

BRUNTON PLACE SURGERY

PRIVACY STATEMENT

Brunton Place Surgery 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.

This Privacy Notice does not provide exhaustive details of all aspect of the collection and use of personal information by Brunton Place Surgery. However, we are happy to provide any additional information or explanation needed. If you wish to request further information please contact the Practice Manager by:

Letter: Brunton Place Surgery, 9 Brunton Place, Edinburgh, EH7 5EG

Telephone: 0131 557 5545

e-mail: clinical.s70268@nhslothian.scot.nhs.uk

About the Personal Information we Use

We use personal information on different groups of individuals including:

- Patients
- Staff
- Contractors
- Suppliers
- Complainants, enquirers
- Survey respondents
- Professional experts and consultants
- Individuals captured by CCTV

The personal information we use includes information that identifies you like your name, address, date of birth and postcode.

We may also use more sensitive types of personal information, including information about racial or ethnic origin; religious or philosophical beliefs; genetic and biometric data, health; sex life or sexual orientation.

The information we use can relate to personal and family details; education, training and employment details; financial details; lifestyle and social circumstances; goods and services; visual images; details held in the patient record; responses to surveys.

Our purposes for using personal information

Under the 1978 Act Brunton Place Surgery has the statutory responsibility to provide or arrange for the provision of a range of healthcare, health improvement and health protection services. We are given these tasks so that we can help to promote the improvement of the physical and mental

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health of the people of NHS Lothian and assist in operating a comprehensive and integrated national health service in Scotland.

We use personal information to enable us to provide healthcare services for patients (including reminding you of appointments), data matching under the national fraud initiative; research; supporting and managing our employees; maintaining our accounts and records and the use of CCTV systems for crime prevention.

Our legal basis for using personal information

Brunton Place Surgery, as data controller, is required to have a legal basis when using personal information. Brunton Place Surgery considers that performance of our tasks and functions are in the public interest. So when using personal information our legal basis is usually that its use is necessary for the performance of a task carried out in the public interest, or in the exercise of official authority vested in us. In some situations we may rely on a different legal basis; for example, when we are using personal information to pay a supplier, our legal basis is that its use is necessary for the purposes of our legitimate interests as a buyer of goods and services. Another example would be for compliance with a legal obligation to which Brunton Place Surgery is subject to, for example under the Public Health etc (Scotland) Act 2008 we are required to notify Health Protection Scotland when someone contracts a specific disease.

When we are using more sensitive types of personal information, including health information, our legal basis is usually that the use is necessary:

- for the provision of health or social care or treatment or the management of health or social care systems and services; or
- for reasons of public interest in the area of public health; or
- for reasons of substantial public interest for aims that are proportionate and respect people's rights, for example research; or
- in order to protect the vital interests of an individual; or
- for the establishment, exercise or defence of legal claims or in the case of a court order.

On rare occasions we may rely on your explicit consent as our legal basis for using your personal information. When we do this we will explain what it means, and the rights that are available, to you. You should be aware that we will continue to ask for your consent for other things like taking part in a drug trial, or when you are having an operation.

How We Use Your Information

In order to provide for your care, we need to collect and keep information about you and your health on our records. Your records are used to:

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

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- Send you text messages asking you to make an appointment or contact us in relation to your medical conditions or medical record, text notifications with appointment reminders, cancellation of clinics and changes in service provision. If you do not wish to use this service please contact us on 0131 557 5545.

We may also use, or share, your information for the following purposes:

- Looking after the health of the general public
- Making sure that our services can meet patient needs in the future
- Auditing - Using patient health information to review and improve the quality of healthcare. Patient identifiable information is only used within the practice. (Patients have the right to request that their health information is not included in audits)
- Preparing statistics on NHS performance and activity (where steps will be taken to ensure you cannot be identified)
- Investigating concerns, complaints or legal claims
- Helping staff to review the care they provide to make sure it is of the highest standards
- Training and educating staff
- Research approved by the Local Research Ethics Committee. (If anything to do with the research would involve you personally, you will be contacted to provide consent)

Who provides the personal information

When you do not provide information directly to us, we receive it from other individuals and organisations involved in the delivery of health and care services in Scotland. These include other NHS Boards and primary care contractors such as GPs, dentists, pharmacists and opticians; other public bodies e.g. Local Authorities and suppliers of goods and services.

