GDPR - Patient Privacy Notice

How we use your personal information

1. Being transparent and providing accessible information to patients about how we will use your personal information is a key element of the UK GDPR and DPA 2018 Regulations.

2. The following notice reminds you of your rights in respect of the above legislation and how your GP Practice will use your information for lawful purposes in order to deliver your care and the effective management of the local NHS system.

3. This notice reflects how we use information for:
    - The management of patient records;
    - Communication concerning your clinical, social and supported care;
    - Ensuring the quality of your care and the best clinical outcomes are achieved through clinical audit and retrospective review;
    - Participation in health and social care research; and
    - The management and clinical planning of services to ensure that appropriate care is in place.

Data Controller

4. As your registered GP practice, we are the data controller for any personal data that we hold about you.

What information do we collect and use?

5. We are committed to protecting your privacy and will only use information collected lawfully in accordance with: -

    - The UK General Data Protection Regulations Legislation (UK GDPR)
    - Data Protection Act 2018
    - Human Rights Act 1998
    - Common Law Duty of Confidentiality
    - Health and Social Care Act 2012
    - NHS Codes of Confidentiality and Information Security

6. Personal data must be processed fairly and lawfully, whether is it received directly from you or from a third party in relation to your care. 'Personal data' means any information relating to an identifiable person who can be directly or indirectly identified from the data. This includes, but is not limited to name, date of birth, full postcode, address, next of kin and NHS Number; and 'Special category / sensitive personal data' includes such as medical history including details of appointments and contact with you, medication, emergency appointments and admissions, clinical notes, treatments, results of investigations, supportive care arrangements, social care status, race, ethnic origin, genetics and sexual orientation.

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7. We will collect the following types of information from you or about you from a third party (provider organisation) engaged in the delivery of your care:

    - Details about you, such as your address, legal representative, emergency contact details

    - Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments, etc.
    - Notes and reports about your health
    - Details about your treatment and care
    - Results of investigations such as laboratory tests, x-rays etc
    - Relevant information from other health professionals, relatives or those who care for you
    - Your records will be retained in accordance with the NHS Code of Practice for Records Management 2021

8. Your healthcare records contain information about your health and any treatment or care you have received previously (e.g. from an acute hospital, GP surgery, community care provider, mental health care provider, walk-in center, social services). These records maybe electronic, a paper record or a mixture of both. We use a combination of technologies and working practices to ensure that we keep your information secure and confidential.

Why do we collect this information?

9. The NHS Act 2006 and the Health and Social Care Act 2012 invests statutory functions on GP Practices to promote and provide the health service in England, improve quality of services, reduce inequalities, conduct research, review performance of services and deliver education and training. To do this we will need to process your information in accordance with current data protection legislation to:

    - Protect your vital interests;
    - Pursue our legitimate interests as a provider of medical care, particularly where the individual is a child or a vulnerable adult;
    - Perform tasks in the public's interest;
    - Deliver preventative medicine, medical diagnosis, medical research; and
    - Manage the health and social care system and services.

How do we use this information?

10. To ensure that you receive the best possible care, your records will be used to facilitate the care you receive. Information held about you may be used to protect the health of the public and to help us manage the NHS. Information may also be used for clinical audit to monitor the quality of the service provided. In addition, your information will be used to identify whether you are at risk of a future

unplanned hospital admission and/or require support to effectively manage a long term condition.

How is the information collected?

11. Your information will be collected either electronically using secure NHS Mail or a secure electronic transferred over an NHS encrypted network connection. In addition physical information will be sent to your practice. This information will be retained within your GP's electronic patient record or within your physical medical records.

Who will we share your information with?

12. In order to deliver and coordinate your health and social care, we may share information with the following organisations:

- NHS Trusts / Foundation Trusts (including for the delivery of telemedicine for specific patients in line with Article 6.1.e & 9.2.h)
- GP's
- NHS Commissioning Support Units
- Independent Contractors such as dentists, opticians, pharmacists
- Private Sector Providers
- Voluntary Sector Providers
- Charity Service Providers such as Mind, British red cross
- Ambulance Trusts
- Integrated Care Boards
- Social Care Services
- NHS Digital
- Local Authorities
- Education Services
- Fire and Rescue Services
- Police & Judicial Services
- Other 'data processors' which you will be informed of.

13. Your information will only be shared if it is appropriate for the provision of your care or required to satisfy our statutory function and legal obligations.

14. Your information will not be transferred outside of the European Union.

Who do we receive information from?

15. Whilst we might share your information with the above organisations, we may also receive information from them to ensure that your medical records are kept up to date and so that your GP can provide the appropriate care.

