

## Fair Processing Notice

**Crawcrook Medical Centre**

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NE40 4US

**Telephone:** 0191 413 5473

**ICO Registration No:** Z947226X

**Data Protection Officer:** Liane Cotterill

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**Crawcrook Medical Centre is a division of CBC Health Ltd:****CBC Health Ltd**

Queens Park  
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**Caldicott Guardian:** Dr Bill Westwood

**Senior Information Risk Owner:** Gary Armstrong

**ICO Registration No:** Z2917237

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**CBC Services comprise:**

- Grange Road Medical Practice
- Blaydon GP-led Practice
- Crawcrook Medical Centre
- Rowlands Gill Medical Centre
- Urgent Primary Care Services
  - GatDoc (primary care out of hours service)
  - ExtraCare (extended access service)
- Pharmicus (medicines management)

## Introduction

This document has been created to explain to you why CBC collects information about you, the types of personal data we hold about you and how we may use this information for the benefit of your health and wellbeing. The document advises you on how we allow your health record to be made available to other organisations, across a variety of healthcare and other settings. It also outlines how we keep it secure (confidential) and what your rights are in relation to this.

## Why we collect information about you

Blaydon GP Led Practice aims to ensure the highest standard of medical care for our patients. To do this we keep records about you, your health and the care we have provided or plan to provide to you.

The Health Care Professionals (HCP) who provide you with care, maintain records about your health and any treatment or care you have received previously (e.g. NHS Trust, GP surgery, Community clinics or staff etc.). These records help to provide you with the best possible healthcare, and:

- Provide a basis for all health decisions made by HCPs with and for you;
- Make sure your care is safe and effective;
- Work effectively with others providing you with care.

NHS health records may be electronic, on paper or a mixture of both and we use a combination of working practices and technology to ensure that your information is kept confidential and secure.

We keep a register of all our information processing activities, including those involving the use of personal information. In the register, we record, where we get the information from, with whom we share it and how, the legal basis allowing us to process personal information and the security arrangements in place to protect it.

## What kind of information do we use?

As your registered GP practice, we hold your electronic health record. This contains sensitive information about you, your health and your wellbeing. The following list provides an example of the type of information (both past and present) that can be held within your record:

- Demographic details about you and contact details (name, date of birth, address, telephone number, email address, gender, sex, religion, marital status etc.)
- Any contact the surgery has had with you such as appointments, clinic visits, emergency appointments, consultations and so on
- Notes and reports about your health
- Details about your treatment and care including diagnoses (this can include physical disabilities and mental health conditions)
- Medication, vaccinations, pathology results (e.g. blood tests) and allergies
- Social care involvement
- Results and investigations
- Hospital correspondence and correspondence from other health and social care settings (including x-rays, discharge letters and referrals)
- Relevant information from other HCPs, relatives or those who care for you
- Relationships/next of kin/carer information etc.

To ensure you receive the best possible **direct care**, your records are used to facilitate the care you receive. Information held about you may be used to help protect the health of the public and to help us manage the NHS. Information may be used for clinical audit to monitor the quality of the service provided and to plan NHS services.

Some of this information will be held centrally and used for statistical purposes, such as NHS performance and activity. Where we do this, we take strict measures to ensure that individual patients cannot be identified.

Information may be requested for financial validation and Care Quality Commission purposes. Where we do this, we take strict measures to ensure that individual patients cannot be identified. During Care Quality Commission inspections, the inspectors are required to review random patient records.

We may also process your information when investigating concerns, complaints or legal claims. It could also be used to help staff to review the care they provide to make sure it is of the highest standards, training and educating staff.

The NHS Care Record Guarantee for England sets out the rules that govern how patient information is used in the NHS and what control patients can have over this.

The [NHS Constitution](#) establishes the principles and values of the NHS in England. It sets out rights to which patients, public and staff are entitled, and pledges which the NHS is committed to achieve, together with responsibilities, which the public, patients and staff owe to one another to ensure that the NHS operates fairly and effectively.

