

## **Privacy Notice**

### **The Purpose of This Notice**

This privacy notice explains how the surgery collects and uses information about you, how we store that information and how we keep this information confidential.

### **Data Controller & Data Protection Officer**

The Data Controller is: Lightwater Surgery  
All Saints Road  
Lightwater  
Surrey  
GU18 5SQ

As the Data Controller, we are responsible for collecting, storing and handling both personal and healthcare information provided to us when you register at Lightwater Surgery.

**Lucy Hunt (GP IG Manager and Data Protection Officer (DPO) for GP Practices within Surrey Heath)** is our designated Data Protection Officer.

### **Information & Details We Collect About You**

All the health care professionals who provide you with medical care will maintain a record of your health and any treatment provided. It also includes any health care you may have received in the past, which may include walk-in centres, contact with other GP Practices or NHS Trusts. This helps to provide you with the best healthcare possible.

The information we may collect from you and hold about you include:

- Your contact details and those of your next of kin – your name, address, telephone numbers, email address, place of work and work contact details, date of birth, gender and ethnicity.
- Your medical history – notes and reports about your current and past health including details of any diagnoses, consultations, investigation requests, referrals for specialist care/further investigation. This information may also include details about why you contacted the surgery.
- Information about your treatment and care.
- Results of any investigations such as radiology reports, laboratory tests, etc.

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- Information provided to us about you from other healthcare professionals, relatives or other people who provide you with care. This information may also be provided by other services such as the police (e.g. for Firearm applications), Solicitors.

## **Keeping Your Information Confidential**

Everyone who works for the NHS has to comply with the Common Law Duty of Confidence. Any information provided in confidence will only be used for the purposes advised to you with the consent of the patient, unless there are other circumstances covered by the law.

All of our staff have to comply with The NHS Digital Code Of Practice On Confidential Information. All of our staff are required to protect your information, inform you of how your information will be used, and allow you to decide if and how your information can be shared.

The NHS uses health records that may be in different formats, (electronic, paper or both). Your healthcare record is backed up securely in accordance with standard NHS procedures.

In order to maintain confidentiality, we will only ever use or pass on information about you when other people involved in your care have a genuine need for this information. Information will not be disclosed to a third party without your consent except in exceptional circumstances such as when the law requires us to pass on this information.

## **How Your Information Is Used**

It is now possible for us to share your data with other healthcare providers through our IT systems with the aim of improving the level of care you receive. You can withdraw your consent for your information being used in this way.

We may use your mobile phone number to send you reminders about your appointments and sometimes other healthcare or health screening information. Please let the Surgery know if you do not wish to receive this information.

We may also use your email address to send you reminders about making appointments for reviews. Some healthcare team members (such as the GPs) may also use your email address to send you Patient Satisfaction Questionnaires following a consultation at the Surgery. They will ask for your consent before sending these. These questionnaires are currently required as part of a GPs revalidation for the General Medical Council (GMC).

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## Summary Care Record

The Summary Care Record (SCR) is an electronic record which contains information about the medicines you take, allergies you suffer from and any bad reactions to medicines you have had. Additional information can also be added to your SCR with your consent. It is held on a national database by NHS England.

The SCR may be shared with other healthcare professionals and organisations involved with your care. These professionals and organisations may also be able to update the record in order to ensure you are provided with the best possible care.

You have the right to opt out and a form for this is provided on our website or by requesting the form at the Surgery.

## Videos

Lightwater Surgery is a training practice involved in the training of both Foundation Doctors and also Specialty Trainee Doctors. As part of their training, these doctors may be required to video some of their consultations. If this is taking place, you will be asked to sign a consent form before and after the consultation. Your consultation will not be videoed without your written consent. If you do consent to this, then the videos will be viewed by the trainee and the trainees supervisor, (currently Dr Philip Wilcox and Dr Majid Saeed). Once viewed, the videos are deleted. The video camera is stored securely.

## Audits

Audits are sometimes conducted so that we can monitor the services we provide. This is to ensure we are providing a high quality service for our patients.