Sharing personal information with others

Depending on the situation, where necessary we work with a number of other NHS and partner agencies to provide healthcare services to you and will share appropriate, relevant and proportionate personal information in compliance with the law, with the following:

- Our patients and their chosen representatives or carers
- Staff
- Current, past and potential employers
- Healthcare social and welfare organisations and cluster

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- Suppliers, service providers, legal representatives
- Auditors and audit bodies
- Educators and examining bodies
- Research organisations
- People making an enquiry or complaint
- Financial organisations
- Professional bodies
- Trade Unions
- Business associates
- Police forces and security organisations
- Central and local government
- Voluntary and charitable organisations
- Other NHS hospitals
- Relevant GP Practices
- Dentists, Opticians and Pharmacies
- Private Sector Providers (private hospitals, care homes, hospices, contractors providing services to the NHS)
- Ambulance Service
- Specialist Services
- Out of Hours Medical Service
- NHS Scotland
- Practitioner Services Division at NHS Lothian

Risk Prediction

Risk prediction data tools are increasingly being used in the NHS to help determine a person's risk of suffering a particular condition, preventing an unplanned or (re)admission and identifying a need for preventive information. Information about you is collected from a number of sources in NHS Scotland including this GP Practice. A risk score is then arrived at through an analysis of your De-identifiable information by ISD Scotland and is only provided back to your GP's Data Controller in an identifiable form. Risk prediction enables your GP to focus on preventing ill health and not just the treatment of sickness. If necessary, your GP may be able to offer you additional services.

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Emergency Care Summary (ECS)

Emergency care information such as your name, date of birth, the name of your GP, any medicines which your GP has prescribed or been asked to prescribe by another health professional, any medicines you are allergic to or react badly to, is shared with Out of Hours as this might be important if you need urgent medical care when the GP surgery is closed.

NHS staff (Doctors, Nurses, Accident and Emergency, Ambulance control and crews) can look at your ECS if they need to treat you when the surgery is closed. They will ask for your consent before they look at your records.

In an emergency and if you are unconscious, staff may look at your ECS without your agreement to let them give you the best possible care.

Whenever NHS staff looks at your ECS, a record will be kept so we can always check who has looked at your information.

Key Information Summary (KIS)

Key information summary (KIS) has been designed to support patients who have complex care needs or long term conditions.

KIS allows important information to be shared with health care professionals in unscheduled care in the NHS 24, A&E, Scottish Ambulance Service, Out of Hours, hospital and pharmacy environments. Information contained in KIS summary includes, future care plans, medications, allergies, diagnosis, your wishes, carer and next of kin details.

You have the right to say that you do not want Care staff to see ECS/KIS. Please contact the Practice on 0131 557 5545.

Online Registration for Booking Appointments and ordering Repeat Prescriptions

This service allows you to book a routine GP appointment 24 hours a day, cancel appointments no longer needed, check your repeat medication and order repeat prescriptions. You will need to register to use this service by asking our reception team for a unique PIN number. You have the option of de-registering at any time.

Mail to Patients

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

Medicine 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 our own employed Pharmacist and Pharmacists provided within NHS Lothian.

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Computer System

This Practice operates a Clinical Computer System on which NHS Staff record information securely. This information can then be shared with other Clinicians so that everyone caring for you is fully informed about your relevant medical history.

To provide around the clock safe care, unless you have asked us not to, we will make information available to trusted organisations. Wherever possible, their staff will ask your consent before information is viewed.

We consider patient consent as being the key factor in dealing with your health information.

Shared Care Records

To support your care, and improve the sharing of relevant information to our partner organisations when they are involved in looking after you, we will share information to other NHS systems e.g. medication details for out of hours care. 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 record.

Transferring personal information abroad

It is sometimes necessary to transfer personal health information overseas for example if you require urgent medical treatment abroad. When this is needed information may be transferred to countries or territories around the world. Any transfers made will be in full compliance with NHSScotland Information Security Policy.

How we protect personal information and keep your information confidential and secure

We take care to ensure your personal information is only accessible to authorised people. Our staff have a legal and contractual duty to keep personal health information secure, and confidential. The following security measures are in place to protect personal information:

- All staff undertake mandatory training in Data Protection and IT Security
- All staff are bound by a confidentiality agreement
- Organisational policy and procedures on the safe handling of personal information
- Access controls and audits of electronic systems

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We are committed to protecting your privacy and will only use information collected lawfully in accordance with the Data Protection Act 1998, Article 8 of the Human Rights Act, the Common Law of Confidentiality, The General Data Protection Regulation and the NHS Codes of Confidentiality and Security. Everyone working in, or for the NHS must use personal information in a secure and confidential way.