## What is meant by direct care?

The term 'direct care' means a clinical health activity concerned with the prevention, investigation and treatment of illness. It includes supporting your ability to function and improve your participation in life and society. It also includes the assurance of safe and high quality care and treatment undertaken by one or more registered and regulated health or social care professionals and their team with whom you have a legitimate relationship for your care purposes.

## What do we use your personal and confidential/sensitive information for?

Apart from direct health care sensitive personal information (including special categories of data) may also be used in the following cases:

- To respond to patients, carers or Member of Parliament communication.
- We have received consent from individuals to be able to use their information for a specific purpose.
- There is an over-riding public interest in using the information e.g. in order to safeguard an individual, or to prevent a serious crime.
- There is a legal requirement that will allow us to use or provide information (e.g. a formal court order, notification of infectious disease).
- For the health and safety of others, for example to report an infectious disease such as meningitis or measles.
- We have special permission for health and research purposes (granted by the Health Research Authority).
- We have special permission called a 'section 251 agreement' (Section 60 of the Health and Social Care Act 2001 as re-enacted by Section 251 of the NHS Act 2006) which allows the Secretary of State for Health to make regulations to set aside the common law duty of confidentiality for defined medical purposes. An example of where this is used is in risk stratification. Further information can be found on the Health Research Authority's web site here <https://www.hra.nhs.uk/about-us/committees-and-services/confidentiality-advisory-group/why-confidential-patient-information-used/>

## NHS Digital

NHS Digital collects health information from the records health and social care providers keep about the care and treatment they give, to promote health and support improvements in the delivery of care services in England <https://content.digital.nhs.uk/article/4963/what-we-collect>

Under the powers of the Health and Social Care Act 2015, NHS Digital can request personal confidential data from GP Practices without seeking patient consent for a number of specific purposes, which are set out in law. These purposes are explained below. You may choose to withdraw your consent to personal data being shared for these purposes.

## Legal basis

The Legal basis for the processing health data is covered under Article 6 (1)(e) of the General Data Protection Regulation (GDPR) where “processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller” and Article 9 (2)(h) where “processing is 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 on the basis of Union Or Member State law or pursuant to contract with a health professional...”.

Where there is a need for information to be processed in the interests of the health and safety of others, for example to report an infectious disease such as meningitis or measles, the legal basis under GDPR is Article 6 (1)( c) ‘....for compliance with a legal obligation....’, and Article 9 (2) (h) as above.

Where consent from individuals is required the legal basis is Article 6 (1) (a), ‘the data subject has given consent to the processing of his or her personal data for one or more specific purposes’ and Article 9 (2) (a) ‘ the data subject has given explicit consent to the processing of those personal data for one or more specified purposes...’.

Where we have special permission to process information for health and research purposes the legal basis is Article 6 (1) (e) as above, and Article 9 (2) (j) ‘....research purposes...’.

## How do we maintain confidentiality of your records?

We are committed to protecting your privacy and will only use information collected lawfully in accordance with the General Data Protection Regulation (Regulation (EU) 2016/679), Data Protection Act 2018 (DPA 2018), (which are overseen by the Information Commissioner’s Office), Human Rights Act, the Common Law Duty of Confidentiality and the NHS Codes of Confidentiality and Security.

Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential. Anyone who receives information from an NHS organisation has a legal duty to keep it confidential. All persons in the practice sign a confidentiality agreement that explicitly makes clear their duties in relation to personal information and data concerning health, and the consequences of breaching that duty.

Please be aware that your information will be accessed by non-clinical practice staff in order to perform tasks enabling the functioning of the practice. These are, but not limited to:

- Typing referral letters to hospital consultants or other HCPs.
- Opening letters from hospitals and consultants.
- Scanning clinical letters, radiology reports and any other documents not available in electronic format.
- Photocopying or printing documents for referral to consultants.

- Handling, printing, photocopying and postage of medico legal and life assurance reports and of associated documents.

We maintain our duty of confidentiality to you at all times. We will only ever use or pass on information about you if others involved in your care have a genuine need for it. We will not disclose your information to any third party without your permission unless there are exceptional circumstances (e.g. life or death situations) or where the law requires information to be passed on.

