

## **PRIVACY NOTICE**

### **How we use your medical records**

- This practice handles medical records according to the laws on data protection and confidentiality.
- We share medical records with health professionals who are involved in providing you with care and treatment. This is on a need to know basis and event by event.
- Some of your data is automatically copied to the Shared Care Summary Record.
- We may share some of your data with local out of hours / urgent or emergency care service.
- Data about you is used to manage national screening campaigns such as 'flu, cervical cytology and diabetes prevention.
- Data about you, usually de-identified, is used to manage the NHS and make payments.
- We share information when the law requires us to do so; for instance, when we are inspected, reporting certain illnesses or safeguarding vulnerable people.
- Your data is used to check the quality of care provided by the NHS.
- We may also share medical records for medical research.

For more information, please visit our website, ask at reception or e-mail the practice at [ccccg.newtonplace@nhs.net](mailto:ccccg.newtonplace@nhs.net)

### **Direct Care**

This practice keeps data on you relating to who you are, where you live, what you do, your family, possibly your friends, your employers, your habits, your problems and diagnoses, the reasons you seek help, your appointments, where you are seen and when you are seen, who by, referrals to specialists and other healthcare providers, tests carried out here and in other places, investigations and scans, treatments and outcomes of treatments, your treatment history, the observations and opinions of other healthcare workers, within and without the NHS as well as comments and aide memoires reasonably made by healthcare professionals in this practice who are appropriately involved in your health care.

When registering for NHS care, all patients who receive NHS care are registered on a national database, the database is held by NHS Digital, a national organisation which has legal responsibilities to collect NHS

GPs have always delegated tasks and responsibilities to others who work with them in their surgeries. On average an NHS GP has between 1,500 and 2,500 patients for whom he or she is accountable. It is not possible for the GP to provide hands on personal care for each and every one of those patients in those circumstances and, for this reason, GPs share your care with others, predominantly within the surgery but occasionally with outside organisations.

If your health needs require care from others elsewhere outside this practice, we will exchange with them whatever information about you that is necessary for them to provide that care. When you make contact with healthcare providers outside the practice, but within the NHS, it is usual for them to send us information relating to that encounter. We will retain part or all of those reports. Normally we will receive equivalent reports of contacts you have with non NHS services but this is not always the case.

Your consent to this sharing of data, within the practice and with those others outside the practice is assumed and is allowed by the law.

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People who have access to your information will only normally have access to that which they need to fulfil their roles. For instance, admin staff will normally only see your name, address, contact details, appointment history and registration details in order to book appointment; the practice nurses will normally have access to your immunisation, treatment, significant active and important past histories, your allergies and relevant recent contacts whilst the GP you see or speak to will normally have access to everything in your record.

You have the right to object to our sharing your data in these circumstances but we have an overriding responsibility to do what is in your best interests. Please see below.

We are required by Articles in the General Data Protection Regulations to provide you with the information in the following 9 subsections.

<b>1) Data Controller</b>	Newton Place Surgery, Newton Road, Faversham, ME13 8FH
<b>2) Data Protection Officer</b>	Dr Simon Lundy Newton Place Surgery, Newton Road, Faversham, ME13 8FH
<b>3) Purpose of the Processing</b>	Direct Care is care delivered to the individual alone, most of which is provided in the surgery. After a patient agrees to a referral for direct care elsewhere, such as a referral to a specialist in a hospital, necessary and relevant information about the patient, their circumstances and their problem will need to be shared with the other healthcare workers, such as specialist, therapists, technicians etc. The information that is shared is to enable the other healthcare workers to provide the most appropriate advice, investigations, treatments, therapies and or care.
<b>4) Lawful basis for processing</b>	<p>The processing of personal data in the delivery of direct care and for providers' administrative purposes in this surgery and in support of direct care elsewhere is supported under the following articles 6 and 9 conditions of the GDPR:</p> <p><i>Article 6(1)(e) '...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...'</i></p> <p><i>Article 9(2)(h) '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...'</i></p> <p>We will also recognise your rights established under UK case law collectively known as the "Common Law Duty of Confidentiality"*</p>
<b>5) Recipient or categories of recipients of the processed data</b>	The data will be shared with healthcare professionals and support staff in this surgery and at hospitals, diagnostic and treatment centres who contribute to your personal care. These include East Kent Hospitals University Foundation Trust, Kent Community Health Foundation Trust, Clinical Commissioning Group, Physiological Measurements Ltd,