We will only every use or pass on your information if there is a genuine need to do so. We will not disclose information about you to third parties without your permission unless there are exceptional circumstances, such as when the law requires.

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, or another health provider who is looking after your care. 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.

Anyone Who Receives Information From Us Is Also Under A Legal Duty to Keep It Confidential and Secure

All persons in the Practice sign a confidentiality agreement that explicitly makes clear their duties in relation to personal health information 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 allied Health Professionals
- Opening letters from hospitals and other health and social care providers
- Photocopying or printing documents, scanning clinical letters, radiology reports and any other documents not available in electronic format
- Handling, printing, photocopying and postage of medico legal and life assurance reports and of associated documents

Who Else May Ask to Access Your Information

- The **Court** can insist that we disclose medical records to them
- **Solicitors** often ask for medical reports or a copy of your medical records. 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. wife, children parents etc.) unless we also have their consent

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- **Social Services** – The Benefits Agency and others 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
- **Life Assurance Companies** frequently ask for medical reports on prospective clients. These are always accompanied by your signed consent form. We will only disclose the relevant medical as per your consent. You have the right, should you request it, to see reports prepared for Insurance Companies or employers before they are sent

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 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.

Brunton Place Surgery 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 this website, then you can be assured that it will only be used in accordance with this Privacy Statement.

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.
- Whenever you are asked to fill in a form on the website, look for the box that you can click to indicate that you do not want the information to be used by anybody for direct marketing purposes.

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The right to be informed

Brunton Place Surgery must explain how we use your personal information. We use a number of ways to communicate how personal information is used, including:

- This Data Protection Notice
- Information leaflets
- Discussions with staff providing your care

The right of access

You have the right to access your own personal information.

This right includes making you aware of what information we hold along with the opportunity to satisfy you that we are using your information fairly and legally.

You have the right to obtain:

- Confirmation that your personal information is being held or used by us
- Access to your personal information
- Additional information about how we use your personal information

Although we must provide this information free of charge, if your request is considered unfounded or excessive, or if you request the same information more than once, we may charge a reasonable fee.

Right of Access to Your Health Information

The Data Protection Act 1998 allows you to find out what information about you is held on computer and in manual records. This is known as “right of subject access” and applies to personal information held about you. If you want to see the information about you that the Practice holds:

- You will need to make a written request to the Practice Manager
- We are required to respond to you within one month (30 days)
- You will need to give us adequate information (e.g. full name, address, date of birth, and photo ID) to enable us to identify you and provide the correct information.
- Provide us with specific details on the information you wish to obtain

The right to rectification

If the personal information we hold about you is inaccurate or incomplete you have the right to have this corrected.

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If it is agreed that your personal information is inaccurate or incomplete we will aim to amend your records accordingly, normally within one month, or within two months where the request is complex. However, we will contact you as quickly as possible to explain this further if the need to extend our timescales applies to your request. Unless there is a risk to patient safety, we can restrict access to your records to ensure that the inaccurate or incomplete information is not used until amended.

If for any reason we have shared your information with anyone else, perhaps during a referral to another service for example, we will notify them of the changes required so that we can ensure their records are accurate.

If on consideration of your request Brunton Place Surgery does not consider the personal information to be inaccurate then we may add a comment to your record stating your concerns about the information. If this is case we will contact you within one month to explain our reasons for this.

Complaints

If you have a complaint about how your information is managed at the practice, please contact the Practice Manager. If you remain unhappy with the Practice's response, you can complain to the Information Commissioner Office www.ico.gov.uk

The right to object

When Brunton Place Surgery is processing your personal information for the purpose of the performance of a task carried out in the public interest or in the exercise of official authority you have the right to object to the processing and also seek that further processing of your personal information is restricted. Provided Brunton Place Surgery can demonstrate compelling legitimate grounds for processing your personal information, for instance; patient safety or for evidence to support legal claims, your right will not be upheld.

Changes To This Privacy Notice

We keep our Privacy Notice under regular review. This Privacy Notice will be reviewed again in November 2018.

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 on 0131 557 5545.

Change of Details

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

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amended. You have a responsibility to inform us of any changes so our records are kept accurate and up to date for you.