16. In addition we received data from NHS Digital (as directed by the Department of Health) such as the uptake of flu vaccinations and disease prevalence in order to assist us to improve "out of hospital care".

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How do we maintain the confidentiality of your records?

17. We are committed to protecting your privacy and will only use information that has been collected lawfully. Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential. We maintain our duty of confidentiality by conducting annual training and awareness, ensuring access to personal data is limited to the appropriate staff and information is only shared with organisations and individuals that have a legitimate and legal basis for access.

18. Information is not held for longer than is necessary. We will hold your information in accordance with the Records Management Code of Practice for Health and Social Care 2021.

Do I need to give my consent?

19. The UK GDPR sets a high standard for consent. Consent means offering people genuine choice and control over how their data is used. When consent is used properly, it helps you build trust and enhance your reputation.

20. However, consent is only one potential lawful basis for processing information. Therefore, your GP practice may not need to seek your explicit consent for every instance of processing and sharing your information, on the condition that the processing is carried out in accordance with this notice. Your GP Practice will contact you if they are required to share your information for any other purpose which is not mentioned within this notice. Your consent will be documented within your electronic patient record.

What will happen if I withhold my consent or raise an objection?

21. You have the right to write to withdraw your consent to any time for any particular instance of processing, provided consent is the legal basis for the processing. Please contact your GP Practice for further information and to raise your objection.

Health Risk Screening / Risk Stratification

22. Health Risk Screening or Risk Stratification is a process that helps your GP to determine whether you are at risk of an unplanned admission or deterioration in health. By using selected information such as age, gender, NHS number, diagnosis, existing long term condition(s), medication history, patterns of hospital attendances, admissions and periods of access to community care your GP will be able to judge if you are likely to need more support and care from time to time, or if the right services are in place to support the local population's needs.

23. To summarise Risk Stratification is used in the NHS to:
    - Help decide if a patient is at a greater risk of suffering from a particular condition;
    - Prevent an emergency admission;
    - Identify if a patient needs medical help to prevent a health condition from getting worse; and/or

- Review and amend provision of current health and social care services.

24. Your GP may use computer based algorithms or calculations to identify their registered patients who are at most risk, with support from the local Commissioning Support Unit and/or a third party accredited Risk Stratification provider.

25. Your GP will routinely conduct the risk stratification process outside of your GP appointment. This process is conducted electronically and without human intervention. The resulting report is then reviewed by a multidisciplinary team of staff within the Practice. This may result in contact being made with you if alterations to the provision of your care are identified.

26. A Section 251 Agreement is where the Secretary of State for Health and Social Care has granted permission for personal data to be used for the purposes of risk stratification, in acknowledgement that it would overburden the NHS to conduct manual reviews of all patient registers held by individual providers. You have the right to object to your information being used in this way. However, you should be aware that your objection may have a negative impact on the timely and proactive provision of your direct care. Please contact the Practice Manager to discuss how disclosure of your personal data can be limited.

27. The National Data opt-out service is available via the following link: http://digital.nhs.uk/services/national-data-opt-out. The records management code of practice 2021 helps patients decide if they want to share their personally identifiable data to be used for planning and research purposes. Please see information in the Practice for more details or refer to www.digital.nhs.uk.

Sharing of Electronic Patient Records within the NHS

28. Electronic patient records are kept in most places where you receive healthcare. Our local electronic systems such as EMIS Web enables your record to be shared with organisations involved in your direct care, such as:
    - GP practices
    - Community services such as district nurses, rehabilitation services, telehealth and out of hospital services.
    - Child health services that undertake routine treatment or health screening
    - Urgent care organisations((such as North Hants Urgent Care), minor injury units or out of hours services
    - Community hospitals
    - Charity Service Providers such as Mind, British red cross
    - Palliative care hospitals
    - Care Homes
    - Mental Health Trusts
    - Hospitals
    - Social Care organisations
    - Pharmacies

29. In addition, NHS England have implemented the Summary Care Record which contains information about medication you are taking, allergies you suffer from and any bad reactions to medication that you have had in the past.

30. Your electronic health record contains lots of information about you. In most cases, particularly for patients with complex conditions and care arrangements, the shared record plays a vital role in delivering the best care and a coordinated response, taking into account all aspects of a person's physical and mental health. Many patients are understandably not able to provide a full account of their care, or may not be in a position to do so. The shared record means patients do not have to repeat their medical history at every care setting.

31. Your record will be automatically setup to be shared with the organisations listed above, however you have the right to ask your GP to disable this function or restrict access to specific elements of your record. This will mean that the information recorded by your GP will not be visible at any other care setting.

32. You can also reinstate your consent at any time by giving your permission to override your previous dissent.

AI Transcribing Software Use

33. At Whitewater Health, we are committed to protecting your privacy and ensuring that your personal information is handled with the utmost care. This section outlines how we use AI-powered transcribing software in our practice and the measures we take to safeguard your data.

