

# DRS. SIDDIQUI, CUNNINGHAM & HALL

Salaried Doctors: Dr. Edmondson, Acors & Cronin

Practice Manager: Beverley Jones

Sidney House & The Laurels Surgery Strutt Close, Hatfield Peverel, Chelmsford CM3 2HB

Tel. 01245 380324 Fax. 01245 381488

Web [www.sidneyhouseandthelaurels.nhs.uk](http://www.sidneyhouseandthelaurels.nhs.uk)

Email [Sidney.laurels@nhs.net](mailto:Sidney.laurels@nhs.net)

## Patient Privacy Notice

This privacy notice lets you know what happens to any personal data that you give to us, or any that we may collect from or about you.

This privacy notice applies to personal information processed by or on behalf of the practice.

This Notice explains

- Who we are, how we use your information and our Data Protection Officer
- What kinds of personal information about you do we process?
- What are the legal grounds for our processing of your personal information (including when we share it with others)?
- What should you do if your personal information changes?
- For how long your personal information is retained by us?
- What are your rights under data protection laws?

The **General Data Protection Regulation (GDPR)** was incorporated into the UK's Data Protection Act on 25th May 2018. This is a single EU-wide regulation on the protection of confidential and sensitive information.

For the purpose of applicable data protection legislation (including but not limited to the General Data Protection Regulation (Regulation (EU) 2016/679) (the "GDPR"), and the Data Protection Act 2018 (currently in Bill format before Parliament) the practice responsible for your personal data.

This Notice describes how we collect, use and process your personal data, and how, in doing so, we comply with our legal obligations to you. Your privacy is important to us, and we are committed to protecting and safeguarding your data privacy rights.

### **How we use your information and the law.**

The practice will be what's known as the 'Controller' of the personal data you provide to us.

We collect basic personal data about you which does not include any special types of information or location-based information. This does however include name, address, contact details such as email and mobile number etc.

We will also collect sensitive confidential data known as "special category personal data", in the form of health information, religious belief (if required in a healthcare setting) ethnicity, and sex

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during the services we provide to you and or linked to your healthcare through other health providers or third parties.

## **Why do we need your information?**

The health care professionals who provide you with care maintain records about your health and any treatment or care you have received previously (e.g. NHS Trust, GP Surgery, Walk-in clinic, etc.). These records help to provide you with the best possible healthcare. 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. Records which the Practice hold about you may include the following information;

- Details about you, such as your address, carer, legal representative, emergency contact details
- Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments, 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.

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

## **How do we lawfully use your data?**

We need to know your personal, sensitive and confidential data in order to provide you with Healthcare services as a General Practice, under the General Data Protection Regulation we will be lawfully using your information in accordance with: -

*Article 6, 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;"*

*Article 9, (h) processing is necessary for the purposes of preventive 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*

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This Privacy Notice applies to the personal data of our patients and the data you have given us about your carers/family members.

## **Risk Stratification**

Risk stratification data tools are increasingly being used in the NHS to help determine a person's risk of suffering a condition, preventing an unplanned or (re)admission and identifying a need for preventive intervention. Information about you is collected from a number of sources including NHS Trusts and from this GP Practice. A risk score is then arrived at through an analysis of your de-identified information is only provided back to your GP as data controller in an identifiable form. Risk stratification enables your GP to focus on preventing ill health and not just the treatment of sickness. If necessary, your GP may be able to offer you additional services. Please note that you have the right to opt out of your data being used in this way.

## **Medicines Management**

The Practice may conduct Medicines Management Reviews of medications prescribed to its patients. This service performs a review of prescribed medications to ensure patients receive the most appropriate, up to date and cost-effective treatments.

## **How do we maintain the confidentiality of your records?**

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

- Data Protection Act 2018
- The General Data Protection Regulations 2016
- Human Rights Act 1998
- Common Law Duty of Confidentiality
- Health and Social Care Act 2012
- NHS Codes of Confidentiality, Information Security and Records Management
- Information: To Share or Not to Share Review

Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential.