The NHS Digital Code of Practice on Confidential Information applies to all of our staff, and they are required to protect your information, inform you of how your information will be used, and allow you to decide if and how your information can be shared. All practice staff are expected to make sure information is kept confidential and receive annual training on how to do this. This is monitored by the practice and can be enforced through disciplinary procedures.

We also ensure the information we hold is kept in secure locations, restrict access to information to authorised personnel only and protect personal and confidential information held on equipment such as laptops with encryption (which masks data so that unauthorised users cannot see or make sense of it).

To protect your confidentiality, we will not normally disclose any medical information about you over the telephone, or by fax, unless we are sure that we are talking to you. This means that we will not disclose information to your family, friends and colleagues about any medical matters at all, unless we know that we have your consent to do so.

We ensure external data processors that support us are legally and contractually bound to operate and prove security arrangements are in place where information that could or does identify a person is processed.

We have a senior person responsible for protecting the confidentiality of patient information and enabling appropriate information sharing. This person is called the Caldicott Guardian. The Caldicott Guardian for the practice is Dr Bill Westwood, who can be contacted using the contact details at the top of this document. We also have a Senior Information Risk Owner (SIRO) who is responsible for owning the practice's information risk. The SIRO is Gary Armstrong. The Data Protection Officer for the practice is named at the top of this notice.

We are registered with the Information Commissioner's Office (ICO) as a data controller which describes the purposes for which we process personal data. A copy of the registration is available from the ICO's web site by searching on our practice name.

## Sharing Information with Other Organisations

### For Direct Care Purposes

#### Who are our Partner Organisations?

If you are referred to or attend another health or care organisation, we will share information with them in order that you receive the best and safest possible care. Examples of these organisations include:

- NHS Trusts

- NHS111
- Hospital Laboratories (when we send samples to the hospital lab, the results also become part of the hospital record and will be viewable by hospital staff if they are involved in your care now or in the future)
- Specialist Trusts
- Relevant GP Practices
- Urgent and Unscheduled Care (e.g. A&E Minor Injury Units (MIU))
- Community services (e.g. physiotherapy, diabetic clinics, district nursing, rehabilitation centres)
- Community pharmacy
- Child health
- Palliative care
- NHS mental health services
- Independent contractors such as dentists, opticians, pharmacists
- Private sector providers such as hospitals, care homes, hospices, contractors providing services to the NHS.
- Voluntary sector providers who are directly involved in your care
- Ambulance Trusts
- Local authority care services

You can object to your personal information being shared with other healthcare providers but should be aware that this may, in some instances, affect your care as important information about your health might not be available to healthcare staff in other organisations. If this limits the treatment that you can receive then the practice staff will explain this to you at the time you object.

To ensure you receive the best possible care, your records are used to facilitate the care you receive. Information held about you may be used to help protect the health of the public and to help us manage the NHS.

## EMIS Shared Record

This practice operates a clinical computer system, EMIS Web, on which NHS staff record information securely. EMIS is a UK based company and all our information is stored in data centres in the UK that meet or exceed Government security requirements. Only persons on the secure, dedicated NHS network can access EMIS.

There is a Memorandum of Agreement in place with Gateshead Community Partnership so that everyone caring for you is fully informed about your relevant medical history.

In order to deliver the best possible service, the practice will share data (where required) with other NHS bodies such as other GP practices and hospitals. In addition, the practice will use carefully selected third party service providers. When we use a third party service provider to process data on your behalf then we will always have an appropriate agreement in place to ensure that they keep the data secure, that they do not use or share information other than in accordance with our instructions and that they are operating appropriately. Examples of functions that may be carried out by third parties includes:

- Companies that provide IT services & support, including our core clinical systems; systems which manage patient facing services (such as our website and service accessible through the same);

data hosting service providers; systems which facilitate appointment bookings or electronic prescription services; document management services etc.

- Delivery services (for example if we were to arrange for delivery of any medicines to you).
- Payment providers (if for example you were paying for a prescription or a service such as travel vaccinations).

