

NHS Digital –Privacy Notice

<p>Summary: NHS Digital is the secure haven* for NHS patient data, a single secure repository where data collected from all branches of the NHS is processed. NHS Digital provides reports on the performance of the NHS, statistical information, audits and patient outcomes (https://digital.nhs.uk/data-and-information). Examples include; A/E and outpatient waiting times, the numbers of staff in the NHS, percentage target achievements, payments to GPs etc and more specific targeted data collections and reports such as the Female Genital Mutilation, general practice appointments data and English National Diabetes Audits. GPs are required by the Health and Social Care Act to provide NHS Digital with information when instructed. This is a legal obligation which overrides any patient wishes. These instructions are called “Directions”. More information on the directions placed on GPs can be found at https://digital.nhs.uk/article/8059/NHS-England-Directions- and www.nhsdatasharing.info</p>	
<p>1. Data Controller:</p>	<p>Canterbury Medical Practice Patricxbourne Rd, Bridge, Canterbury CT4 5BL</p>
<p>2. Data Protection Officer:</p>	<p>Dr Mark Jones Contact via: ccccg.cmp@nhs.net</p>
<p>3. How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2^o uses) • COPI Regulations 2002 (e.g. Reg 5 - “s251”) • “overriding public interest” (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Legal obligation</p> <p>This means that we are compelled by law to share your data in this way</p>
<p>4. Purpose of the processing and the lawful basis for the processing</p>	<p>To provide the Secretary of State and others with information and reports on the status, activity and performance of the NHS. To provide specific reporting functions on identified areas.</p> <p>Lawful basis: Article 6(1)(c) – Legal Obligation <i>“processing is necessary for compliance with a legal obligation to which the controller is subject.”</i></p> <p>Article 9(2)(h) – Provision of Health <i>“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...”</i></p>
<p>5. Is this:</p> <ul style="list-style-type: none"> • Access to your GP record • Extraction of information 	<p>Extraction of information from the GP record</p>

<p><i>from your GP record</i></p> <ul style="list-style-type: none"> • <i>Access to data held about you by another data controller</i> 	
<p>6. The recipient(s), or categories of recipients, of your personal data</p>	<p>The data will be shared with NHS Digital according to directions which can be found at https://digital.nhs.uk/article/8059/NHS-England-Directions-</p>
<p>7. Retention period of the data (or criteria used to determine the retention period)</p>	<p>Data retained in line with NHS Digital policies on storing identifiable data https://digital.nhs.uk/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information</p>
<p>8. The existence of each of your rights</p> <ul style="list-style-type: none"> - The right to object - The right to access and correct 	<p>Whilst there is no right to object under 6(1)(c), NHS Digital respects Type 1 objections (9Nu0) present in the GP record and no data will be extracted and uploaded if so.</p> <p>Article 6(1)(e) gives the data subject the right to object i.e you have the right to object to some or all the information being processed under Article 21. Please contact the Data Controller or the practice.</p> <p>-You should be aware that this is a right to raise an objection, that is not the same as having an absolute right to have your wishes granted in every circumstance</p> <p>-You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law.</p>
<p>9. The right to lodge a complaint with a supervisory authority</p>	<p>You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate) There are National Offices for Scotland, Northern Ireland and Wales,(see ICO website)</p>
<p><i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i></p>	<p>No</p>
<p><i>Further information</i></p>	<p>More information about NHS Digital extractions can be found at: www.nhsdatasharing.info</p> <p>Further information about GP records and confidentiality can be found on our website under Data Protection: http://www.canterburymedicalpractice.nhs.uk/</p>