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), where the law requires

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information to be passed on and / or in accordance with the information sharing principle following Dame Fiona Caldicott's information sharing review (Information to share or not to share) where "The duty to share information can be as important as the duty to protect patient confidentiality." This means that health and social care professionals should have the confidence to share information in the best interests of their patients within the framework set out by the Caldicott principles.

Our practice policy is to respect the privacy of our patients, their families and our staff and to maintain compliance with the General Data Protection Regulations (GDPR) and all UK specific Data Protection Requirements. Our policy is to ensure all personal data related to our patients will be protected.

All employees and sub-contractors engaged by our practice are asked to sign a confidentiality agreement. The practice will, if required, sign a separate confidentiality agreement if the client deems it necessary. If a sub-contractor acts as a data processor for the practice an appropriate contract (art 24-28) will be established for the processing of your information. In certain circumstances you may have the right to withdraw your consent to the processing of data. Please contact the Data Protection Officer in writing if you wish to withdraw your consent. In some circumstances we may need to store your data after your consent has been withdrawn to comply with a legislative requirement. Some of this information will be held centrally and used for statistical purposes. Where we do this, we take strict measures to ensure that individual patients cannot be identified. Sometimes your information may be requested to be used for research purposes – the surgery will always gain your consent before releasing the information for this purpose in an identifiable format. In some circumstances you can Opt-out of the surgery sharing any of your information for research purposes.

## **National Data Opt Out**

The national data opt-out programme affords patients the opportunity to make an informed choice about whether they wish their confidential patient information to be used for their individual care and treatment or also used for research and planning purposes. Patients who wish to opt out of data collection will be able to set their national data opt-out choice online. An alternative provision will be made for those patients who are unable to or do not want to use the online system.

## **How the NHS and care services use your information**

Sidney House and The Laurels Surgeries are one of many practices working in the health and care system to improve care for patients and the public.

Whenever you use a health or care service, such as attending Accident & Emergency or using Community Care services, important information about you is collected in a patient record for that service. Collecting this information helps to ensure you get the best possible care and treatment.

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The information collected about you when you use these services can also be used and provided to other organisations for purposes beyond your individual care, for instance to help with:

- improving the quality and standards of care provided
- research into the development of new treatments
- preventing illness and diseases
- monitoring safety
- planning services

This may only take place when there is a clear legal basis to use this information. All these uses help to provide better health and care for you, your family and future generations. Confidential patient information about your health and care is **only used** like this where allowed by law.

Most of the time, anonymised data is used for research and planning so that you cannot be identified in which case your confidential patient information isn't needed.

You have a choice about whether you want your confidential patient information to be used in this way. If you are happy with this use of information you do not need to do anything. If you do choose to opt out your confidential patient information will still be used to support your individual care.

To find out more or to register your choice to opt out, please visit [www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters). On this web page you will:

- See what is meant by confidential patient information
- Find examples of when confidential patient information is used for individual care and examples of when it is used for purposes beyond individual care
- Find out more about the benefits of sharing data
- Understand more about who uses the data
- Find out how your data is protected
- Be able to access the system to view, set or change your opt-out setting
- Find the contact telephone number if you want to know any more or to set/change your opt-out by phone
- See the situations where the opt-out will not apply

You can also find out more about how patient information is used at:

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<https://www.hra.nhs.uk/information-about-patients/> (which covers health and care research); and

<https://understandingpatientdata.org.uk/what-you-need-know> (which covers how and why patient information is used, the safeguards and how decisions are made)

You can change your mind about your choice at any time.

Data being used or shared for purposes beyond individual care does not include your data being shared with insurance companies or used for marketing purposes and data would only be used in this way with your specific agreement.