	Physiotherapy, IAPT, Faversham Counselling Services, Chaucer Hospital, One Ashford Hospital, DMC Healthcare, MCP, and other organisations allied to the NHS, social services and any other providers that we refer you to.
<b>6) Rights to object</b>	You have the right to object to some or all the information being processed under Article 21. Please contact the Data Controller or the practice. You should be aware that this is a right to raise an objection; this is not the same as having an absolute right to have your wishes granted in every circumstance.
<b>7) Right to access and correct</b>	You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a Court of Law.
<b>8) Retention period</b>	The data will be retained in line with the law and national guidance. <a href="https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016">https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</a> or speak to the practice.
<b>9) Right to Complain.</b>	You have the right to complain to the Information Commissioner's Office, you can use this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a> or call their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)  There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)

# National Screening Programs

The NHS provides national screening programmes so that certain diseases can be detected at an early stage. These currently apply to bowel cancer, breast cancer, aortic aneurysms and diabetic retinal screening service. The law allows us to share your contact information with Public Health England so that you can be invited to the relevant screening programme.

More information can be found at: <https://www.gov.uk/topic/population-screening-programmes> or speak to the practice

<b>1) Data Controller</b>	Newton Place Surgery, Newton Road, Faversham, ME13 8FH
<b>2) Data Protection Officer</b>	Dr Simon Lundy Newton Place Surgery, Newton Road, Faversham, ME13 8FH
<b>3) Purpose of the processing</b>	The NHS provides several national health screening programs to detect diseases or conditions earlier such as cervical and breast cancer, aortic aneurysm and diabetes. More information can be found at <a href="https://www.gov.uk/topic/population-screening-programmes">https://www.gov.uk/topic/population-screening-programmes</a> The information is shared so as to ensure only those who should be called for screening are called and/or those at highest risk are prioritised.
<b>4) Lawful basis for processing</b>	The sharing is to support Direct Care which is covered under <b>Article 6(1)(e)</b> ; “necessary... in the exercise of official authority vested in the controller’ and <b>Article 9(2)(h)</b> ‘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...’ We will also recognise your rights established under UK case law collectively known as the “Common Law Duty of Confidentiality”*
<b>5) Recipient or categories of recipients of the shared data</b>	The data will be shared with local NHS and private hospitals and other services that you may be referred to as part of your care.
<b>6) Rights to object</b>	You have the right to object to this processing of your data and to some or all of the information being shared with the recipients. Contact the Data Controller or the practice. For national screening programmes: you can opt so that you no longer receive an invitation to a screening programme. See: <a href="https://www.gov.uk/government/publications/opting-out-of-the-nhs-population-screening-programmes">https://www.gov.uk/government/publications/opting-out-of-the-nhs-population-screening-programmes</a> Or speak to your practice.

<p><b>7) Right to access and correct</b></p>	<p>You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a Court of Law.</p>
<p><b>8) Retention period</b></p>	<p>GP medical records will be kept in line with the law and national guidance.</p> <p>Information on how long records can be kept can be found at: <a href="https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016">https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</a> or speak to the practice.</p>
<p><b>9) Right to Complain.</b></p>	<p>You have the right to complain to the Information Commissioner's Office, you can use this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a> or call their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

# Summary Care Record

The Summary Care Record is an English NHS development. It consists of a basic medical record held on a central government database of every patient registered with a GP surgery in England. The basic data is automatically extracted from your GP's electronic record system and uploaded to the central system. GPs are required by their contract with the NHS to allow this upload. The basic upload consists of current medication, allergies and details of any previous bad reactions to medicines, the name, address, date of birth and NHS number of the patient

As well as this basic record, additional information can be added and this can be far reaching and detailed. However, whereas the basic data is uploaded automatically, any additional data will only be uploaded if you specifically request it and with your consent.

Summary Care Records can only be viewed within the NHS on NHS smartcard controlled screens or by organisations such as pharmacies contracted to the NHS.

You can find out more about the SCR here <https://digital.nhs.uk/summary-care-records-scr>

You have the right to object to our sharing your data in these circumstances and you can ask your GP to block uploads.

We are required by articles in the General Data Protection Regulations to provide you with the information in the following 9 subsections.

