

WESTOVER SURGERY

Detailed Privacy Information

Glossary/further explanation (to be used with the detailed privacy information documents)

You have the right to be informed about the collection and use of your personal data. This is a key requirement under the GDPR.

Identity and contact details of the data controller:	Westover Surgery
<p>How does the processing comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none">• Consent:<ul style="list-style-type: none">○ <u>Implied consent</u> – it is reasonable to infer that you agree to the use of information as long as:<ul style="list-style-type: none">▪ we are accessing the information to provide or support your direct care or are satisfied that the person we are sharing the information with is accessing or receiving it for this purpose▪ information is readily available to you▪ we have no reason to believe that you have objected▪ we are satisfied that anyone we disclose information to understands that we are giving it to them in confidence, which they must respect.○ <u>Explicit consent</u> – this means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.• The Health Service Control of Patient Information Regulations 2002• Overriding public interest – to safeguard you or another person• Legal obligation – this means that we are compelled by law to share your data in this way e.g. court order	
<p>Purpose of the processing and the lawful basis for the processing:</p> <ul style="list-style-type: none">• Direct care is a special category of data (health) and enables healthcare professionals (either working with or for the Practice) to be provided with or access to all relevant and necessary information to give medical care.• Lawful bases:<ul style="list-style-type: none">○ Article 6(1)(e) – Official Authority○ Article 6(1)(d) – Vital Interests○ Article 6(1)(c) – Legal Obligation○ Article 9(2)(b) – Employment and social security○ Article 9(2)(h) – Provision of health	

How is the data obtained?

Is this:

- Access to your medical record
- Extraction of information from your medical record
- Access to data held about you by another controller

Recipients:

- Healthcare professionals outside of the Practice providing, or being asked to provide, direct medical care to the data subject, and who have a legitimate relationship to the data subject.
- NHS Digital
- Statutory bodies e.g. CQC, The Courts, DVLA, Police

Retention periods or criteria used to determine the retention period:

- The Practice will retain an individual's medical record for up to ten years following their death, unless transferred to an alternative medical practice.
- Receiving organisations will have their own data retention policy.
- NHS organisations follow national guidance for data management and retention: [NHS Code of Practice for Records Management](#)

The existence of each of your rights:

You have the

- Right to be informed about the processing of your personal data (e.g. privacy notices)
- Right to rectification if your personal data is inaccurate or incomplete
- Right of access to your personal data and supplementary information
- Right to be forgotten by having your personal data deleted or removed on request (where there is no compelling reason for us to continue to process it)
- Right to restrict processing – e.g. if you consider the data is inaccurate or the processing is unlawful
- Right to data portability – e.g. allowing online service users to move data from one service to another
- Right to object to automated decision making, including profiling, or for direct marketing or scientific / historical research

These are set out in more detail at: [ICO guide to GDPR individual rights](#)

- Article 6(1)(e) gives the data subject the right to object.

The source of the information shared in this way is your electronic medical record, and you have rights directly related to that.

The right to lodge a complaint with a supervisory authority:

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow Cheshire SK9 5AF
Phone: 08456 30 60 60
Website: www.ico.gov.uk