Health and care organisations have until 03/2021 to put systems and processes in place so they can be compliant with the national data opt-out and apply your choice to any confidential patient information they use or share for purposes beyond your individual care.

## RISK STRATIFICATION

### Purpose

Risk stratification is a process that we will use in the Practice to assist in identifying and caring for patients with long term health conditions and patients who are at high risk of emergency hospital admission. NHS England encourages us as GPs to use risk stratification tools as part of our involvement in local strategies for supporting patients with long-term conditions, such as chronic obstructive pulmonary disease (COPD) and diabetes, to help prevent hospital admissions that could have been avoided. As well as helping us in the Practice in providing direct care support for our patients, risk stratification is used by the CCG to support planning and commissioning, for example, understanding the numbers of patients in the region who require services to support COPD will enable us to manage periods of ill health and to improve the quality of the services we are able to offer you. The CCG will not have access to any information that identifies any individuals.

### How We Use Your Information in relation to Risk Stratification

Risk stratification tools use a mix of historic information about our patients such as age, gender, diagnoses and patterns of hospital attendance and admission as well as data other data collected in within the Practice. We will send details from your records to the Risk Stratification Supplier who will be working on our behalf. They will immediately convert the information into a format that does not identify you but it will have a key to enable it to be linked to other data and also to enable the Practice to re-identify the information when we need to do so in order to provide care for you.

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NHS Digital also provides information to the Risk Stratification Supplier about hospital attendances. This will in a format which does not directly identify you but which can be linked to the data about you from our Practice. Both sets of information are then linked in the risk stratification system.

The risk stratification system uses a formula to analyse the data to produce a risk score. These risk scores are available to us as a Practice where our authorised staff who are responsible for providing direct care for you are able to see these scores in a format that identifies you. This will help our clinical team make better decisions about your future care, for example we may invite you in for a review or if we think you may benefit from a referral to a new service we will discuss this with you. The CCG is provided with reports containing information which does not identify you, to ensure they are commissioning and planning for the right services as required by the population we serve.

## **Our Risk Stratification Supplier**

On behalf of our Practice, the CCG has entered into a contract with NHS Arden and Greater East Midlands Commissioning Support Unit (AGEM CSU) as our Risk Stratification Supplier. They are accredited by NHS England to conduct this service and provide the analysis for us.

AGEM CSU will be acting on behalf our Practice, as a data processor. We have entered into an Agreement with them to ensure that the risk stratification process will be conducted in accordance with Data Protection Regulations and in accordance with NHS England's rules for risk stratification. This has been done to keep your data secure at all times and to protect confidentiality.

## **What should I do if I have further questions about risk stratification?**

Please ask the Practice staff if you can speak to someone in more detail.

## **What if I do not information about me to be included (opt out)?**

If you do not wish your data to be included in the risk stratification service (even though it is in a format which does not directly identify you) you can choose to opt-out. In this case, please inform the Receptionist who will apply an opt-out code to your record to ensure that your information is not included.

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## Additional information

Additional information about risk stratification is also available from the NHS England website:  
<https://www.england.nhs.uk/ourwork/tsd/ig/risk-stratification/>

### With your consent we would also like to use your information to

We would however like to use your name, contact details and email address to inform you of services that may benefit you, with your consent only. There may be occasions where authorised research facilities would like you to take part on innovations, research, improving services or identifying trends.

At any stage where we would like to use your data for anything other than the specified purposes and where there is no lawful requirement for us to share or process your data, we will ensure that you have the ability to consent and opt out prior to any data processing taking place. This information is not shared with third parties or used for any marketing and you can unsubscribe at any time via phone, email or by informing the practice DPO as below.

### Where do we store your information Electronically?

All the personal data we process is processed by our staff in the UK however for the purposes of IT hosting and maintenance this information may be located on servers within the European Union.

No 3rd parties have access to your personal data unless the law allows them to do so and appropriate safeguards have been put in place. We have a Data Protection regime in place to oversee the effective and secure processing of your personal and or special category (sensitive, confidential) data.

