

PRIVACY NOTICE

Patient Information

Introduction

Beacon Health aims to be as transparent as possible and provide people with accessible information about the Practice, why it needs to collect data, what it does with the data, who it will be shared with and how and for how long it will be held.

This privacy notice is intended to answer most common questions, but if further information is required, please contact the Practice by emailing Edge.Hill@nhs.net

The Practice has a statutory responsibility and public duty to provide health care services, as instructed and guided by the Department of Health and Social Care (a ministerial department of Government within the United Kingdom).

The Practice can be contacted at:

Address: 73 Queens Drive Liverpool L18 2DU
Tel: 0151 733 2812
Email: Beaconhealth.mossleyhill@nhs.net
Website: www.beaconhealthmossleyhill.nhs.

The Practice is a Data Controller and, as such, is registered with the Information Commissioner's Office. Its registration number is N82022.

The Practice's Data Protection Officer (DPO) Service is provided by NHS Informatics Merseyside, who can be contacted by emailing DPO.IM@imerseyside.nhs.uk.

Why does the Practice need your Information?

The Practice keeps records about your health and treatment to ensure the care you receive is effective, of good quality and meets your needs. The Practice needs information about you to create a care record that enables its staff to identify and contact you easily and to ensure appropriate services are offered to you. Information about you is used to help deliver care services to you, which includes sharing with external organisations where appropriate so that the care services are integrated.

Information will also be used to contribute to the management of the Practice, which means your information will be used to ensure the Practice is paid for the services it provides or is held accountable for the quality of its services.

Whilst the Practice receives information from you when you come into contact with it, it also receives information about you from other individuals or organisations, such as hospitals or community services when you receive treatment from them. The Practice needs enough information to be able to provide you with appropriate healthcare services.

Looking after your Information

The Practice takes its duty to protect your personal information and confidentiality very seriously and we are committed to taking all reasonable measures to ensure it is kept confidential and secure and used appropriately. Everyone working for the NHS has a contractual and legal duty to protect your information.

Personal information is held in accordance with the requirements of current Data Protection legislation. Anyone who receives information from us is also under a legal duty to keep it confidential and secure in accordance with Data Protection legislation.

We strive to ensure that all personal information under our control is handled in accordance with all legal, professional, and ethical obligations. Policies and procedures are in place to safeguard information, which staff are responsible for adhering to, and all staff are provided with mandatory training to assist them in fulfilling their obligations.

Access to personal information is strictly controlled and restricted to only those with a legitimate work related need to access it.

What will it be used for?

The Practice processes your data in order to:

- ☐ provide the appropriate services to you,
- ☐ review its standards of care to ensure they are safe and effective,
- ☐ teach or train healthcare professionals,
- ☐ review your suitability for and/or carry out audits and research,
- ☐ undertake service evaluation,
- ☐ participate in national health screening programmes to ensure only those who should be called for screening are called and those at highest risk are prioritised,
- ☐ ensure security and safety (eg for the prevention and detection of fraud and other serious crimes, assisting in the prevention and control of diseases, or recording images on CCTV cameras),
- ☐ manage complaints, concerns, legal claims and incidents, and/or
- ☐ make sure the Practice is paid for the services that it provides.

Please note that the Practice does not use automated decision-making services (where decisions are made based on your personal data without any human intervention).

What Data is Held?

There are two types of data that the Practice uses: personal and special category. Personal data means any information relating to a person who can be directly (eg by name or picture) or indirectly (eg by age, gender and post code) recognised. Special category data means any information relating to racial or ethnic origin, political opinions, religious beliefs, trade union activities, physical or mental health, sexual life, or details of criminal offences.

The Practice keeps data on you relating to who you are, where you live, what you do, your family, your emergency contacts, possibly your friends, your employers, your habits, organisations involved in your care, your symptoms, problems and diagnoses, the reasons you seek help, your appointments, where, when and by whom you are seen, referrals to other health and social care providers, tests carried out both by the Practice and in other places, investigations and scans, treatments and outcomes of treatments, your medical treatment history, the observations and opinions of other healthcare workers, within and outside the NHS, as well as comments and reminders reasonably made by health and social care professionals in the Practice who are appropriately involved in your health care.