Further details regarding specified third party processors can be supplied on request.

The practice can also access the EMIS Shared Record to view other organisations' details. Wherever possible we will ask for your consent before viewing the shared record, but as your GP and therefore care co-ordinator, when you joined the practice there is implied consent for us to view information relevant to provide you with direct care.

You can opt out of the EMIS record sharing by informing the practice in writing, though this may affect the quality of care you receive if we cannot communicate effectively.

## Summary Care Record (SCR)

The Summary Care Record is a national scheme linked to the NHS Spine to share information about the medicines you are prescribed and any allergies or other adverse reactions you have experienced. This information is uploaded to a central NHS database automatically from the GP clinical record.

The Spine is also used in practice for electronic transportation of referral letters to the hospital and medication requests to your nominated pharmacy.

Health Professionals at other organisations will only be able to access this information with your permission. This might be important if you need urgent medical care when the GP practice is closed. When attending secondary care, GP Out of Hours etc., your medical records will be accessed via the partner's own systems, which interface with the main NHS Spine and your own record which is held by the practice. CBC services can look at your SCR if they need to treat you when the practice is closed. They will ask for consent before they look at your records. In an emergency and if you are unconscious, staff may look at your SCR without your agreement to let them give you the best possible care. Whenever NHS staff look at your SCR, a record will be kept so we can always check who has looked at your information. The general principle is that information is passed to these systems unless you request this does not happen, but that system users should ask for your consent before viewing your records.

You have the right to opt-out of having a summary care record by informing the practice in writing, though this can place your health at risk if that information is not available in an emergency.

## Summary Care Record with Additional Information

This is a national scheme to share more detailed information including your current medical problems and your care wishes. Health Professionals at other organisations will only be able to access this information with your permission. This information will only be available to other agencies if you have given us your permission to share it.

## Great North Care record (GNCR)

As a partner in the Great North Care Record (GNCR), we need to request and share your information from and with other relevant parties who are part of your care and ongoing support network.

Full details of the member organisations of the GNCR, what data may be viewed across the GNCR network, and what are the benefits to being part of the GNCR are available from the GNCR website – <https://www.greatnorthcarerecord.org.uk/>

If you wish to opt-out of your data being shared via the GNCR, or you wish to speak to someone about this use of your data you can contact the GNCR Helpline on 0344 811 9587 and speak to a member of the team. In order to log and process your objection, some basic demographic information will be collected about you. Please note that this will only prevent your information being shared via the GNCR and will not opt you out of sharing with those organisations who are currently providing you with your care, or may provide it in the future. Your consent is not required to do this as it is necessary to ensure you receive the safest and highest quality of care and treatment.

Exclusion from the GNCR may have a detrimental effect on the service we can provide to you. We will always seek to comply with your request, but in some circumstances there may be additional reasons where the sharing of your information may be necessary, for example a Court Order or where information is required to be shared should there be a concern that yourself or others are at risk of harm.

## Mail to Patients

We use a printing company called DocMail to send letters to our patients. Data is sent encrypted and the company puts it in a format to print the letter, dispatch via Royal Mail and then delete the information we send.

## Medicines Management

The practice may conduct medicines management reviews of medications prescribed to its patients. This service performs a review of prescribed medications to ensure patients receive the most appropriate, up to date and cost-effective treatments. This service is provided by Pharmacists and Pharmacy Technicians employed by CBC Health Ltd, our parent organisation, who will work with your usual GP to provide advice on medicines, prescription ordering processes, and prescribing queries.

## Text Messaging Service

You can register to receive information by text message regarding appointments and health care. If you wish to register for the messaging service you will need to complete a consent form, available from the practice reception. You can opt out of any future contact via text message at any time by informing the practice reception. If more than one person shares the use of the mobile phone, a consent form will be required from each of those people.

## Remote Consulting

Where remote consulting is in use in your practice, appropriate technology and safeguards will be used.



