

# Dr Gupta & Partner

## **Patient Privacy Notice**

This Privacy Notice explains what information we collect about you, how we store your information, how long we retain the information and with whom and for which legal purposes we may share it.

Our practice is registered with the Information Commissioner's Office (ICO) to process personal and special categories of information under the Data Protection Act 2018.

For further information, please visit our website <http://salisburyavenue.nhs.uk>

### **Why we collect personal information about you?**

The staff caring for you needs to collect and maintain information about your health, treatment and care so that you can be given the best possible care. This personal information can be held in a variety of formats, including paper records, electronically on computer systems, in video and audio files.

### **What is our legal basis for processing personal information about you?**

Any personal information we hold about you is processed for the purposes of 'provision of health or social care or treatment or the management of health of social care systems and services' under chapter 2, section 9 of the Data Protection Act 2018. For further information on this legislation, please visit: <http://www.legislation.gov.uk>

### **What personal information do we need to collect about you and how do we obtain it?**

Personal information about you is collected in number of ways. This can be from referral details from our staff, other 3<sup>rd</sup> parties or hospitals, directly from you or your authorised representative.

We hold the following basic personal information about you: your name, address (including correspondence), telephone numbers, date of birth, next of kin contacts and etc. We might also hold your e-mail address, marital status, occupation, and overseas status, place of birth and preferred name or maiden name.

In addition to the above, we may also hold sensitive personal information about you which could include:

- Notes and reports about your health, treatment and care, including:
  - Your medical conditions
  - Results of investigations such as x-rays and laboratory tests
  - Future care you may need
  - Personal information from people who care for you such as relatives and health or social care professionals
  - Smoking status and learning disability
- Your religion and ethnic origin
- Whether or not you are subject to any protection orders regarding your health, wellbeing and human rights (safeguarding status).

# Dr Gupta & Partner

It is important for us to have a complete personal and health related information about you. This is vital as it assists us to deliver appropriate treatment and care plans tailored to your needs.

## **What do we do with your personal information?**

- Your records are used to assess, advice and deliver on the most appropriate care for you.
- The staff has the access to your records for information to improve the quality and type of care you receive.
- Appropriate information if available if you consult another healthcare professional, or are referred to a specialist or another part of the NHS, social care or health provider.

The personal information we collect about you may also be used to:

- Send you reminders about your appointments and relevant correspondence.
- Review the care we provide to ensure it is of the highest standard and quality (e.g. through audit or service improvement).
- Support the funding of your care (e.g. with commissioning organisations)
- Prepare statistics on NHS performance to meet the needs of the population or for the Department of Health and other regulatory bodies;
- Help to train and educate healthcare professionals;
- Report and investigate complaints, claims and untoward incidents;
- Report events to the appropriate authorities when we are required to do so by law;
- Review your suitability for research study or clinical trial
- Contact you in regards to patient satisfaction surveys relating to services you may have used to further improve our services to patients.

Where possible, we will always look to anonymise/pseudonymous your personal information to protect patient confidentiality, unless there is a legal basis that permits us to use it then we will only use or share the minimum information necessary.

## **Who do we share your information with and why?**

We may need to share relevant personal information with other NHS organisations. For example, we may share your information for healthcare purposes with health authorities such as NHS England, Public Health England, NHS Practice, other General Practitioners (GPs), ambulance services, primary care agencies, etc. We will also share information with other parts of the NHS and those contracted to provide services to the NHS in order to support your healthcare needs.

We may need to share information from your health records with non-NHS organisations from which you are also receiving care, such as Social Services or private care homes. However, we will not disclose any health information to third parties without your explicit consent unless there are circumstances, such as when the health or safety of others is at risk or where current legislation permits or requires it.

# Dr Gupta & Partner

There are occasions where the Practice is required by law to share information provided to us with other bodies responsible for auditing or administering public funds, in order to prevent and detect fraud.

There may also be situations where we are under a duty to share your information, due to a legal requirement. This includes, but is not limited to, disclose under a court order, sharing with the Care Quality Commission for inspection purposes, the police for the prevention or detention of crime or where there is an overriding public interest to prevent abuse or serious harm to others and other public bodies (e.g. HMRC for the misuse of public funds in order to prevent and detect fraud).

