

## Public Health – Privacy Notice

**Summary:**

Public health encompasses everything from national smoking and alcohol policies, the management of epidemics such as flu, the control of large scale infections such as TB and Hepatitis B to local outbreaks of food poisoning or Measles. Certain illnesses are also notifiable; the doctors treating the patient are required by law to inform the Public Health Authorities, for instance Scarlet Fever.

This will necessarily mean the subjects personal and health information being shared with the Public Health organisations.

Some of the relevant legislation includes: the Health Protection (Notification) Regulations 2010 (SI 2010/659), the Health Protection (Local Authority Powers) Regulations 2010 (SI 2010/657), the Health Protection (Part 2A Orders) Regulations 2010 (SI 2010/658), Public Health (Control of Disease) Act 1984, Public Health (Infectious Diseases) Regulations 1988 and The Health Service (Control of Patient Information) Regulations 2002

<p><b>1. Data Controller:</b></p>	<p><b>Canterbury Medical Practice</b>                  Patricbourne Rd, Bridge, Canterbury                  CT4 5BL</p>
<p><b>2. Data Protection Officer:</b></p>	<p><b>Dr Mark Jones</b>                  Contact via: <a href="mailto:ccccg.cmp@nhs.net">ccccg.cmp@nhs.net</a></p>
<p><b>3. How does this comply with the Common Law Duty of Confidentiality?</b></p> <ul style="list-style-type: none"> <li>• Consent                         <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><a href="#">Legal obligation</a></p> <p>This means that we are compelled by law to share your data in this way</p> <p>or</p> <p><a href="#">Regulation 3 of COPI 2002</a></p> <p>Where an application of law exists that allows sharing of your data without your consent</p>
<p><b>4. Purpose of the processing and the lawful basis for the processing</b></p>	<p>To enable healthcare professionals working in CMP to provide all necessary information about individuals to Public Health England, when medically required.</p> <p>There are occasions when medical data needs to be shared with Public Health England, the Local Authority, the Local Director of Public Health or the Health Protection Agency, either under a legal obligation or for reasons of public interest or their equivalents in the devolved nations.</p> <p>Sensitive data (health)</p> <p>Lawful basis:</p> <p><b>Article 6(1)(c)– Legal Obligation</b>                  “processing is necessary for compliance with a legal</p>

	<p><i>obligation to which the controller is subject.”</i></p> <p><b>Article 9(2)(i) – Public interest – Public health</b>  <i>“processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross border threats to health or ensuring high quality of care”</i></p>
<p><b>5. Is this:</b>  <b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	<p>Extraction of information from the GP record</p>
<p><b>6. The recipient(s), or categories of recipients, of your personal data</b></p>	<p>Public Health England</p>
<p><b>7. Retention period of the data (or criteria used to determine the retention period)</b></p>	<p>Data retained in line with PHE policies on storing identifiable data for active use during the period of the public interest and according to legal requirement</p> <p><a href="https://www.gov.uk/government/organisations/public-health-england/about/personal-information-charter">https://www.gov.uk/government/organisations/public-health-england/about/personal-information-charter</a></p>
<p><b>8. The existence of each of your rights</b></p> <ul style="list-style-type: none"> <li>- <b>The right to object</b></li> <li>- <b>The right to access and correct</b></li> </ul>	<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>The source of the information shared in this way is your electronic GP record, and you have rights directly related to that (see EMIS Health – EMIS Web).</p>
<p><b>9. The right to lodge a complaint with a supervisory authority</b></p>	<p>You have the right to complain to the Information Commissioner’s Office, you can use this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a></p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	Further information about GP records and confidentiality can be found on our website under Data Protection:  <a href="http://www.canterburymedicalpractice.nhs.uk/">http://www.canterburymedicalpractice.nhs.uk/</a>