<b>1) Data Controller</b>	Newton Place Surgery, Newton Road, Faversham, ME13 8FH
<b>2) Data Protection Officer</b>	Dr Simon Lundy Newton Place Surgery, Newton Road, Faversham, ME13 8FH
<b>3) Purpose of the processing</b>	Upload of basic and detailed additional SCR data.
<b>4) Lawful basis for processing</b>	<p>The processing of personal data in the delivery of direct care and for providers' administrative purposes in this surgery and in support of direct care elsewhere is supported under the following articles 6 and 9 conditions of the GDPR:</p> <p><b>Article 6(1)(e)</b> '<i>...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...'</i></p> <p><b>Article 9(2)(h)</b> '<i>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...'</i></p> <p>We will also recognise your rights established under UK case law collectively known as the "Common Law Duty of Confidentiality"*</p>

<p><b>5) Recipient or categories of recipients of the processed data</b></p>	<p>The data will be shared with Health and care professionals and support staff in this surgery and at hospitals, diagnostic and treatment centres who contribute to your personal care.</p>
<p><b>6) Rights to object</b></p>	<p>You have the right to object to some or all the information being processed under article 21. Please contact the Data Controller or the practice. You should be aware that this is a right to raise an objection; this is not the same as having an absolute right to have your wishes granted in every circumstance.</p>
<p><b>7) Right to access and correct</b></p>	<p>You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a Court of Law.</p>
<p><b>8) Retention period</b></p>	<p>The data will be retained in line with the law and national guidance. <a href="https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016">https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</a> or speak to the practice.</p>
<p><b>9) Right to Complain.</b></p>	<p>You have the right to complain to the Information Commissioner's Office, you can use this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a> or call their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

# Public Health

Public health encompasses everything from national smoking and alcohol policies, the management of epidemics such as 'flu, the control of large scale infections such as TB and Hepatitis B to local outbreaks of food poisoning or measles. Certain illnesses are also notifiable; the doctors treating the patient are required by law to inform the Public Health Authorities for instance in the case of Scarlet Fever.

This will necessarily mean the subjects personal and health information being shared with the Public Health organisations.

Some of the relevant legislation includes: the Health Protection (Notification) Regulations 2010 (SI 2010/659), the Health Protection (Local Authority Powers) Regulations 2010 (SI 2010/657), the Health Protection (Part 2A Orders) Regulations 2010 (SI 2010/658), Public Health (Control of Disease) Act 1984, Public Health (Infectious Diseases) Regulations 1988 and The Health Service (Control of Patient Information) Regulations 2002

<b>1) Data Controller</b>	Newton Place Surgery, Newton Road, Faversham, ME13 8FH
<b>2) Data Protection Officer</b>	Dr Simon Lundy Newton Place Surgery, Newton Road, Faversham, ME13 8FH
<b>3) Purpose of the processing</b>	There are occasions when medical data needs to be shared with Public Health England, the Local Authority Director of Public Health, or the Health Protection Agency, either under a legal obligation or for reasons of public interest or their equivalents in the devolved nations.
<b>4) Lawful basis for processing</b>	The legal basis will be <b>Article 6(1)(c)</b> "processing is necessary for compliance with a legal obligation to which the controller is subject." and <b>Article 9(2)(i)</b> "processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices,..."
<b>5) Recipient or categories of recipients of the shared data</b>	The data will be shared with Public Health England <a href="https://www.gov.uk/government/organisations/public-health-england">https://www.gov.uk/government/organisations/public-health-england</a> and equivalents in the devolved nations.
<b>6) Rights to object</b>	You have the right to object to some or all of the information being shared with the recipients. Please contact the Data Controller or the practice.
<b>7) Right to access and correct</b>	You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate

	medical records deleted except when ordered by a Court of Law.
<b>8) Retention period</b>	<p>The data will be retained for active use during the period of the public interest and according to legal requirements and Public Health England's criteria on storing identifiable data</p> <p><a href="https://www.gov.uk/government/organisations/public-health-england/about/personal-information-charter">https://www.gov.uk/government/organisations/public-health-england/about/personal-information-charter</a>.</p>
<b>9) Right to Complain.</b>	<p>You have the right to complain to the Information Commissioner's Office, you can use this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a></p> <p>or call their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

# Risk Stratification

## The records we keep enable us to plan for your care.

This practice keeps data on you to which we apply searches and algorithms in order to identify preventive interventions.

This means using only the data we hold or, in certain circumstances, linking that data to data held elsewhere by other organisations and usually processed by organisations within or bound by contracts with the NHS.