For any request to transfer your data internationally outside the UK/EU, we will make sure that an adequate level of protection is satisfied before the transfer.

The practice is required to protect your personal information, inform you of how your personal information will be used, and allow you to decide if and how your personal information can be shared. Personal information you provide to the Practice in confidence will only be used for the purposes explained to you and to which you have consented. Unless, there are exceptional circumstances, such as when the health or safety of others is at risk, where the law requires it or there is an overriding public interest to do so. Where there is cause to do this, the Practice will always do its best to notify you of this sharing.

## **How do we maintain your records?**

Yours personal information is held in both paper and electronic forms for specified period of time as set out in the NHS Records Management Code of Practice for Health and Social Care and National Archives Requirements.

We hold and process your information in accordance with Data Protection Act 2018 as amended by the GDPR 2016, as explained above. In addition, everyone working for the NHS must comply with the Common Law Duty of Confidentiality and various national and professional standards and requirements.

We have a duty to:

- Maintain full and accurate records of the care we provide to you;
- Keep your records confidential and secure
- Provide information in a format that is accessible to you.

Use of E-mail – Some services in the Practice provides the option to communicate with patients via e-mail. Please be aware that the Practice cannot guarantee the security of this information whilst in transit, and by requesting this service you are accepting this risk.

Further information can be found in Information Governance Policies, which are available at: <http://www.sthk.nhs.uk/about/freedom-of-information/our-policies-and-procedures>

# Dr Gupta & Partner

All records held by the Practice will be kept for the duration specified by national guidance from the Department of Health. The Records Management Code of Practice for Health and Social Care 2016.

## Records Management Code of Practice for Health and Social Care 2016

Confidential information is securely destroyed in accordance with this code of practice.

### **What are your rights?**

If we need to use your personal information for any reasons beyond those stated above, we will discuss this with you and ask for your explicit consent. The Data Protection Act 2018 gives you certain rights, including the right to:

- Request access to the personal data we hold about you, e.g. in health records. The way in which you can access your own health records is further explained in our "Subject Access Request Policy".
- Request the correction of inaccurate or incomplete information recorded in our health records, subject to certain safeguards. This is also explained in our "Subject Access Request Policy".
- Refuse/withdraw consent to the sharing of your health records: Under the Data Protection Act 2018, we are authorised to process, i.e. share your health records 'for the management of healthcare systems and services'. Your consent will only be required if we intend to share your health records beyond these purposes, as explained above (e.g. research). Any consent from you will be asked to sign will give you the option to 'refuse' consent and will explain how you can 'withdraw' any given consent at a later time. The consent form will also warn you about the possible consequences of such refusal/withdrawal.
- Request your personal information to be transferred to other providers on certain occasions.
- Object to the use of your personal information: In certain circumstances you may also have the right to 'object' to the processing (i.e. sharing) of your information where the sharing would be for a purpose beyond your care and treatment (e.g. as part of a local/regional data sharing initiative). This so called 'Data Opt-out' initiative, developed by Dame Caldicott, is set to commence in March 2018 and conclude in March 2020. Further information can be found at: <https://digital.nhs.uk/national-data-opt-out>
- We will always try to keep your information confidential and only share information when necessary.

# Dr Gupta & Partner

If you wish to raise a complaint on how we have handled your personal data, you can contact our Data Protection Officer who will investigate the matter.

**Practice Information Governance Lead:** Balajeevani Sinnathurai  
7 Salisbury Avenue, Barking, IG11 9XQ  
[Drsgupta.chibber@nhs.net](mailto:Drsgupta.chibber@nhs.net)

**OR**

**Data Protection Officer:**

**Information Commissioner's Office:** The Information Commissioner's Office (ICO) is the body that regulates the Practice under Data Protection and Freedom of Information legislation. <https://ico.org.uk/>. If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law you can complain to the ICO at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number  
Fax: 01625 524 510

E-mail: [casework@ico.org.uk](mailto:casework@ico.org.uk)