will not be visible at any other care setting.

If you wish to discuss your options regarding the SCR, please speak to a member of staff at the practice. You can also reinstate your consent at any time by giving your permission to override your previous dissent.

National Screening Programmes:

If you do not wish to receive an invitation to the screening programmes, you can opt out at <https://www.gov.uk/government/publications/opting-out-of-the-nhs-population-screening-programmes> or speak to the practice.

Type 1 Opt-out:

You have the right to object to your confidential patient data being shared for purposes beyond your direct care by asking the practice to apply a Type 1 opt-out to your medical records. A type 1 opt-out prevents personal data about you, being extracted from your GP record, and uploaded to any other organisations without your explicit consent. If you wish for a Type 1 opt-out to be applied to your record, please contact the Practice Manager.

National Data Opt-out:

You have the right to object to your data being shared under the national data opt-out model. The national data opt-out model provides an easy way for you to opt-out of sharing data that identifies you being used or shared for medical research purposes and quality checking or audit purposes.

To opt-out of your identifiable data being shared for medical research or to find out more about your opt-out choices please ask a member of staff or go to NHS Digital's website:

<https://digital.nhs.uk/services/national-data-opt-out-programme>

Our organisation is compliant with the national data opt-out policy.

National Disease Registration Service

The National Disease Registration Service (NDRS) is run by NHS England and collects patient data on cancer, congenital anomalies, and rare diseases, and provides analysis to support clinical teams, academics, charities, and policy makers to help plan and improve treatments and healthcare in England.

Further information regarding the registry and your right to opt-out can be found at: <https://digital.nhs.uk/services/national-disease-registration-service>

Right to rectification:

You have the right to have any errors or mistakes corrected within your medical records. This applies to matters of fact, not opinion. If the information is of clinical nature, this will need to be reviewed and investigated by the practice. If you wish to have your records amended, please contact the Practice Manager

If your personal information changes, such as your contact address or number, you should notify the practice immediately so that we can update the information on our system. We will also ask you from time to time to confirm the information we hold for you, is correct.

Right to erasure:

The practice is not aware of any circumstances in which you will have the right to delete correct data from your medical record, which the practice is legally bound to retain. Although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the data and contact the practice if you hold a different view.

Right to complain:

Please let us know if you wish to discuss how we have used your personal data, raise a concern, make a complaint or compliment. You can contact us D-CCG.Witheridge@nhs.net or by writing to the Practice Manager at Witheridge Medical Centre, Cannington Road, Witheridge, EX16 8EZ.

Following this, if you are still unhappy with how we have used your data, you can then complain to the ICO.

If you wish to complain to the ICO follow this link: <https://ico.org.uk/global/contact-us/> or call the helpline on **0303 123 1113**.

Data outside EEA

We do not send your personal data outside of the EEA. However, if this is required, the practice would only do so, with your explicit consent.

Data Protection Officer

The Data Protection Officer for the practice is Bex Lovewell and she can be contacted via email on d-icb.deltldpo@nhs.net or by post: Delt Shared Services Limited, BUILDING 2 – Delt, Derriford Business Park, Plymouth, PL6 5QZ.

Cookies

The practice's website uses cookies. A cookie is a small file, typically of letters and numbers, downloaded on to a device (like your computer or smart phone) when you access certain websites. Cookies allow a website to recognise a user's device. Some cookies help websites

to remember choices you make (e.g., which language you prefer if you use the Google Translate feature). Analytical cookies are to help us measure the number of visitors to our website. The two types of cookies used by the practice are 'Session' and 'Persistent' cookies.

Some cookies are temporary and disappear when you close your web browser, others may remain on your computer for a set period. We do not knowingly collect or intend to collect any personal information about you using cookies. We do not share your personal information with anyone.

What can I do to manage cookies on my devices?

Most web browsers allow some control of most cookies through the browser settings. To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, visit <http://www.allaboutcookies.org/> If you are concerned about cookies and would like to discuss this, please contact the Practice Manager.

Changes to privacy notice

The practice reviews this privacy notice regularly and may amend the notice from time to time. If you wish to discuss any elements of this privacy notice, please contact the Practice Manager