If any processing of this data occurs outside the practice your identity will not be visible to the processors. Only this practice will be able to identify you and the results of any calculated factors, such as your risk of having a heart attack in the next 10 years or your risk of being admitted to hospital with a complication of chest disease

You have the right to object to our processing your data in these circumstances and before any decision based upon that processing is made about you. Processing of this type is only lawfully allowed where it results in individuals being identified with their associated calculated risk. It is not lawful for this processing to be used for other ill-defined purposes, such as “health analytics”.

Despite this we have an overriding responsibility to do what is in your best interests. If we identify you as being at significant risk of having, for example, a heart attack or stroke we are justified in performing that processing.

We are required by articles in the General Data Protection Regulations to provide you with the information in the following 9 subsections.

<b>1) Data Controller</b>	Newton Place Surgery, Newton Road, Faversham, ME13 8FH
<b>2) Data Protection Officer</b>	Dr Simon Lundy Newton Place Surgery, Newton Road, Faversham, ME13 8FH
<b>3) Purpose of the Processing</b>	The practice performs computerised searches of some or all of our records to identify individuals who may be at increased risk of certain conditions or diagnoses i.e. diabetes, heart disease, falling. Your records may be amongst those searched. This is often called “risk stratification” or “case finding”. These searches are sometimes carried out by Data Processors who link our records to other records that they access, such as hospital attendance records. The results of these searches and assessment may then be shared with other healthcare workers, such as specialists, therapists, technicians etc. The information that is shared is to enable the other healthcare workers to provide the most appropriate advice, investigations, treatments, therapies and/or care.
<b>4) Lawful Basis for Processing</b>	The legal basis for this processing is <b>Article 6(1)(e);</b> “necessary... in the exercise of official authority vested in the controller’

	<p>and</p> <p><b>Article 9(2)(h)</b> ‘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...’</p> <p>We will recognise your rights under UK Law collectively known as the “Common Law Duty of Confidentiality”*</p>
<b>5) Recipient or categories of recipients of the shared data</b>	The data will be shared for processing with other health and social care agencies involved in your care and for subsequent healthcare with Canterbury and Coastal Clinical Commissioning Group.
<b>6) Rights to object</b>	You have the right to object to this processing where it might result in a decision being made about you. That right may be based either on implied consent under the Common Law of Confidentiality, Article 22 of GDPR or as a condition of a Section 251 approval under the HSCA. It can apply to some or all of the information being shared with the recipients. Your right to object is in relation to your personal circumstances. Contact the Data Controller or the practice.
<b>7) Right to access and correct</b>	You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a Court of Law.
<b>8) Retention period</b>	The data will be retained in line with the law and national guidance <a href="https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016">https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</a> or speak to the practice.
<b>9) Right to Complain.</b>	<p>You have the right to complain to the Information Commissioner’s Office, you can use this link <a href="https://ico.org.uk/global/contact-us">https://ico.org.uk/global/contact-us</a></p> <p>or call their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

# Safeguarding

Some members of society are recognised as needing protection, for example children and vulnerable adults. If a person is identified as being at risk from harm we are expected as professionals to do what we can to protect them. In addition we are bound by certain specific laws that exist to protect individuals. This is called “Safeguarding”.

Where there is a suspected or actual safeguarding issue, we will share information that we hold with other relevant agencies whether or not the individual or their representative agrees.

There are 3 laws that allow us to do this without relying on the individual or their representatives agreement (unconsented processing), these are:

Section 47 of The Children Act 1989 :

(<https://www.legislation.gov.uk/ukpga/1989/41/section/47>),

Section 29 of Data Protection Act (prevention of

crime)<https://www.legislation.gov.uk/ukpga/1998/29/section/29>

and

Section 45 of the Care Act 2014 <http://www.legislation.gov.uk/ukpga/2014/23/section/45/enacted>

In addition there are circumstances when we will seek the agreement (consented processing) of the individual or their representative to share information with local child protection services, the relevant law being; section 17 Children’s Act 1989 <https://www.legislation.gov.uk/ukpga/1989/41/section/17>