### 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;

- NHS Trusts / Foundation Trusts
- GP's
- eMBED Health
- Independent Contractors such as dentists, opticians, pharmacists
- Private Sector Providers



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- Voluntary Sector Providers
- Ambulance Trusts
- Clinical Commissioning Groups
- Social Care Services
- NHS England (NHSE) and NHS Digital (NHSD)
- Local Authorities
- Education Services
- Fire and Rescue Services
- Police & Judicial Services
- Voluntary Sector Providers
- Private Sector Providers
- Other 'data processors' which you will be informed of

You will be informed who your data will be shared with and in some cases asked for consent for this to happen when this is required.

We may also use external companies to process personal information, such as for archiving purposes. These companies are bound by contractual agreements to ensure information is kept confidential and secure. All employees and subcontractors engaged by our practice are asked to sign a confidentiality agreement. If a sub-contractor acts as a data processor for the practice an appropriate contract (art 24-28) will be established for the processing of your information.

## **How long will we store your information?**

We are required under UK law to keep your information and data for the full retention periods as specified by the NHS Records management code of practice for health and social care and national archives requirements. More information on records retention can be found online at (<https://digital.nhs.uk/article/1202/RecordsManagement-Code-of-Practice-for-Health-and-Social-Care-2016>)

## **How can you access, amend move the personal data that you have given to us?**

Even if we already hold your personal data, you still have various rights in relation to it. To get in touch about these, please contact us. We will seek to deal with your request without undue delay,

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and in any event in accordance with the requirements of any applicable laws. Please note that we may keep a record of your communications to help us resolve any issues which you raise.

**Right to object:** If we are using your data because we deem it necessary for our legitimate interests to do so, and you do not agree, you have the right to object. We will respond to your request within 30 days (although we may be allowed to extend this period in certain cases). Generally, we will only disagree with you if certain limited conditions apply.

**Right to withdraw consent:** Where we have obtained your consent to process your personal data for certain activities (for example for a research project), or consent to market to you, you may withdraw your consent at any time.

**Right to erasure:** In certain situations (for example, where we have processed your data unlawfully), you have the right to request us to "erase" your personal data. We will respond to your request within 30 days (although we may be allowed to extend this period in certain cases) and will only disagree with you if certain limited conditions apply. If we do agree to your request, we will Delete your data but will generally assume that you would prefer us to keep a note of your name on our register of individuals who would prefer not to be contacted. That way, we will minimise the chances of you being contacted in the future where your data are collected in unconnected circumstances. If you would prefer us not to do this, you are free to say so.

**Right of data portability:** If you wish, you have the right to transfer your data from us to another data controller. We will help with this with a GP to GP data transfer and transfer of your hard copy notes

## **Access to your personal information**

**Data Subject Access Requests (DSAR):** You have a right under the Data Protection legislation to request access to view or to obtain copies of what information the surgery holds about you and to have it amended should it be inaccurate. To request this, you need to do the following:

- Your request should be made to the Practice – for information from the hospital you should write direct to them
- There is no charge to have a copy of the information held about you
- We are required to respond to you within one month
- You will need to give adequate information (for example full name, address, date of birth, NHS number and details of your request) so that your identity can be verified, and your records located information we hold about you at any time.

## **What should you do if your personal information changes?**

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You should tell us so that we can update our records please contact the Practice as soon as any of your details change, this is especially important for changes of address or contact details (such as your mobile phone number), the practice will from time to time ask you to confirm that the information we currently hold is accurate and up-to-date.

The national data opt-out programme affords patients the opportunity to make an informed choice about whether they wish their confidential patient information to be used for their individual care and treatment or also used for research and planning purposes. Patients who wish to opt out of data collection will be able to set their national data opt-out choice online. An alternative provision will be made for those patients who are unable to or do not want to use the online system.