- **Purpose of Use** AI transcribing software is to transcribe audio recordings of consultations, meetings, or other interactions within the practice. This software helps improve the accuracy and efficiency of record-keeping and provides a reliable means of documenting key information discussed during appointments.
- **Data Collected** by AI transcribing software may process audio recordings that contain personal or sensitive information, depending on the nature of the consultation. These recordings are transcribed into text for the purpose of creating accurate and detailed records. All transcriptions are treated as confidential information, in line with our broader privacy and data protection policies. We ensure that the AI system we use complies with NHS data security standards.
- **Your Rights** You have the right to request for transcribing software not to be used during a consultation. If you have any concerns regarding the processing of your information, or if you wish to exercise your rights, please contact us.

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34. By using our services, you acknowledge and consent to the use of AI transcribing software as outlined above. If you have any questions or concerns regarding how your data is handled, please contact us.

Primary Care Research

35. There are various ways a patient can become involved in studies at Whitewater Health.

    - A doctor or nurse may talk to you about a particular study and ask whether you would be interested in participating
    - You may be sent information through the post or via text if we feel you may be a suitable participant
    - You may read information about a current study in the patient waiting room or on the surgery website and wish to take part by contacting your GP.

36. All clinical research carried out at our surgeries is thoroughly checked and approved by ethical committees thus ensuring it is appropriate and safe to perform. Your participation is entirely voluntary and can be withdrawn by yourself at any time without any explanation required.
37. You are under no obligation to participate in any research project
38. Your care and your relationship with your doctor will not be affected in any way if you decided not to take part in a research study
39. You will always receive clear information about what taking part in a research study would involve. You will have the opportunity to ask questions and obtain further details about a study.
40. If you do agree to take part in a study, you will be asked to sign a consent form. This will clearly state which parts of your notes (if any) may be looked at for the purposes of the research study. Nobody from outside this practice will be given your contact details or have access to your medical records without your prior consent.

Healthtech 1: Patient Registrations

41. As part of our commitment to providing efficient and accessible healthcare services, we utilise Healthtech-1, a trusted third-party digital platform, to facilitate patient registrations. Healthtech-1 enables new patients to register with our practice online in a secure and user-friendly manner.
42. When using Healthtech-1, the platform collects necessary personal and medical information directly from you to complete the registration process. This may include details such as your name, contact information, NHS number, previous GP information, medical history, and other relevant data required for your care.
43. Healthtech-1 acts as a data processor on our behalf and operates under strict contractual obligations to protect your information. All data collected through the platform is handled in compliance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. The information is securely

transmitted to our practice and stored in accordance with our own data protection policies.

44. We only share data with Healthtech-1 for the purposes of facilitating patient registrations. Your information will not be used for any other purpose without your explicit consent, unless required by law.
45. For more information about how your data is processed by Healthtech-1, please refer to their privacy notice available on their website.

The Medicines Team Ltd

46. To support the safe and effective management of medicines for our patients, we work in partnership with The Medicines Team Ltd, a trusted third-party organisation that provides remote pharmacist services. These services include, but are not limited to, medication reviews, prescription management, and clinical advice to support patient care.
47. To facilitate these services, The Medicines Team Ltd will access relevant parts of your medical record. This access is strictly controlled and limited to the information necessary to provide appropriate clinical care. All pharmacists working for The Medicines Team Ltd are registered with the General Pharmaceutical Council (GPhC) and are bound by the same standards of confidentiality and data protection as our in-house healthcare professionals.
48. Your personal data will be handled in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. The Medicines Team Ltd acts as a data processor under the instruction of our practice and is contractually bound to protect your information in line with our data protection policies.
49. If you have any concerns about how your information is shared or used in relation to these services, please contact the practice's Data Protection Officer.

Closed circuit television video (CCTV)

50. Closed Circuit Television (CCTV) is in operation at our surgery for the purposes of **ensuring the safety and security** of our patients, staff, and premises. Cameras are located in public and communal areas only, such as entrances, waiting rooms, and corridors. No recording takes place in consultation rooms, treatment areas, or any other private spaces.
51. The use of CCTV is justified under the lawful basis of **legitimate interests**, as outlined in the UK General Data Protection Regulation (UK GDPR). Footage may be used for the prevention and detection of crime, protection of individuals, and the investigation of incidents that occur on the premises.
52. CCTV recordings are securely stored and access is strictly limited to authorised personnel only. Footage is retained for a limited period, typically no longer than 31 days, unless required for the investigation of an incident or to comply with legal obligations.

