

The Courts – Privacy Notice

<p>1. Data Controller:</p>	<p>Canterbury Medical Practice Patricbourne 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"> ○ <i>Implied (e.g. direct care)</i> ○ <i>Explicit (e.g. 2^o uses)</i> • 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 enable healthcare professionals working in OHG to provide all necessary information about individuals to the courts, when instructed (“court order”).</p> <p>Sensitive data (health)</p> <p>Lawful bases:</p> <p>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) – Management of Health <i>“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 and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;”</i></p>
<p>5. Is this:</p> <p><i>Access to your GP record</i></p> <ul style="list-style-type: none"> • <i>Extraction of information from your GP record</i> • <i>Access to data held about you by another data controller</i> 	<p><i>Extraction of information from the GP record</i></p>
<p>6. The recipient(s), or categories of recipients, of your personal data</p>	<p>The Courts</p>

<p>7. Retention period of the data (or criteria used to determine the retention period)</p>	<p>Data retained in line with judiciary policies on storing identifiable data</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>N/A</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)</p> <p>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>The courts, both civil and criminal, have powers to order disclosure of information in various circumstances. We are required to disclose information if ordered to do so by a judge or presiding officer of a court.</p> <p>Further information about GP records and confidentiality can be found on our website under Data Protection:</p> <p>http://www.canterburymedicalpractice.nhs.uk/</p>