<b>1) Data Controller</b>	Newton Place Surgery, Newton Road, Faversham, ME13 8FH
<b>2) Data Protection Officer</b>	Dr Simon Lundy Newton Place Surgery, Newton Road, Faversham, ME13 8FH
<b>3) Purpose of the Processing</b>	The purpose of the processing is to protect the child or vulnerable adult.
<b>4) Lawful basis for Processing</b>	<p>The sharing is a legal requirement to protect vulnerable children or adults. Therefore, for the purposes of safeguarding children and vulnerable adults, the following article 6 and 9 conditions apply:</p> <p><b>For consented processing:</b> 6(1)(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes</p> <p><b>For unconsented processing:</b> 6(1)(c) processing is necessary for compliance with a legal obligation to which the controller is subject</p> <p>and:</p> <p>9(2)(b) ‘...is necessary for the purposes of carrying out the obligations and exercising the specific rights of the controller or of the data subject in the field of ...social protection law in so far as it is authorised by Union or Member State law..’</p> <p>We will consider your rights established under UK case law collectively known as the “Common Law Duty of Confidentiality”*</p>

<b>5) Recipient or categories of recipients of the shared data</b>	<p>The data will be shared with Social Services Department, Kent County Council and any relevant health care provider.</p>
<b>6) Rights to object</b>	<p>This sharing is a legal and professional requirement and, therefore, there is no right to object.</p> <p>There is also GMC guidance:  <a href="https://www.gmc-uk.org/guidance/ethical_guidance/children_guidance_56_63_child_protection.asp">https://www.gmc-uk.org/guidance/ethical_guidance/children_guidance_56_63_child_protection.asp</a></p>
<b>7) Right to access and correct</b>	<p>The DSs or legal representatives have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a Court of Law.</p>
<b>8) Retention period</b>	<p>The data will be retained for active use during any investigation and thereafter retained in an inactive stored form according to the law and national guidance.</p>
<b>9) Right to Complain.</b>	<p>You have the right to complain to the Information Commissioner's Office, you can use this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a></p> <p>or call their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

# Care Quality Commission (CQC)

The Care Quality Commission (CQC) is an organisation established in English law by the Health and Social Care Act. The CQC is the regulator for English health and social care services to ensure that safe care is provided. They inspect and produce reports on all English general practices in a rolling 5 year program. The law allows CQC to access identifiable patient data as well as requiring this practice to share certain types of data with them in certain circumstances, for instance following a significant safety incident.

For more information about the CQC see: <http://www.cqc.org.uk/>

<b>1) Data Controller</b>	Newton Place Surgery, Newton Road, Faversham, ME13 8FH
<b>2) Data Protection Officer</b>	Dr Simon Lundy Newton Place Surgery, Newton Road, Faversham, ME13 8FH
<b>3) Purpose of the Processing</b>	To provide the Secretary of State and others with information and reports on the status, activity and performance of the NHS. They provide specific reporting functions on identified.
<b>4) Lawful basis for Processing</b>	The legal basis will be <i>Article 6(1)(c) "processing is necessary for compliance with a legal obligation to which the controller is subject."</i> and <i>Article 9(2)(h) "processing is necessary for the purposes of preventive 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 and subject to the conditions and safeguards referred to in paragraph 3;"</i>
<b>5) Recipient or categories of recipients of the shared data</b>	The data will be shared with the Care Quality Commission, its officers and staff and members of the inspection teams that visit us from time to time.
<b>6) Rights to object</b>	You have the right to object to some or all of the information being shared with NHS Digital. Contact the Data Controller or the practice.
<b>7) Right to access and correct</b>	You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a Court of Law.

<b>8) Retention period</b>	The data will be retained for active use during the processing and thereafter according to NHS Policies and the law.
<b>9) Right to Complain</b>	<p>You have the right to complain to the Information Commissioner's Office, you can use this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a> or call their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

# Payments

Contract holding GPs in the UK receive payments from their respective governments on a tiered basis. Most of the income is derived from baseline capitation payments made according to the number of patients registered with the practice on quarterly payment days. The amount paid per patient per quarter varies according to the age, sex and other demographic details for each patient. There are also graduated payments made according to the practice's achievement of certain agreed national quality targets known as the Quality and Outcomes Framework (QOF), for instance the proportion of diabetic patients who have had an annual review. Practices can also receive payments for participating in agreed national or local enhanced services, for instance opening early in the morning or late at night or at the weekends. Practices can also receive payments for certain national initiatives such as immunisation programs and practices may also receive incomes relating to a variety of non-patient related elements such as premises. Finally, there are short term initiatives and projects which practices can take part in. Practices or GPs may also receive income for participating in the education of medical students, junior doctors and GPs themselves as well as research.

