

Fair Processing Notice - How We Use Your Information

This Fair Processing Notice tells you how we at Quay Health Solutions (QHS) collect and handle personal information. This notice informs you of the type of information that we hold, how that information is used, who we may share that information with, and how we keep it secure and confidential.

What we do

QHS is a federation made up of GP practices based in the north of Southwark, working collaboratively to improve the health of the North Southwark registered population. QHS is focused on providing excellence in general practice, offering high quality primary healthcare to all North Southwark patients and building strong relationships with key partners in emerging Local Care Networks (bringing together all providers of health and social care to improve services). QHS aims to empower, support and enable practices to work collectively to deliver improved quality and outcomes to the local population. We also provide clinical services for Patients, for example Extended Primary Care Service (EPCS) and General Practice service. Even though we are not a GP Practice, we may provide general practice services on a temporary basis to local population if we are commissioned to do so by NHS England.

Details we collect about you

The health care professionals who provide you with care at QHS maintain records about your health and any treatment or care you have received previously (e.g. NHS Trust, GP Surgery, Walk-in Clinic). These records help us to provide you with the best possible healthcare.

NHS health records may be electronic, on paper or a combination of both. QHS is committed to using appropriate working practices and technology to ensure that your information is kept confidential and secure. Records which QHS hold about you may include:

- Details about you such as your address and emergency contact details;
- Any contact QHS 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 tests and x-rays;
- Relevant information from other health professionals, relatives or those who care for you.

How we keep your information confidential and safe

Everyone working for the NHS is subject to the Common Law Duty of Confidence and Data Protection Act 1998. Information provided in confidence will only be used for the purposes advised with consent given by the patient, except in certain circumstances such as where

there is an obligation by law, for the purposes of safeguarding, or if there is an overriding public interest.

Under the NHS Confidentiality Code of Conduct, all our staff are also required to protect your information, tell you of how your information will be used, and allow you to decide if and how your information can be shared.

Oversight

QHS have assigned a [Caldicott Guardian](#) and Senior Information Risk Owner who have oversight of the handling of information within the organisation as well as supporting organisations that we may buy services from. The Caldicott Guardian has the role of overseeing and making decisions on information sharing. The Senior Information Risk Owner is accountable for information risk. Both roles are supported by the Information Governance Steering Group which meets regularly to discuss issues related to information governance. The group is chaired by the Senior Information Risk Owner.

If you wish to contact the Caldecott Guardian please contact us via email qhs.communication@nhs.net

Definition of data types

This section provides definitions for key terms to describe different data types.

Anonymised data: data about you but from which you cannot be personally identified.

De-identified data with pseudonym identifier: data about you but we are able to track you through the patient pathway without using your personal information, and you cannot be personally identified.

De-identified data with weak pseudonym identifier such as the NHS number: We use this to link two or more types of datasets together using your NHS number. For example, using your NHS number to link and analyse datasets such as acute data with community data to see the full picture of your patient pathway. No other personal information is used during this process and you will not be personally identified. However, there may be times whereby you may be re-identified in the event of patient safety requirements, or re-identified for direct care purposes where we pass on information to your GP to treat you.

Personal data: information from which you can be personally identified, for example name, address, postcode, date of birth.

Sensitive personal data: information about your physical and mental health from which you can be identified.

What is Primary Care Data and Secondary Care Data?

Around 90% of patient interaction is with primary care services. In addition to GP practices, primary care covers dental practices, community pharmacies and high street optometrists. Primary care data relates to information which has been sourced from these types of services.

Secondary care covers treatment and care of a specialised medical service by clinicians. For example, specialist doctors and nurses within a health facility or hospital on referral by a primary care clinician (e.g. your GP). Secondary care data relates to information which has been sourced from these types of services.

What do we use your information for?

Care providers, such as general practices, acute and mental health hospitals, community services, walk in centres and nursing homes sometimes share information with each other to facilitate your direct care.

The law provides some NHS bodies, particularly NHS Digital, ways of collecting sensitive personal data directly from care providers for secondary purposes, such as evaluating care provided at population level.