Some of these audits are performed centrally, for example, the National Diabetes Audit. In these circumstances, we take measures to ensure that patients cannot be identified. Information obtained for these audits are held centrally and are sometimes used for statistical purposes.

## National Registries

These have statutory consent under the NHS Act 2006, to collect and hold service user information which may include identifiable information without

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having to ask for informed consent from those service users. The Learning Disabilities Register is an example of this.

## Sharing Your Information

When you use a healthcare service, information will be collected from you so that you receive the best possible care. This might occur, for example, if you attend A&E or a walk-in centre or have contact with some of the community care services. The information collected may be passed on to other organisations if there is a lawful basis to do so. This includes helping to plan services, improve care.

Lightwater Surgery may pass your information to the following:-

- Healthcare professionals at hospitals – for example doctors, consultants, nurses, physios, radiologists, occupational therapists, dieticians.
- Other GPs
- Community Nurses and other community healthcare professionals – for example District Nurses, Palliative Care Nurses, Midwives, Physios, Occupational Therapists, Social Services, Pharmacists, Community Mental Health Team.
- 111 and OOH providers
- Dentists
- The Coroner and Coroner's Officers.
- Healthcare Commissioners
- Clinical Commissioning Groups (CCGs)
- Police – this may be for purposes to comply with the law but may also include other services like firearm license applications.
- Fire & Rescue Services
- Ambulance Services
- Local Authorities
- DVLA
- Solicitors
- Insurance companies – when you apply for insurance the company will obtain your written consent for us to provide them with a report. We may also have to provide information if you make an insurance claim.
- Education Services
- Voluntary Services
- Private Sector Providers

Lightwater Surgery will never share your information outside of these organisations without your explicit consent unless there are any exceptional circumstances such as when your own health and safety or that of others is at risk, or when the law requires us to do so. Lightwater Surgery will assume that you are happy for your information to be shared unless you choose to opt out.

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Details on how to opt out are provided later in this document. Your information will not be transferred outside of the European Union.

Lightwater Surgery provides extended hours access for its service users. This allows our patients to access medical care outside our normal working hours. Lightwater Surgery currently works with Park House Surgery in Bagshot in order to provide evening surgeries until 8pm, Monday to Friday. In order to provide you with the best and safest medical care, your personal and medical information is shared with these surgeries if you access them. These surgeries will have access to the electronic notes of the Practice the service user is registered at and the healthcare professional will ask for your consent before accessing them.

### **Safeguarding**

There may be legal situations in which we have to share your information in order to maintain the safety of the individuals concerned. This includes both adult and child safeguarding and in these situations identifiable information will be shared. There is often a legal requirement to share this information without obtaining consent first.

### **Preventing Ill Health**

We sometimes use tools to help us assess a patient's risk of developing ill health. This allows us to look at ways of preventing people from getting ill rather than waiting to treat the illness once it has happened. This is often a requirement of the NHS and may require obtaining information from various places including other NHS Trusts and your GP Surgery. The NHS Act 2006 provides a statutory legal base for this.

Please contact the surgery if you do not want to be included in risk stratification programmes. The IT system allows practices to add a code to your notes that will stop your information being used for this.

### **Medicines Management**

The CCG has clinical pharmacists that are able to help us with any queries we might have about prescribing. Most of the time we will not need to provide them with information that may identify you. They also help us to ensure we are prescribing safely and in a cost-effective way. Sometimes the medicines management team at the CCG may have to order specialist medication or equipment for that medication on behalf of the Surgery.

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## Defending A Claim

Lightwater Surgery may need to use your information in order to defend any legal claims made against us either by you or another party.

## Vital Interest

There may be situations in which you are unable to provide your consent, for example you become seriously unwell requiring emergency treatment or have an accident requiring emergency treatment. In these situations, if you are unable to give your consent then we may use your information in order to protect your vital interests.

## Your Rights

Under current Law, you have certain rights concerning the personal and healthcare information we hold about you.