In order to make patient based payments, basic and relevant necessary data about you needs to be sent to the various payment services. The release of this data is required by English laws.

We are required by Articles in the General Data Protection Regulations to provide you with the information in the following 9 subsections.

<b>1) Data Controller</b>	Newton Place Surgery, Newton Road, Faversham, ME13 8FH
<b>2) Data Protection Officer</b>	Dr Simon Lundy Newton Place Surgery, Newton Road, Faversham, ME13 8FH
<b>3) Purpose of the Processing</b>	To enable GPs to receive payments. To provide accountability.
<b>4) Lawful basis for Processing</b>	The processing of personal data in the delivery of direct care and for providers' administrative purposes in this surgery and in support of direct care elsewhere is supported under the following articles 6 and 9 conditions of the GDPR:  <i>Article 6(1)(c) "processing is necessary for compliance with a legal obligation to which the controller is subject."</i>  and  <i>Article 9(2)(h) '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 <b>the management of health or social care systems and services...</b>'</i>

<p><b>5) Recipient or categories of recipients of the processed data</b></p>	<p>The data will be shared with healthcare professionals and support staff in this surgery and at hospitals, diagnostic and treatment centres who contribute to your personal care.</p>
<p><b>6) Rights to object</b></p>	<p>You have the right to object to some or all the information being processed under Article 21. Please contact the Data Controller or the practice. You should be aware that this is a right to raise an objection; that is not the same as having an absolute right to have your wishes granted in every circumstance.</p>
<p><b>7) Right to access and correct</b></p>	<p>You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a Court of Law.</p>
<p><b>8) Retention period</b></p>	<p>The data will be retained in line with the law and national guidance <a href="https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016">https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</a> or speak to the practice.</p>
<p><b>9) Right to Complain.</b></p>	<p>You have the right to complain to the Information Commissioner's Office, you can use this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a> or call their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

# Research

This practice participates in research. We will only agree to participate in any project if there is an agreed clearly defined reason for the research that is likely to benefit healthcare and patients. Such proposals will normally have a consent process, ethics committee approval and will be in line with the principles of Article 89(1) of GDPR.

Research organisations do not usually approach patients directly but will ask us to make contact with suitable patients to seek their consent. Occasionally, research can be authorised under law without the need to obtain consent. This is known as the section 251 arrangement. We may also use your medical records to carry out research within the practice.

We share information with the following medical research organisations with your explicit consent or when the law allows.

You have the right to object to your identifiable information being used or shared for medical research purposes. Please speak to the practice if you wish to object.

<b>1) Data Controller</b>	Newton Place Surgery, Newton Road, Faversham, ME13 8FH
<b>2) Data Protection Officer</b>	Dr Simon Lundy Newton Place Surgery, Newton Road, Faversham, ME13 8FH
<b>3) Purpose of the sharing</b>	Medical research.
<b>4) Lawful basis for processing or sharing</b>	Identifiable data will be shared with researchers either with explicit consent or, where the law allows, without consent. The lawful justifications are:  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”  or  Article 6(1)(e) may apply “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 in addition there are 3 possible Article 9 justifications.  Article 9(2)(a) – ‘the data subject has given explicit consent...’  or  Article 9(2)(j) – ‘processing is necessary for... scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member States law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and interests of the data subject’

	<p>or</p> <p>Article 9(2)(h) – ‘processing is necessary for the purpose of preventative...medicine...the provision of health or social care or treatment or the management of health or social care systems and services...’</p> <p>We will also recognise your rights established under UK case law collectively known as the “Common Law Duty of Confidentiality”</p>
<b>5) Recipient or categories of recipients of the shared data</b>	The data will be shared with relevant nationally or locally approved research organisations working within the NHS guidelines.
<b>6) Rights to object</b>	You do not have to consent to your data being used for research. If you have consented to your data being used in research you can change your mind and withdraw your consent at any time. Contact the Data Controller or the practice. We will normally comply with any request.
<b>7) Right to access and correct</b>	You have the right to access any identifiable data that is being shared and have any inaccuracies corrected.
<b>8) Retention period</b>	The data will be retained for the period as specified in the specific research protocol(s).
<b>9) Right to Complain.</b>	<p>You have the right to complain to the Information Commissioner’s Office, you can use this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a> or call their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>