## Telephone Call Recording

Some practices and out-of-hours providers record incoming and outgoing telephone calls for training and monitoring purposes. These electronic sound files form part of your record and can provide useful information in the event of a complaint or claim. Such recordings must be made, stored and disclosed under the provisions of the relevant legislation.

Under the provisions of the GDPR, you have a right to be provided with copies of information that is held about you and this includes recordings of telephone consultations (please refer to the section on making a subject access request below).

## Sharing for Purposes Other than Direct Care

We may also have to share your information, subject to strict agreements on how it will be used, with the following organisations. This will be anonymised where possible:

- Offender health (care providers within organisations such as Prisons and Custody Suites)
- Clinical Commissioning Groups
- Social Care and Health Local Authorities Education Services
- Fire & Rescue Services
- General Medical Council
- Medical Indemnity Companies
- Police
- Other data processors

## Who else may ask to access your information

The **court** can insist that we disclose medical records to them.

**Child health information** – we wish to make sure that your child has the opportunity to have immunisations and health checks when they are due. We share information about childhood immunisations, the 6-8 week new baby check and breast feeding status with Gateshead NHS Foundation Trust health visitors and school nurses.

**Clinical research** – sometimes your information may be requested to be used for research purposes – where required by law we will always ask your permission before releasing your information for this purpose.

**Healthcare Professionals** working in the Urgent Primary Care Service may require retrospective access to your clinical records for the purposes of professional development activities, including audit and reflection, which will involve the review of clinical records for the joint purpose of quality improvement and appraisal, and also to follow up outcomes of decisions made during the episode of care provided in the Urgent Primary Care setting. Any such access will be carried out in accordance with the information sharing agreement with your registered GP Practice.

**Improving diabetes care** – information that does not identify individual patients is used to enable focussed discussions to take place at practice-led local diabetes review meetings between health

care professionals. This enables the professionals to improve the management and support of these patients.

**Individual funding request** – this is a request made on your behalf, with your consent, for funding of specialised healthcare which falls outside the range of services and treatments that Newcastle Gateshead Clinical Commissioning Group (CCG) has agreed to commission for the local population. Following consideration, a detailed response, including the criteria considered in arriving at the decision is sent back to your GP.

**Life assurance companies** frequently ask for medical reports on prospective clients. These are always accompanied by your signed consent. We will only disclose the relevant medical information according to your consent. You have the right, should you request it, to see reports prepared for insurance companies or employers before they are sent.

**National registries** such as the Learning Disabilities Register have statutory permission under Section 251 of the NHS Act 2006, to collect and hold service user identifiable information without the need to seek informed consent from each individual service user.

**Other Government Departments** such as the Department of Work and Pensions, or the DLVA, may ask for medical information. They will have sought consent as part of the process; the law currently requires to provide information to them if they have assured us that they have your consent, we are not provided with a copy of that consent. We will supply only that information which is relevant and necessary.

**Risk stratification** for case finding is a process for identifying and managing patients who have or may be at risk of health conditions, such as diabetes, or who are most likely to need healthcare services, such as people with frailty. Risk stratification tools are used in the NHS to help determine a person's risk of suffering a particular condition and enable us to focus on preventing ill health before it develops. Information about you is collected from a number of sources including NHS Trusts, GP Federations and your GP Practice. A risk score is then arrived at through an analysis of your de-identified information this can help us identify and offer you additional services to improve your health.

Risk stratification data may also be used to improve local services and commission new services, where there is an identified need. In this area, risk stratification may be commissioned by Newcastle Gateshead CCG. Section 251 of the NHS Act 2006 provides a statutory legal basis to process data for risk stratification purposes. Further information about risk stratification is available from <https://www.england.nhs.uk/ourwork/tsd/ig/risk-stratification/>.

If you do not wish information about you to be included in any risk stratification programmes, please let us know. Please be aware that this may limit the ability of healthcare professionals to identify if you have or are at risk of developing certain serious health conditions.

**Safeguarding** – to ensure that adult and children's safeguarding matters are managed appropriately, access to identifiable information will be shared in some limited circumstances where it's legally required for the safety of the individuals concerned.

