

# PRIVACY NOTICE

*Riverside Health Centre*

## **INTRODUCTION**

This privacy notice lets you know what happens to any personal data that you give to us, or any that we may collect from or about you. This privacy notice applies to personal information processed by or on behalf of the practice.

The General Data Protection Regulation (GDPR) became law on 24th May 2016. This is a single EU wide regulation on the protection of confidential and sensitive information. It enters into force in the UK on the 25<sup>th</sup> of May 2018, repealing the Data Protection Act (1998).

For applicable data protection legislation (including but not limited to the GDPR (Regulation (EU) 2016/679) (the "GDPR"), and the Data Protection Act 2018 (currently in Bill format before Parliament), the practice responsible for your personal data is Riverside Health Partnership.

This notice describes how we collect, use, and process your personal data, and how, in doing so, we comply with our legal obligations to you. Your privacy is important to us, and we are committed to protecting and safeguarding your data privacy rights.

## **OUR COMMITMENT TO CONFIDENTIALITY**

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

- Data Protection Act 2018
- The UK General Data Protection Regulation
- Human Rights Act 1998
- Common Law Duty of Confidentiality
- Health and Social Care Act 2012
- NHS Codes of Confidentiality, Information Security and Records Management

Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential.

Our practice policy is to respect the privacy of our patients, their families, and our staff and to maintain compliance with the UK GDPR and all UK specific Data Protection Requirements. Our policy is to ensure all personal data related to our patients will be protected.

All employees and sub-contractors engaged by our practice are asked to sign a confidentiality policy. The practice will, if required, sign a separate confidentiality agreement if the client deems it necessary. If a sub-contractor acts as a data processor, an appropriate contract (art 24-28) will be established for the processing of your information.

Where information is held centrally and used for statistical purposes, we take strict measures to ensure that individual patients cannot be identified. Sometimes your information may be requested to be used for

research purposes – the surgery will always gain your consent before releasing the information for this purpose in an identifiable format. In some circumstances you can opt-out of the surgery sharing any of your information for research purposes.

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 (i.e. life or death situations), where the law requires information to be passed on and / or in accordance with the information sharing principle following Dame Fiona Caldicott's information sharing review (Information to share or not to share) where "The duty to share information can be as important as the duty to protect patient confidentiality." This means that health and social care professionals should have the confidence to share information in the best interests of their patients within the framework set out by the Caldicott principles.

## **HOW WE USE YOUR INFORMATION**

Riverside Health Partnership will be the 'Controller' of the personal data you provide. We collect basic personal data about you which does not include any special types of information or location-based information. This does however include name, address, contact details such as email and mobile number etc.

We will also collect sensitive confidential data known as "special category personal data", in the form of health information, religious belief, ethnicity, and sex during the services we provide to you and or linked to your healthcare through other health providers or third parties.

## **ANIMA**

Anima is designed to enhance and streamline the patient experience at Riverside. Anima allows patients to conveniently and securely access triage services from the comfort of their homes, providing a modern and efficient approach to healthcare management.

Riverside recognise the importance of protecting the privacy and confidentiality of patient data and are committed to maintaining the highest standards of data privacy and security in compliance with applicable laws and regulations.

**Purpose of Data Collection:** Anima will collect and process patient data for the primary purpose of facilitating efficient and effective triage services. This includes gathering information to assess symptoms in order for Riverside to manage patients health.

**Information Collected:** The information collected through Anima may include, but is not limited to, personal details, medical history, symptoms, and contact information. Anima ensures that only relevant data is essential for the triage process is collected.

**Data Access and Confidentiality:** Access to patient data within Anima is restricted to authorised Riverside healthcare professionals and staff directly involved in the provision of medical care. We maintain strict confidentiality policy to protect the privacy of patient information.

**Third-Party Involvement:** We do not share patient data collected through Anima with third parties, except as required by law or with explicit consent from the patient. Any third-party service providers involved in supporting Anima are bound by confidentiality and data protection agreements.

**Data Security Measures:** We implement robust security measures to safeguard patient data from unauthorized access, disclosure, alteration, and destruction. These measures include encryption, access controls, and regular security audits.

**Data Retention:** Patient data collected through Anima is retained for the minimum duration necessary to fulfill the intended purpose, in accordance with legal requirements and best practices.