Data may be linked by these special bodies so that it can be used to improve health care and development, and monitor NHS performance. In some cases there may also be a need to link local datasets which could include a range of acute based services such as radiology, physiotherapy and audiology, as well as mental health and community based services such as IAPT, district nursing and podiatry.

The dataset collected from secondary care providers (for example, hospitals) by NHS Digital are referred to the Secondary Uses Service (SUS). This is the single, comprehensive repository for healthcare data in England which enables a range of reporting and analyses to support the NHS in the delivery of healthcare services. When a patient or service user is treated or cared for, information is collected which supports their treatment. For further information, please visit NHS Digital's website: <http://digital.nhs.uk/sus>

Risk stratification

Your GP uses your data to provide the best care they can for you. As part of this process, your GP will use your personal and health data to undertake risk stratification, also known as case finding.

Risk stratification involves applying computer based algorithms, or calculations, to identify those patients registered with the GP Surgery who are most at risk from certain medical conditions and who will benefit from clinical care to help prevent or better treat their condition.

To identify those patients individually from the patient community registered with your GP would be a lengthy and time-consuming process, which would by its nature potentially not identify individuals quickly and increase the time to improve care.

The lawful basis to use this information for risk stratification has been permitted by s251 NHS Act 2006. For further information on Risk Stratification, please visit <https://www.england.nhs.uk/ourwork/tsd/ig/risk-stratification/> and <http://www.hra.nhs.uk/about-the-hra/our-committees/section-251/>

Summary Care Record

Summary Care Record (SCR) is an electronic record which contains information about the medication you take, allergies you suffer from and any bad reactions you have had to medication. Storing information on SCR makes it easier for healthcare staff to treat you in an emergency or in the event your GP practice is closed. Only health care staff involved in your care can see your SCR.

Please note, it is not compulsory for you to have a SCR. If you would like to opt out of the scheme please let your GP know.

Post infection reviews

QHS are responsible for identifying and agreeing the possible causes of, or factors that contributed to, a patient's infection. QHS will lead a post infection review in the circumstances set out in the Post Infection Review Guidance, issued by NHS England. They will be able to use the results of the post infection review to inform the mandatory healthcare associated infections reporting system.

Incident management

QHS is accountable for effective governance and learning following all Serious Incidents (SIs) and works to ensure all SIs are reported and managed appropriately.

Managing conflicts of interest

We manage conflicts of interest as part of our day-to-day activities. Effective handling of conflicts of interest is crucial to give confidence to patients, tax payers, healthcare providers and parliament that decisions are robust, fair, transparent and offer value for money. It is essential in order to protect healthcare professionals and maintain public trust in the NHS. Failure to manage conflicts of interest could lead to legal challenge and even criminal action in the event of fraud, bribery and corruption.

Patient right to object to processing/opt-out

There are choices you can make about how your information is used, and you can choose to opt out of your information being shared or used for any purpose beyond providing your care. Please note that not choosing to share your information may have an impact on your care and by sharing your information, this will improve NHS services and the experience of treatment and care for our patients.

If you do not want your information to be used for any purpose beyond providing your care you can choose to opt-out. If you wish to do so, please inform the practice and they will mark your choice in your medical record.

There are two types of opt-out. You can withdraw either opt-out at any time by informing your practice.

Type 1 opt-outs

If you do not want information that identifies you to be shared outside your GP practice, for purposes beyond your direct care, you can register a type 1 opt-out with your GP practice. This prevents your personal confidential information from being used other than in particular circumstances required by law, such as a public health emergency like an outbreak of a pandemic disease.

Type 2 opt-outs

NHS Digital collects information from a range of places where people receive care, such as hospitals and community services. If you do not want your personal confidential information to be shared outside of NHS Digital, for purposes other than for your direct care, you can register a type 2 opt-out with your GP practice.

Please note, here are some circumstances where you cannot object to your information being shared. This would be in the event that there was a safeguarding issue or where the organisation was required by law to share your information.

If you have consented to your personal data being used, you also have the right to withdraw this consent at any time and you do not need to provide a reason to withdraw your consent. In this scenario the possible consequences of withdrawing consent will be explained to you. A possible consequence may be that you are unable to receive a specific service as a result of withdrawing consent. If you wish to opt out or withdraw your consent from QHS processing your data, please contact your GP Practice

Who are our partner organisations?