The Practice will maintain a record of your care that consists of things such as:

- ☐ any contacts you have with staff (eg visits and appointments),
- ☐ notes or a summary of discussions,
- ☐ treatment/care plans and results of any tests,
- ☐ results of investigations such as laboratory tests, x-rays, etc,
- ☐ relevant information provided from other professionals, relatives or those who know or care for you, and
- ☐ information on medicines, side effects and allergies.

Your information will primarily be held electronically. When registering for NHS care, all patients who receive NHS care are registered on a national database. This database is held by NHS Digital, a national organisation which has legal responsibilities to collect NHS data. Some of the Practice's databases also connect to this national database to ensure your details remain up-to-date. This means if you change your address with the Practice, the new address will be automatically uploaded to the national database and will be available to other health and social care providers involved in your care. The Practice also uses other databases that it is responsible for, either directly or through legal contracts with suppliers.

Some records are still held in paper format, particularly historical care records. These are stored securely and may be transferred to electronic format at some point.

Lawful Basis for Processing

Under the National Health Service Act 2006 and the Health and Social Care Act 2012, the Practice is required by law to process your personal data in order to provide you with direct care. Therefore, under current Data Protection legislation (the Data Protection Act 2018 [DPA 2018] and the UK General Data Protection Regulation

[GDPR]) the processing of your personal data is necessary “in the exercise of official authority or performance of a specific task in the public interest that is set out in law” (Article 6(1)(e) of UK GDPR). Where the Practice processes your special category data it will do so because it is necessary “for the purposes of preventive medicine, medical diagnosis, the provision of healthcare or treatment or the management of healthcare systems” (Article 9(2)(h) of UK GDPR).

The Practice has an obligation to protect the health of the general public and where this is done your personal data will be processed “for the performance of a task carried out in the public interest” (Article 6(1)(e)). Where your special category data is processed, this is done because it is necessary “for reasons of public interest in the area of public health” (Article 9(2)(i)).

As a healthcare provider there are occasions where we need to process personal and/or special category data because someone is at risk of serious harm (eg life or death situations in emergencies or major incidents) and, where we do this, we will process the information to “protect someone’s vital interests” (Articles 6(1)(d) and 9(2)(c)).

Sometimes there are occasions when we are obliged to process information to comply with a court order, coroner’s instruction, to prevent or detect crime or to comply with the law (eg to provide the Secretary of State with information and reports on the status, activity, and performance of the Practice). If we must do this with your information, we will ensure there is a legal justification for such processing (eg Article 6(1)(c)).

If we process your information for other purposes that are not described above, then we will seek your consent to do so before we process it.

If the Practice wishes to use your personal information for a new purpose that is not covered by this Privacy Notice, then we will provide you with a new notice explaining the new use prior to commencing the processing, setting out the relevant purposes and processing conditions. Where and whenever necessary, we will ensure there is a legal justification for such processing.

Who do we Share Data with?

The types of organisations and people the Practice shares data with include (but are not limited to):

- ☐ other healthcare professionals (eg hospitals, community services, ambulance services, etc),
- ☐ partner organisations who contribute to your long-term care (eg Primary Care Networks, NHS organisations, Integrated Care Systems, social services/local authorities, education, private sector providers, etc),
- ☐ parents, carers or guardians with parental responsibilities or legal responsibilities,
- ☐ NHS managers and the Department of Health/NHS Digital for the purposes of planning, commissioning, managing, and auditing healthcare services

- organisations we contract with to provide services to or on behalf of the Practice,
- community pharmacists who will provide patients with their medication following discharge from hospital,
- bodies with statutory investigative powers (eg NHS Resolution, the Care Quality Commission, General Medical Council, Nursing and Midwifery Council, Audit Commission or the Parliamentary and Health Service Ombudsman),
- Government departments for national screening programmes and other national initiatives (eg NHS England, UK Health Security Agency, or the Home Office), and
- Police and other emergency services, out-of-hours services, courts (including coroner's court), solicitors and tribunals and national inquiries.