**Patient Rights:** Patients have the right to access, correct, or request the deletion of their data held within Anima. For any inquiries or requests related to personal data, patients may contact Riverside on [nnicb-bassetlaw.riversidehealthcentre@nhs.net](mailto:nnicb-bassetlaw.riversidehealthcentre@nhs.net)

By using our online triage service (Anima), patients acknowledge and consent to the processing of their data as outlined in this Privacy Policy clause. We reserve the right to update this clause as needed, and any changes will be communicated through our official channels.

For more information, please visit: [www.animahealth.com/privacy-policy](http://www.animahealth.com/privacy-policy)

## **WHY DO WE NEED YOUR INFORMATION?**

The health care professionals 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, Walk-in clinic, etc.). These records help to provide you with the best possible healthcare.

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.

Records which the Practice hold about you may include the following information;

- Details about you, such as your address, carer, legal representative, emergency contact details
- Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments, etc.
- Notes and reports about your health
- Details about your treatment and care
- Results of investigations such as laboratory tests, x-rays etc
- Relevant information from other health professionals, relatives or those who care for you

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. Information may be used within the GP practice for clinical audit to monitor the quality of the service provided.

## **HOW DO WE LAWFULLY USE YOUR DATA?**

We need to know your personal, sensitive, and confidential data to provide you with healthcare services as a General Practice, under the General Data Protection Regulation we will be lawfully using your information in accordance with: -

1. *Article 6, e) 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;”*
2. *Article 9, (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*

## **HOW DO WE LAWFULLY SHARE YOUR DATA?**

The law requires the practice to share information from your medical records in certain circumstances and in accordance with;

*Article 6(1)c – ‘processing is necessary for compliance with a legal obligations to which the controller is the subject...’*

*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...’*

Information is shared so that the NHS or Public Health England can, for example, plan and manage services, check that the care being provided is safe and prevent infectious diseases from spreading. We must also share your information if a court law orders us to do so.

## **WHERE DO WE STORE YOUR INFORMATION?**

All the personal data we hold is processed and stored in the UK. Your information will not be sent outside of the UK where the laws do not protect your privacy to the same extent as the law in the UK. We will never sell any information about you. Likewise, no third parties have access to your personal data unless the law allows them to.

## **HOW LONG DO WE STORE YOUR INFORMATION?**

We are required under UK law to keep your information and data for the full retention period as specified by the NHS records management code of practice: <https://www.nhs.uk/information-governance/guidance/records-management-code/>

## **OUR PARTNER ORGANISATIONS?**

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

- NHS Trusts / Foundation Trusts
- GP's
- NHS Commissioning Support Units
- Independent Contractors such as dentists, opticians, pharmacists

- Private Sector Providers
- Voluntary Sector Providers
- Ambulance Trusts
- Clinical Commissioning Groups
- Social Care Services • NHS England (NHSE)
- Local Authorities
- Education Services
- Fire and Rescue Services
- Police & Judicial Services
- Voluntary Sector Providers
- Private Sector Providers
- Other 'data processors' which you will be informed of

You will be informed who your data will be shared with and in some cases asked for consent for this to happen when this is required.

We may also use external companies to process personal information, such as for archiving purposes. These companies are bound by contractual agreements to ensure information is kept confidential and secure. All employees and sub-contractors engaged by our practice are asked to sign a confidentiality agreement. If a sub-contractor acts as a data processor for Riverside Health Partnership an appropriate contract (art 24-28) will be established for the processing of your information.

### **YOUR CONSENT**

At any stage where we would like to use your data for anything other than the specified purposes and where there is no lawful requirement for us to share or process your data, we will ensure that you can consent and opt out prior to any data processing taking place.

### **RISK STRATIFICATION**

Risk stratification data tools are increasingly being used in the NHS to help determine a person's risk of suffering a condition, preventing an unplanned or (re)admission and identifying a need for preventive intervention. Information about you is collected from several sources including NHS Trusts and from this GP Practice. A risk score is then arrived at through an analysis of your deidentified information is only provided back to your GP as data controller in an identifiable form. Risk stratification 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. Please note that you have the right to opt out of your data being used in this way.

### **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.

### **NHS ENGLAND (NHSE)**

NHS Digital (now merged with NHS England) is a national body which has legal responsibilities to collect information about health and social care services. It collects information from across the NHS in England and provides reports on how the NHS is performing. These reports may help to plan improve patient services.

Riverside must comply with the law and will send data to NHSE when requested (e.g., by the Secretary of State). Riverside also supports the vital health and care planning and research by sharing your data with NHSE.

