**Annex A – Practice Privacy Notice**

Mount Chambers Medical Practice has a legal duty to explain how we use any personal information we collect about you at the organisation. We collect records about your health and the treatment you receive in both electronic and paper format.

**Why do we have to provide this privacy notice?**

We are required to provide you with this privacy notice by law. It provides information about how we use the personal and healthcare information we collect, store and hold about you. If you have any questions about this privacy notice or are unclear about how we process or use your personal information or have any other issue regarding your personal and healthcare information, then please contact our Data Protection Officer Jane Marley, Head of Information Governance, Mid & South Essex Integrated Care Board via email:- MSEGP.DPO@nhs.net

The main things the law says we must tell you about what we do with your personal data are:

* We must let you know why we collect personal and healthcare information about you
* We must let you know how we use any personal and/or healthcare information we hold about you
* We need to inform you in respect of what we do with it
* We need to tell you about who we share it with or pass it on to and why
* We need to let you know how long we can keep it for

**Using your information**

We will use your information so that we can check and review the quality of care we provide. This helps us improve our services to you.

* We will share relevant information from your medical record with other health or social care staff or organisations when they provide you with care.
* Your GP will share information when they refer you to a specialist in a hospital or another health care provider.
* Your GP will send details about your prescription to your chosen pharmacy.
* NHS 111/Out of Hours Service
* Local Social Services and Community Care Services
* Voluntary Support Organisations commissioned to provide services by Mid & South Essex Integrated Care Systems

Whilst we might share your information with the above organisations, we may also receive information from them to ensure that your medical records are kept up to date and so that your GP can provide the appropriate care. Your information is not shared outside of the EU.

* More information on how we share your information with organisations who are directly involved in your care can be found here:
[My Care Record - Home](https://www.mycarerecord.org.uk/).For details about My Care Record and how they use your information please view their Privacy Notice by clicking on the following link:- [My Care Record - Privacy Statement](https://www.mycarerecord.org.uk/privacy-statement)
* Healthcare staff working in A&E and out of hours care will also have access to your information. For example, it is important that staff who are treating you in an emergency know if you have any allergic reactions. This will involve the use of your Summary Care Record For more information see: [NHS Digital’s Summary Care Record](https://digital.nhs.uk/services/summary-care-records-scr) or alternatively speak to this organisation.

You have the right to object to information being shared for your own care. Please speak to this organisation if you wish to object. You also have the right to have any mistakes or errors corrected.

**Registering for NHS care**

* All patients who receive NHS care are registered on a national database (NHS Spine). The Spine is held and maintained by NHS Digital, a national organisation which has legal responsibilities to collect NHS data.
* More information can be found at [NHS Digital - Spine](https://digital.nhs.uk/services/spine#use-spine)

**Identifying patients who might be at risk of certain diseases**

* Your medical records will be searched by a computer programme so that we can identify patients who might be at high 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 organisation. See Annex E

**Safeguarding**

* Sometimes we need to share information so that other people, including healthcare staff, children or others with safeguarding needs, are protected from risk of harm. These circumstances are rare and we do not need your consent or agreement to do this.
* Please see our local Safeguarding Adults and Safeguarding Children policies for more information located on our website or speak to reception who will be able to provide you with an email or paper copy.

**We are required by law to provide you with the following information about how we handle your information:**

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| **Data Controller**  | Mount Chambers Medical Practice, 92 Coggeshall Road, Braintree, Essex, CM7 9BYT) 01376 553415 – E) mseicb-me.sar.mountchambers@nhs.net |
| **Data Protection Officer**  | Jane Marley, Head Of Information Governance, Mid & South Essex ICB E) MSEGP.DPO@nhs.net |
| **Purpose** of the processing | * To give direct health or social care to individual patients.
* For example, when a patient agrees to a referral for direct care, such as to a hospital, relevant information about the patient will be shared with the other healthcare staff to enable them to give appropriate advice, investigations, treatments and/or care.
* To check and review the quality of care. (This is called audit and clinical governance).
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| **Lawful basis** for processing | These purposes are supported under the following sections of the GDPR:***Article 6(1)(e)*** *‘…necessary for the performance of a task carried out in the public interest or in the exercise of official authority…’; and* ***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...”* The following sections of the GDPR mean that we can use medical records for research and to check the quality of care (national clinical audits)***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’.* |
| **Recipient or categories of recipients** of the processed data | The data will be shared with: * Healthcare professionals and staff at this surgery
* Braintree Primary Care Network staff in order to deliver extended primary care services
* NHS Secondary Care e.g. Local hospitals
* NHS 111 and Out of hours services
* Diagnostic and treatment centres
* Other organisations involved in the provision of direct care to individual patients such as organisations commissioned by Mid & South Essex ICB and NHS England

For national clinical audits that check the quality of care, the data will be shared with NHS Digital.  |
| **Right to object and the national data opt-out** | * You have the right to object to information being shared between those who are providing you with direct care. This may affect the care you receive – please speak to the practice.
* You are not able to object to your name, address and other demographic information being sent to NHS Digital. This is necessary if you wish to be registered to receive NHS care.
* You are not able to object when information is legitimately shared for safeguarding reasons. In appropriate circumstances, it is a legal and professional requirement to share information for safeguarding reasons. This is to protect people from harm. The information will be shared with the local safeguarding service.
* The national data opt-out model provides an easy way for you to opt-out of information that identifies you being used or shared for medical research purposes and quality checking or audit purposes.
* Please contact the practice if you wish to opt-out. Further information is available from [NHS England](https://digital.nhs.uk/services/national-data-opt-out).
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| **Right to access and correct** | * You have the right to access your medical record and have any errors or mistakes corrected. Please speak to a member of staff or look at our Access to Medical Records Policy on the organisation’s website.
* We are not aware of any circumstances in which you will have the right to delete correct information from your medical record although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view.
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| **Retention period** | * Records will be kept in line with the law and national guidance. Information about how long records are kept can be found in the [Records Management Code of Practice](https://transform.england.nhs.uk/information-governance/guidance/records-management-code/).
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| **Right to complain** | If you feel that your GP Practice has not complied with the current data protection legislation, either in responding to your request or in our general processing of your personal information, you should raise concerns in the first instance in writing to the Practice Manager at:* Mount Chambers Medical Practice, 92 Coggeshall Road, Braintree, Essex, CM7 9BY
* Or you can complain to the Parliamentary Health Service Ombudsman;

The Ombudsman is independent of government and the NHS. The service is confidential and free of charge. There are time limits for taking a complaint to the Ombudsman although this can be waived if there is good reason to do so. If you have questions about whether the Ombudsman will be able to help you, or about how to make a complaint, you can contact: • helpline on 0345 015 4033 • email phso.enquiries@ombudsman.org.uk. Further information about the ombudsman is available at http://www.ombudsman.org.uk/ * You can write to the Ombudsman at: The Parliamentary and Health Service Ombudsman,
* You also have the right to complain to the Information Commissioner’s Office. If you wish to complain, follow [this link](https://ico.org.uk/global/contact-us/) or call the helpline **0303 123 1113**
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| **Data we get from other organisations** | * We receive information about your health from other organisations that are involved in providing you with health and social care. For example, if you go to hospital for treatment or an operation the hospital will send us a letter to let us know what happened. This means your GP medical record is kept up-to date when you receive care from other parts of the health service.
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