Subject to complying with the Data Protection Act and common law duty of confidentiality, we might have to share your information with the following organisations:

- NHS Trusts/Foundation Trusts;
- GPs;
- NHS Commissioning Support Units;

- Ambulance Trusts;
- Southwark Clinical Commissioning Group;
- NHS Digital (previous Health and Social Care Information Centre);
- Social Care Services;
- Local Authorities;
- Fire and Rescue Services;
- Police and Judicial Services.

If there is a need for QHS to share your information with any other organisations, you will be informed.

How long we will keep your information and how we will destroy information

There are different retention schedules for different types of information and types of record. In the NHS, all providers apply retention schedules in accordance with the NHS Records Management Code of Practice for Health and Social Care. For more information, you can access the document here: <http://systems.digital.nhs.uk/infogov/iga/resources/rmcop>

When destroying data we ensure that we, or third parties we contract to destroy data on our behalf, meet guidelines set out within principle 7 of the Data Protection Act 1998, the European Standard EN 15713 for paper copies and CESG standards (www.cesg.gov.uk) for secure destructions of electronic data.

Employee information

We collect information about individuals who work for us for the following purposes:

- The administration of prospective, current and past employees including self-employed, contract personnel, temporary staff or voluntary workers;
- The recruitment and selection process;
- Planning and management of our workload or business activity;
- Occupational health service;
- Administration of agents or other intermediaries;
- Pensions administration;
- Payment administration;
- Disciplinary matters, staff disputes, employment tribunals;
- Staff training and development;
- Ensuring staff are appropriately supported in their roles;
- Vetting checks;
- Assessing our performance against equality objectives as set out by the Equality Act 2010.

Change of details

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 are incorrect so our records can be updated.

Relevant links to associated documents or organisations

If you would like to find out more information on the wider health and care system approach to using personal information or other useful information, please click on the following links:

NHS Constitution:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/480482/NHS_Constitution_WEB.pdf

NHS Care Record Guarantee: <http://systems.digital.nhs.uk/rasmartcards/strategy/nhscrg>

NHS Digital's Guide to Confidentiality: <http://systems.digital.nhs.uk/infogov/confidentiality>

Information Commissioner's Office: <https://ico.org.uk/>

Health Research Authority: <http://www.hra.nhs.uk/>

Health Research Authority Confidentiality Advisory Group (CAG):

<http://www.hra.nhs.uk/about-the-hra/our-committees/section-251/>

For information about care records and how to access them, please see NHS Choices <http://www.nhs.uk/NHSEngland/thenhs/records/healthrecords/Pages/overview.aspx>.

For details about how public bodies must make information available, see the model publication scheme published by the Information Commissioner's Office. <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/publication-scheme/>

Accessing your information held by QHS

Under the Data Protection Act 1998 you have the right to see or be given a copy of personal data held about you. To gain access to your information you will need to make a Subject Access Request (SAR) to QHS. We may charge a reasonable fee for the administration of the request, set down in law as follows:

- If the information is only held electronically, we may charge up to £10 for complying with the request.

- If the information is only held wholly or partly in paper format we may charge up to £50 for complying.

If you wish to make a SAR please email qhs.communication@nhs.net.

Freedom of information requests (FOI)

The Freedom of Information Act (2000) gives every Individual the right to request information held by Government Agencies. Private Companies are not subject to this act. Please note that a Freedom of Information Request is not the same as a Subject Access Request.

If you wish to make a FOI request, please email qhs.communication@nhs.net. please contact

Your request for information must be made in writing and you are entitled to a response within 20 working days.

Complaints

If you have a comment, compliment or complaint about how your information has been used in QHS then please email qhs.communication@nhs.net

Records of complaints will not be kept within your clinical file and will be handled in line with the NHS Records Management Code of Practice.

If you are not happy with our responses about the use of your information and data and have exhausted all the avenues in the QHS complaints process and wish to take your complaint to an independent body, you can do this by contacting the Information Commissioner's Office in writing to the following address:

Wycliffe House
Water Lane
Wilmslow
Cheshire

SK9 5AF

You can also telephone their helpline on 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number or email: casework@ico.org.uk