**Solicitors** also often ask for medical reports. These will always be accompanied by your signed consent for us to disclose information. We will not normally release details about other people that are contained in your records e.g. spouse, children, parent etc., unless we also have their consent.

**Social Services** may require medical reports on you from time to time. These will often be accompanied by your signed consent to disclose information. Failure to co-operate with these agencies can lead to loss of benefit or other support. However, if we have not received your signed consent we will not normally disclose information about you.

## Sharing your information without consent

We will normally ask you for your consent, but there are times when we may be required by law to share your information without your consent, for example:

- Where you have become hospitalised and the provider requires medical information such as medication.
- Where there is a serious risk of harm or abuse to you or other people;
- Where a serious crime, such as assault, is being investigated or where it could be prevented;
- Where we encounter infectious diseases that may endanger the safety of others, such as meningitis or measles (but not sensitive information such as HIV/AIDS);
- Where a formal Court Order has been issued;
- Where there is a legal requirement, e.g. if you had committed a Road Traffic Offence.

## Use of the practice website

The practice is committed to ensuring that your privacy is protected. Should we ask you to provide certain information by which you can be identified when using our website, then you can be assured that it will only be used in accordance with this Fair Processing Notice.

You may choose to restrict the collection or use of your personal information in the following ways:

- Information you supply using any electronic form(s) on the practice website will only be used for the purpose(s) stated on the form.
- Your information will not be shared with third parties if you sign up to the practice website.

## Right of Access to your Health Information

The GDPR and DPA 2018 allows you to find out what information about you is held on a computer and in manual records. Where information from which you can be identified is held, you have the right to ask to:

- Be informed why, where and how we use your information.
- View this or request copies of the records by making a subject access request – also see below.
- Ask for your information to be corrected if it is inaccurate or incomplete.
- Ask for your information to be deleted or removed where there is no need for us to continue processing it. Note that healthcare information is a special category and cannot be deleted.
- Ask us to restrict the use of your information for non-direct care purposes or for any information we hold that is not part of your healthcare record.
- Ask us to transfer your information to another healthcare organisation.
- Object to processing and ask us to stop processing information about you where we are not required to do so by law – although we will first need to explain how this may affect the care you receive.
- Be informed about any automated decision making and profiling if this were to be carried out. And challenge any decisions made without human intervention (automated decision making).

- Withdraw consent where relevant.

These rights apply in circumstances where relevant conditions are met.

It is important that you tell us if any of your details such as your name, address or telephone number 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 kept accurate and up to date for you.

## Access to personal information

You have a right under the GDPR and DPA 2018 to access/view what information the practice holds about you, and to have it amended or removed should it be factually inaccurate. This is known as 'the right of subject access'. If we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding it
- Tell you who it could be disclosed to, and
- Let you have a copy of the information in an intelligible form

We will normally provide you with access via our patient portal, unless you advise us that you do not have access to a computer.

## Making a Subject Access Request

If you would like to make a 'subject access request', this can be accepted either verbally, or in writing to the Practice/Service Manager.

- You will need to give us adequate information e.g. full name, address, date of birth, NHS number etc., to enable us to identify you and provide the correct information. Where a telephone recording is requested you will be required to provide the telephone number the call was made from along with other details including date and time to allow a search to be undertaken on the telecommunications system. You will be required to validate your identity. Where a request is made on your behalf e.g. by a solicitor, your signed consent is required.
- You will be informed whether a charge will be made for printed copies (a charge will only be made where a request is deemed unfounded or excessive, in line with GDPR Article 12).
- You will receive a response within one calendar month. Where the request is excessive you will be informed within one calendar month if it will take longer for us to respond to your request, but this will not exceed a further two months.

The practice has a leaflet available on making a Subject Access Request, this is available on our website or please ask at reception if you require a copy. On making a request you will be given further information explaining your rights in more detail depending upon which of your rights you are exercising.

## Individuals captured by CCTV images

CCTV may be used at premises for security purposes. The practice outsources its CCTV provision to NHS Property Services. The practice can facilitate any requests for CCTV images.