The sharing of your data for the purposes of direct care, both internally in the Practice and externally with other health and social care organisations, is allowed by law.

The Practice is involved in integrated care programmes working with other NHS, Local Authority, private, voluntary and charity organisations. Information about you may be shared with partners in these programmes where it is legal to do so and for the purposes of direct care.

Any disclosures will be considered on a case-by-case basis to determine if they are appropriate and what the legal basis is for sharing. If the sharing goes ahead, only the minimum personal data necessary for the specific purposes and circumstances will be shared, with all suitable security controls in place. Any organisations receiving person-identifiable information from us are legally obligated to protect it.

The Practice will not share your information for marketing, social media, or insurance purposes unless it has your consent to do so. If you do consent to this, you have the right to withdraw your consent to the processing at any time.

Information provided under the Freedom of Information Act 2000 will not include person-identifiable details about patients.

Sharing for Population Health

Across Cheshire and Merseyside data is being shared securely with a data processor called System C for the purposes of protecting public health, providing healthcare services to the public, planning health care services, and monitoring and managing COVID-19 outbreaks. No data that identifies a person will be used for purposes other than direct care. If you have previously opted out of data sharing your data will not be used.

The overarching purpose for this data sharing is to support a set of Population Health analytics for population level planning and improvement of outcomes and the targeting of direct care to vulnerable populations in need.

GP Connect Service

The GP Connect Service allows authorised clinical staff at NHS 111 to access the Practice's clinical system and book appointments directly on behalf of a patient. Therefore, if you call NHS 111 and the clinician believes you need an appointment, they will access our available appointment slots through GP Connect and book you in. They can only see appointment slots and not your medical data. However, NHS 111 will share relevant data with us to help us know what treatment/service/help you may require when you attend the appointment.

Primary Care Networks

The objective of Primary Care Networks (PCNs) is to group practices together to create more collaborative workforces that ease the pressure on GPs, leaving them better able to focus on patient care. All areas within England are covered by a PCN.

PCNs form a key building block of the NHS Long Term Plan. Bringing practices together to work at scale has been a policy priority for some years for a range of reasons, including improving the ability of practices to recruit and retain staff, to manage financial and estates pressures, to provide a wider range of services to patients and to integrate with the wider health and care system more easily.

PCNs have been formed in geographical networks covering populations of approximately 30–50,000 patients. This means that the Practice may share your information with other practices within its PCN to provide you with your care and treatment.

Risk Stratification

Risk stratification is a mechanism used to identify and manage those patients deemed as being at high risk of requiring urgent or emergency care. Usually this includes patients with long-term conditions, eg cancer, COPD, diabetes, etc. Your information is collected from several sources, including the Practice. This information is shared with NHS Cheshire and Merseyside who process it on our behalf. A risk score is given to patients which is shared with your GP so they can decide on any necessary actions to ensure that you receive the most appropriate care.

For further information, please see NHS Cheshire and Merseyside's Privacy Notice, which is available at <https://www.cheshireandmerseyside.nhs.uk/about/how-we-work/privacy-notice/>.

Invoice Validation

Invoice validation is an important process in ensuring that your care is paid for correctly. It involves using your NHS number to check that the Integrated Care Board (ICB) is responsible for paying for your treatment or if it has been funded through specialist commissioning, which NHS England will pay for. As such, the Practice may share your name, address, NHS number, and treatment date with NHS Cheshire and

Merseyside Integrated Care Board under UK GDPR Article 6(1)(c) “the processing is necessary for compliance with any legal obligation to which the controller is subject”.