53. You have the right to request access to CCTV footage that contains your personal data, subject to exemptions and applicable regulations. Requests should be made in writing to the senior management team and may require proof of identity.
54. For further information on our CCTV policy or to make a subject access request, please contact the surgery directly.

Numed-Envisage Patient Call and Check in System

55. As part of our commitment to improving patient experience and ensuring the efficient operation of our services, our practice uses a patient call system in the waiting area provided by Numed Envisage.
56. This system is used to announce and display patient names to inform individuals when it is their turn to be seen by a clinician. The system temporarily processes limited personal information, specifically the patient's name, in order to make these announcements.
57. Please note the following safeguards are in place:
    - No patient identifiable data (PID) is permanently stored by the system.
    - Any PID used by the system is automatically deleted within 180 seconds.
    - The system does not retain or record any personal data beyond what is necessary for the immediate purpose of calling or checking in of patients.
58. This processing is undertaken in line with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018, under the lawful basis of providing direct care to patients.
59. Patients who do not wish to have their name announced or displayed via the patient call system may opt out by informing a member of the reception team. Alternative arrangements will be made to notify you when it is your turn.
60. If you have any concerns about how your personal information is used in relation to the patient call system, please contact the senior management team.

InTouch Now AI Virtual Receptionist

61. To support timely access to care and enhance the efficiency of our telephone system, the practice uses a virtual AI-driven receptionist, provided by InTouch Now AI. This technology forms part of our call-handling process and is designed to collect key information, guide patients to the appropriate service, and support safe and effective triage.
62. The virtual receptionist may ask questions about the nature of your enquiry, symptoms, or care needs. In some cases, it may also complete an eConsult on your behalf using the information you provide, which is then forwarded securely to the clinical team for review and appropriate action.
63. All data processed through the AI receptionist is handled in compliance with UK GDPR, the Data Protection Act 2018, and NHS data protection standards. No information is retained by the system for longer than 30 days, and data is used

solely for the purpose of supporting your care and managing access to services. The system does not make automated clinical decisions.

64. Patients have the option to opt out of the service at all times.
65. For further information about how your data is processed by third-party providers such as InTouch Now AI, or please contact the practice's Data Protection Officer.

OpenSAFELY

66. NHS England has been directed by the government to establish and operate the OpenSAFELY COVID-19 Service and the OpenSAFELY Data Analytics Service. These services provide a secure environment that supports research, clinical audit, service evaluation and health surveillance for COVID-19 and other purposes.
67. Each GP practice remains the controller of its own GP patient data but is required to let approved users run queries on pseudonymised patient data. This means identifiers are removed and replaced with a pseudonym.
68. Only approved users are allowed to run these queries, and they will not be able to access information that directly or indirectly identifies individuals.
69. Patients who do not wish for their data to be used as part of this process can register a type 1 opt out with their GP.
70. Here you can find additional information about OpenSAFELY."

Invoice Validation

71. If you have received treatment within the NHS, the local Commissioning Support Unit (CSU) may require access to your personal information to determine which Integrated Care Board is responsible for payment for the treatment or procedures you have received. Information such as your name, address, date of treatment and associated treatment code may be passed onto the CSU to enable them to process the bill. These details are held in a secure environment and kept confidential. This information is only used to validate invoices in accordance with the current Section 251 Agreement and will not be shared for any further commissioning purposes.

Change of Details

72. It is important that you tell the person treating you if any of your details such as your name or address have changed or if any of your details such as date of birth is incorrect in order for this to be amended. You have a responsibility to inform us of any changes so our records are accurate and up to date for you.

Your Right of Access to Your Records

73. The UK General Data Protection Regulations allows you to find out what information is held about you including information held within your medical records, either in electronic or physical format. This is known as the "right of subject access". If you would like to have access to all or part of your records, you can make a request in writing to the organisation that you believe holds your information. This can be your GP, or a provider that is or has delivered your

treatment and care. You should however be aware that some details within your health records may be exempt from disclosure, however this will in the interests of your wellbeing or to protect the identity of a third party. If you would like access to your GP record please submit your request in writing to:

The Records Request Administrator
Whitewater Health
1 Chapter Terrace, Hartley Wintney, Hants, RG27 8QJ
Or alternatively email: hiowicb-hsi.whitewaterhealth@nhs.net

Complaints

74. In the event that you feel your GP Practice has not complied with the current data protection legislation, either in responding to your request or in our general processing of your personal information, you should raise your concerns in the first instance in writing to the Data Controller (the GP Partnership) on the address details above.

75. If you remain dissatisfied with our response you can contact the Information Commissioner's Office at Wycliffe House, Water Lane, Wimslow, Cheshire SK9 5AF – Enquiry Line: 01625 545700 or online at www.ico.gov.uk