Please see below for further information below:

<https://digital.nhs.uk/>

<https://digital.nhs.uk/data-and-information/data-collections-and-data-sets/data-collections/general-practice-data-for-planning-and-research#note-for-gp-practices-and-gp-system-suppliers-legal-documents>

### **CARE QUALITY COMMISSION (CQC)**

The CQC regulates health and social care services to ensure that safe care is provided. The law states that we must report certain serious events to CQC (e.g., when patient safety is at risk). For more information, please see; <https://www.cqc.org.uk/>

### **PUBLIC HEALTH**

The law requires us to share data for public health reasons (e.g., to prevent the spread of infectious diseases or other diseases which threaten the health of the population). We will report the relevant information to local health protection team or Public Health England when appropriate.

<https://www.gov.uk/guidance/notifiable-diseases-and-causative-organisms-how-to-report>

### **NATIONAL SCREENING PROGRAMMES**

The NHS provides national screening programmes so that certain diseases can be detected at an early stage. These screening programmes include bowel cancer, breast cancer, cervical cancer, aortic aneurysms and a diabetic eye 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. You have the right to opt out so that you no longer receive invitations.

<https://www.gov.uk/topic/population-screening-programmes>

<https://www.gov.uk/government/publications/opting-out-of-the-nhs-population-screening-programmes>

### **ACCESS TO YOUR PERSONAL INFORMATION**

Subject Access Requests (SAR): You have a right under the Data Protection legislation to request access to view or to obtain copies of what information the surgery holds about you and to have it amended should it be inaccurate.

To request this, you need to do the following:

- Your request should be made to the Practice – for information from the hospital you should write direct to them
- There is no charge to have a copy of the information held about you
- We are required to respond to you within one month
- You will need to give adequate information (for example full name, address, date of birth, NHS number and details of your request) so that your identity can be verified, and your records located information we hold about you at any time.

## **YOUR RIGHTS**

Under the UK GDPR Regulation, all individuals have certain rights in relation to the information which the practice holds about them. Not all rights apply equally to all our processing activity as certain rights are not available depending on the lawful basis for the processing. Please contact us for more information if required and we will aim to deal with your request without delay.

Examples of where rights may not apply - where our lawful basis is:

- Processing is necessary for the performance of a task carried out in the exercise of official authority vested in the controller - then rights of erasure, portability do not apply.
- Legal Obligation - then rights of erasure, portability, objection, automated decision making and profiling do not apply.

If you require further detail about your rights, please see the Information Commissioner's Office website which lists and describes them all; <https://ico.org.uk/your-data-matters/>

Under the NHS Constitution you have the right to privacy and to expect the NHS to keep your information confidential and secure. Likewise, you also have the right to be informed about how your information is used.

## **NATIONAL DATA OPT-OUT**

You also have the right under the NHS Constitution to request that your personal confidential data is not used for reasons other than their individual care and treatment. The process for applying this right is called the 'National Patient Data Opt-out' this gives patients and the public the opportunity to make an informed choice about whether they wish their personally identifiable data to be used just for their individual care and treatment or also used for research and planning purposes.

However, there are exemptions to this, the national patient data opt-out applies unless:

- There is a mandatory legal requirement or an overriding public interest for the data to be shared e.g., Adults and Children safeguarding.
- The opt-out does not apply when the individual has consented to the sharing of their data; or
- Where the data is anonymised in line with the Information Commissioner's Office (ICO) Code of Practice on Anonymisation.

To be compliant with the national data opt-out policy the Practice has put procedures in place to review uses or disclosures of confidential patient information against the national data opt-out operational policy guidance.

Please refer to the following website for further information regarding the National Data Opt-out:

<https://www.nhs.uk/your-nhs-data-matters/>

### **DATA PROTECTION OFFICER**

The Practice Data Protection Officer is Caroline Million at CM Associates. Any queries regarding data protection issues should be addressed to her at: -

Email: [caroline.million@outlook.com](mailto:caroline.million@outlook.com)

Postal: CM Associates, 44 Cliffe Road, Shepley, Huddersfield, HD8 8DF

### **INFORMATION COMMISSIONER'S OFFICE (ICO)**

Should you have any concerns about how your information is managed at Riverside, please contact the Practice Manager or the Data Protection Officer. If you are still unhappy following a review by us, you have a right to lodge a complaint with the UK supervisory authority below

#### **Information Commissioner:**

**Wycliffe house**

**Water Lane**

**Wilmslow**

**Cheshire**

**SK9 5AF**

**Tel: 01625 545745**

<https://ico.org.uk/>

*Please note that this privacy notice may require amendments from time to time.*