**Corrections:** We always aim to have the most accurate personal and healthcare information possible. If you feel any information we hold about you is inaccurate then you can ask us to correct this. It is also helpful if you inform us as soon as any of your personal details change so that we can update our records. You can do this by coming in to the surgery and speaking to one of our receptionists, or on our website. There may be situations when you have to prove your identity in order for us to make these changes.

**Online:** Lightwater Surgery currently allows patients to access aspects of their medical record online. In order to register for this, there are certain procedures we have to follow which includes providing identification and having written consent. Please speak to one of our reception team to find out more information. If you have online access please remember that in addition to being able to book appointments online and request repeat medications, you will also be able to see certain parts of your healthcare record. It is extremely important that you keep your login access safely and securely. It is entirely your own responsibility to do this.

**Access to Medical Records:** You have the right to request to see your medical record and view the information we hold about you. If you want a copy of this information please contact the Practice Manager – Fiona Hadley who will ask you to complete a Subject Access Request form. Under the GDPR regulations there is no longer a charge for this, however, there may be some circumstances in which we have to make an administrative charge for extra copies if the request includes

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excessive, or repetitive information. Once you make a request we will reply to you within 1 month with the information you have requested. It is important that we provide you with the correct information, so we kindly ask that you state clearly what information you require in writing please. You should however be aware that some details within your health records may be exempt from disclosure, however this will be in the interests of your wellbeing or to protect the identity of a third party.

### **GPES Data for Pandemic Planning & Research (COVID-19)**

**Purpose** : Personal confidential and Special Category data will be extracted at source from GP systems for the use of planning and research for the Covid-19 pandemic emergency period. Requests for data will be required from NHS Digital via their secure NHSX SPOC Covid-19 request process.

**Legal Basis** : NHS Digital has been directed by the Secretary of State under section 254 of the 2012 Act under the COVID-19 Direction to establish and operate a system for the collection and analysis of the information specified for this service: GPES Data for Pandemic Planning and Research (COVID-19). A copy of the COVID-19 Direction is published here:

<https://digital.nhs.uk/about-nhs-digital/corporate-information-and-documents/directions-and-data-provision-notice/secretary-of-state-directions/covid-19-public-health-directions-2020>

Patients who have expressed an opt out preference via Type 1 objections with their GP surgery not to have their data extracted for anything other than their direct care will not be party to this data extraction.

**Processor** : NHS Digital

### **Retaining Data**

Records Management NHS Code of Practice for health and Social Care outlines the standards required for the management of records for all those who work in or under contract to the NHS. Further information is available at:

<https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-practice-for-handling-information-in-health-and-care/records-management-code-of-practice-for-health-and-social-care-2016>

### **Invoice Validation**

If you have received treatment within the NHS, the local Commissioning Support Unit (CSU) may require access to your personal information to determine which

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Clinical Commissioning Group is responsible for payment for the treatment or procedures you have received. Information such as your name, address, date of treatment and associated treatment code may be passed onto the CSU to enable them to process the bill. These details are held in a secure environment and kept confidential. This information is only used to validate invoices in accordance with the current Section 251 Agreement and will not be shared for any further commissioning purposes.

### **Opting Out**

You do have the right to opt out and for your information to be removed. However, in circumstances when this information is required to provide you with the appropriate level of healthcare and medical care then removal may not always be possible.

You are automatically opted in but can opt out if they wish to do so. Further information is available at: <https://digital.nhs.uk/about-nhs-digital/our-work/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information/your-information-choices/opting-out-of-sharing-your-confidential-patient-information>

### **Complaints**

If you wish to raise any concerns you might have about the way Lightwater Surgery handles your data, please contact our Data Protection Officer.

You are able to complain to the Information Commissioner's Office at <https://ico.org.uk/global/contact-us/> or by calling them on 0303 123 1113.

### **Other Information**

A copy of this notice is on the surgery website at [www.lightwatersurgery.co.uk](http://www.lightwatersurgery.co.uk) or a copy can be requested at our reception desk in the Surgery.

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