For further information, please see NHS Cheshire and Merseyside’s Privacy Notice, which is available at <https://www.cheshireandmerseyside.nhs.uk/about/how-we-work/privacy-notice/>.

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 Practice staff are expected as professionals to do what they can to protect them. In addition they are bound by certain specific laws that exist to protect individuals. This is called “Safeguarding”.

Where there is a suspected or actual safeguarding issue the Practice will share relevant information that it holds with other relevant agencies, regardless of whether or not the individual or their representative agrees. The laws that allow this processing to be undertaken without consent are the Children Act 1989 (Section 47) and the Care Act 2014 (Section 45).

Research

Research in the NHS is essential in helping to improve the health and wellbeing of the population and is included within the NHS Constitution. There is also evidence to suggest that when healthcare organisations engage in research, it is likely to have a positive impact on their performance and patient outcomes. As such, the Practice is proud to be a research active organisation and it is dedicated to supporting clinical research. Its staff view care records in order to offer new research opportunities to patients and carers, to support the development of treatments and improve the way the Practice delivers healthcare.

This Practice only participates in research where 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 UK GDPR. Identifiable data will be shared with researchers either with explicit consent (Articles 6(1)(a) and 9(2)(a)) or, where the law allows, without consent (Articles 6(1)(e), 9(2)(j) and 9(2)(h)). For further information, please go to <https://www.hra.nhs.uk/information-about-patients/>.

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.

Right to Object

People who have access to your information will only normally have access to that which they need to fulfil their roles. You have the right to object to the Practice sharing your data in these circumstances, but the Practice has an overriding responsibility to do what is in your best interests and could still share the information even if you have objected. This will only be done with a valid legal justification.

You also have the right to object to some or all of your information being processed under Article 21 of UK GDPR. However, please note that this is a right to raise an objection, which is not the same as having an absolute right to have your wishes granted in every circumstance. In certain circumstances the Practice will need to continue to process your information in order to provide you with the care you need.

Please contact the Practice by emailing edge.hill@nhs.net.

NHS Digital

The NHS uses information about patients (patient data) to research, plan and improve:

- ☐ the services it offers, and
- ☐ the treatment and care patients receive.

This data is collected by NHS Digital from GPs, hospitals, and other healthcare providers and is shared with researchers from organisations such as universities or hospitals to help improve services. All data that is collected and shared is protected by strict rules around privacy, confidentiality, and security.

If you do not want your identifiable patient data to be shared outside of the Practice for purposes except for your own care, you can register an opt-out with us, which is known as a Type 1 Opt-out. You can register a Type 1 Opt-out at any time and you can also change your mind at any time and withdraw a Type 1 Opt-out.

To register or withdraw a Type 1 Opt-out, download the form from <https://www.nhs.uk/using-the-nhs/about-the-nhs/opt-out-of-sharing-your-health-records/>, fill it in and return it to the Practice.

If you register a Type 1 Opt-out after your patient data has already been shared with NHS Digital, no more of your data will be shared with NHS Digital. NHS Digital will however still hold the patient data which was shared with us before you registered the Type 1 Opt-out.

If you do not want NHS Digital to share your identifiable patient data with anyone else for purposes beyond your own care, then you can also register a National Data Opt-out.

National Data Opt-out

A secure and accessible tool for people to opt-out of their confidential patient information being used for reasons other than their individual care and treatment is available. This means patients have more control over how their information is used and gives them the opportunity to make informed choices about whether they wish their confidential patient information to be used just for their individual care and treatment or also used for research and planning purposes. For further information, and/or to opt out, please visit <https://www.nhs.uk/your-nhs-data-matters/>. When necessary, the Practice applies the Policy to its data.

You can also opt-out of the national screening programmes. For further information, please go to <https://www.gov.uk/government/publications/opting-out-of-the-nhs-population-screening-programmes>.