## Records Retention - How long do we hold information for?

All records will be retained in line with the Records Management Code of Practice for Health and Social Care 2016 and will not be held for longer than necessary. The code of practice sets out the required standards of practice in the management of records for those who work within or under contract to NHS organisations in England based on current legal requirements and professional best practice. Confidential information is securely destroyed in accordance with this code of practice. This complies with Article 5 of the GDPR Principle 5.

## Your right to withdraw consent

If you are happy for your data to be used for the purposes described in this Fair Processing Notice, then you do not need to do anything.

If you do not want your personal data being extracted and used for the purposes described in this Fair Processing Notice, then you need to let us know as soon as possible by contacting the Practice.

Please note that withdrawing your consent from sharing data may, in some circumstances, cause a delay in you receiving care which may result in harm to your health or death if we or other organisations do not have a complete care record.

## Your right to opt out

In some instances, you are allowed to request that your confidential information is not used beyond your own care and treatment and to have your objections considered. To support this, patients are able to register objections to either prevent their identifiable data being released outside of the GP Practice (known as a Type 1 objection) or to prevent their identifiable data from any health and social care setting being released by NHS Digital (known as a Type 2 objection) where in either case it is for purposes other than direct patient care.

Type 1 opt outs can be recorded by your GP practice, who will add a special read-code, or electronic flag, to your GP record. This should prevent identifiable information about you being extracted from your GP record and uploaded to any other organisation, for purposes other than direct care.

Your GP practice can no longer register your Type 2 opt out, therefore you need to register your choice directly via the 'Your NHS Data Matters' website, [www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters). Your GP practice will signpost you to this. See the document "How the NHS and care services use your information" on our website.

If your wishes cannot be followed, you will be told the reasons (including the legal basis) for that decision. There are certain circumstances where a person is unable to opt out, but these are only where the law permits this, such as in adult or children's safeguarding situations.

You have a right in law to refuse or withdraw previously granted consent to the use of your personal information. There are possible consequences of not sharing, such as the effect this may have on your care and treatment, but these will be explained to you to help with making your decision.

If you wish to exercise your right to opt-out, or to speak to somebody to understand what impact this may have, if any, please contact the Practice using the contact details at the top of this document.

## What is the right to know?

The Freedom of Information Act 2000 (FOIA) gives people a general right of access to information held by or on behalf of public authorities, promoting a culture of openness and accountability across the public sector.

## What sort of information can I request?

In theory, you can request any information that the practice holds, that does not fall under an exemption. You may not ask for information that is covered by the GDPR/DPA. Your request must be in writing and can be either posted or emailed to the practice.

## Concerns About Sharing Your Information

If you have any concerns about how we use or share your information, or you do not wish us to share your information, then please contact the Practice/Service Manager in the first instance.

## Complaints or Queries

We try to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring concerns to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. If you have any queries or concerns about how your information is managed at the practice, please contact the Practice.

Information will be held for the purposes of the complaint and will be used in the investigation and as part of any necessary enquiries.

If you have any further queries on the uses of your information, please contact:

Liane Cotterill  
Senior Governance Manager & Data Protection Officer  
North of England Commissioning Support  
Teesdale House  
Westpoint Road  
Thornaby  
Stockton on Tees  
TS17 6BL

**Email:** [NECSU.IG@nhs.net](mailto:NECSU.IG@nhs.net)

If you are not content with the outcome of your confidentiality and data protection concern / complaint raised with the practice you have the right to apply directly to the Information Commissioner's Office for a decision.

## **Information Commissioner's Office (ICO)**

For independent advice about data protection, privacy, data sharing issues and your rights you can contact:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Telephone: 0303 123 1113 (local rate) or 01625 545 745 or +44 1625 545 745 (outside UK)

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

Visit the ICO website here <https://ico.org.uk/>

## **Changes to this Fair Processing Notice**

We keep our Fair Processing Notice under regular review. This Fair Processing Notice will be periodically reviewed and updated. This notice was last updated in April 2020.