|  |
| --- |
| Ford Medical Practice keeps data on you relating to who you are, where you live, what you do, your family, possibly your friends, your employers, your habits, your problems and diagnoses, the reasons you seek help, your appointments, where you are seen and when you are seen, who by, referrals to specialists and other healthcare providers, tests carried out here and in other places, investigations and scans, treatments and outcomes of treatments, your treatment history, the observations and opinions of other healthcare workers within or external to the NHS as well as comments and aide memoires reasonably made by healthcare professionals in this practice who are appropriately involved in this practice who are appropriately involved in your health care.When registering for NHS care, ALL patients who receive NHS care are registered on a national database, which is held by NHS Digital, who has a legal responsibility to collect this data.GP’s have always delegated tasks and responsibilities to others that work with them in their Practice. An NHS GP, on average, is accountable for between 1500 to 2500 patients. It is impossible for the GP to provide hands on personal care for each and every one of those patients so for this reason GP’s share your care with others, predominantly within the Practice but occasionally with appropriate external organisations.If your health needs require care from external healthcare professionals this practice will share with them whatever information about you is necessary for them to provide that care. When you make contact with healthcare provider’s external to the Practice, but within the NHS, it is usual for them to send the Practice information relating to that encounter. We will retain part or all of those reports. We will also retain part or all reports, for contacts you have made with non-NHS services, if they send us information.Your consent to this sharing of data, within the Practice and with external organisations is assumed and is allowed by law. Access to your information will be available to those people directly involved with your clinical care. You have the right to object to our sharing your data in this circumstance but we have an overriding responsibility to do what is in your best interest. Please see below.We are required by Articles in the General Data Protection Regulations to provide you with the information detailed in the following 9 subsections. |
| **Data Controller**  | Ford Medical Practice91-93 Gorsey Lane FordLiverpoolL21 0DF |
| **Data Protection Officer (DPO)** | Dr Ade Taiwo91-93 Gorsey LaneFordLiverpoolL21 0DF |
| **Purpose of the processing** | Direct care is delivered to the individual alone, most of which is provided in the Practice. After a patient agrees to a referral for direct care elsewhere, such as a referral to a specialist, necessary and relevant information about the patient, their circumstances and their problems will need to be shared with the other healthcare professionals. The information shared will enable the healthcare professional to provide the most appropriate advice, investigations, treatment, therapy and or care. |
| **Lawful basis for processing**  | The processing of personal data in the delivery of direct care and for providers, administrative purpose in this Practice and in the support of direct care elsewhere is supported under the following Article 6 and 9 conditions of GDPR:*Article 6(1)(e) – …necessary for the performance of a task carried out in the public interest or in the exercise of official authority…**Article 9 (2)(h) - …necessary for the purpose 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 or services…*We will also recognise your rights established under UK case law collectively known as the “**Common Law Duty of Confidentiality”**.(\*) |
| **Recipients or Categories of Recipients of the processed data** | The data will be shared with Health and Care Professionals and support staff in the Practice and at hospitals, diagnostic and treatment centre who contribute to your personal care:Example:University Hospital AintreeCommunity Treatment Centres |
| **Rights to object** | You have the right to object to some or all of the information being processed under Article 21. Please contact the Data Controller (DC) or the Practice. Please note that this is a right to raise an objection and not an absolute right to have your wishes granted in every circumstance. |
| **Right to access and correct** | You have the right to access 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. |
| **Retention period** | The data will be retained in line with the law and national guidance. <https://digital.nhs.uk/article/1202/Record-management-Code-of-Practice-for-Health-and-Social-Care-2016>Or, speak to the Practice |
| **Right to complain** | You have the right to complain to the Information Commissioners Office (ICO)<https://ico.org.uk/global/contact-us/>Tel: 0303 123 1113 (local rate)Tel: 01625 545 745 (national rate) |

**(\*) Common Law Duty of Confidentiality** - common law is not written out in one document like an Act of

Parliament. It is a form of law based on previous court cases decided by judges; hence, it is also referred to as 'judge-made' or case law. The law is applied by reference to those previous cases, so common law is also said to be based on precedent.

The general position is that if information is given in circumstances where it is expected that a duty of confidence applies, that information cannot normally be disclosed without the information provider's consent.

In practice, this means that all patient information, whether held on paper, computer, visually or audio recorded, or held in the memory of the professional, must not normally be disclosed without the consent of the patient. It is irrelevant how old the patient is or what the state of their mental health is; the duty still applies.

Three circumstances making disclosure of confidential information lawful are:

* Where the individual to whom the information relates has consented
* Where disclosure is in the public interest and
* Where there is legal duty to do so, for example a court order