Right to Access

You have a legal right to access the personal information held about you by the Practice. You can obtain this information at any time by making a Subject Access Request. The Practice has one calendar month to provide the information to you. However, you do not have the right to access information that:

- ☐ has been provided in confidence by someone else without consenting for you to see it,
- ☐ relates to serious criminal offences, and/or
- ☐ could cause physical or mental harm to you or someone else.

Parents/carers/legal guardians can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Anyone requesting access to records will be asked to provide copies of identification documents to verify the lawfulness of their request. Once identity has been verified, the Practice will make a note on the clinical system and will confidentially destroy the copied documents.

To request access to records the Practice holds, please contact the Practice by emailing edge.hill@nhs.net

Another way to access your records is through the NHS App (or other approved patient-facing services apps). For further information on this, please go to <https://transform.england.nhs.uk/information-governance/guidance/access-to-patient-records-through-the-nhs-app/>.

Right to Correct

You also have the right to have any inaccuracies in the data we hold about you corrected. However, if the data we hold is accurate, but you disagree with it, you should note that there is no right to have accurate medical records deleted except

when ordered by a court of law. For further information about correcting inaccuracies, please see the guidance on Requesting Amendments to Health and Social Care Records (see link below) or contact the Practice by emailing edge.hill@nhs.net

<https://transform.england.nhs.uk/information-governance/guidance/amending-patient-and-service-user-records/>

Right to Removal

You have the right to ask for your information to be removed, but if we require this information to provide you with appropriate medical services and diagnoses for your healthcare, then removal may not be possible. Please contact the Practice to discuss this further.

Right to Transfer

You have the right to request your information be transferred to another organisation. Please contact the Practice to discuss further.

Retention Period

The Practice retains the information it holds in line with the Records Management Code of Practice 2021 and the National Archives' guidance. For further information: <https://transform.england.nhs.uk/information-governance/guidance/records-management-code/records-management-code-of-practice-2021/>.

Use of Email

Some services within the Practice will provide you with the option to communicate with them via email. Please be aware that, unless these emails are encrypted, the Practice cannot guarantee the security of your information whilst in transit and by using this option you are accepting this risk.

If you want to communicate via encrypted email, please ask the service to send you a secure email. When you receive it, you will be asked to set up an account to access the email. Thereafter, any replies to the encrypted email will be secured.

Closed Circuit TV (CCTV)

The Practice uses Closed Circuit TV to help reduce the fear of crime for patients, staff, and visitors to its sites and to protect its premises and assets from criminal activity. In

addition, CCTV may be used to monitor difficult to observe areas where patient or public safety could be compromised. If an incident occurs, the CCTV footage may be shared with the police for the purposes of investigating a crime. However, the Practice ensures that the use of CCTV complies with all relevant regulatory acts of law.

Practice Website

You can browse the Practice's website without disclosing personal data. The Practice uses cookies for its website. These are small text files that contain information about you, which are stored automatically on your computer by the website. Cookies are widely used in order to make websites work, or work more efficiently, as well as to provide information to the owners of the site. To find out more about cookies, including how to see what cookies have been set, visit www.aboutcookies.org or www.allaboutcookies.org.

The Practice also uses Google Analytics¹ to collect information about how visitors use its website. The information is used to compile reports and to help improve the website. The cookies collect information in an anonymous form, including the number of visitors to the website, where visitors have come to the website from and the pages they visited. To opt out of being tracked by Google Analytics across all websites, visit <http://tools.google.com/dlpage/gaoptout>.

The Practice's website contains links to other (external) sites. The Practice is not responsible for the privacy practices and content of these sites. The Practice encourages you to be aware of this when you leave its site and to read the privacy statements on the other websites.

Right to Complain

The Practice aims to make sure that the services it delivers are provided to the highest standard. If you have any concerns about the way the Practice has handled its data, you can raise your concerns or make a complaint by emailing the practice

Alternatively, you can complain to the Information Commissioner's Office by emailing casework@ico.org.uk or phoning 0303 123 1113.

¹<https://policies.google.com/privacy/update>