

Privacy Notice

Thamesmead Medical Associates

www.thamesmeadmedical.org

This privacy notice explains why Thamesmead Medical Associates (TMA) collects information about you, how we keep it safe and confidential and how that information may be used. The first section provides a summary of these issues followed by a section that explains in more detail on why and how we process information in different ways.

Why we collect information about you

Health care professionals who provide you with care are required by law to maintain records about your health and any treatment or care you have received within any NHS organisation. These records help to provide you with the best possible healthcare.

We collect and hold data for the sole purpose of providing healthcare services to our patients. In carrying out this role we may collect information about you, which helps us respond to your queries or secure specialist services. We may keep your information in electronic form (and occasionally in written form). The records may include basic details about you, such as your name and address. They may also contain more sensitive information about your health and information such as outcomes of needs assessments.

Details we collect about you

The health care professionals who provide you with care, maintain records about your health and any treatment or care you have received previously or elsewhere (e.g. NHS Hospital Trust, other GP Surgery, Out of Hours GP Centre, A&E, Walk-in clinic, etc.). These records help to provide you with the best possible healthcare.

Records which we may hold about you may include the following:

- ☐ Details about you, such as your address and next of kin, emergency contacts and carers,
- ☐ Your home telephone number, mobile phone number, email address
- ☐ Any contact the surgery has had with you, such as appointments, clinic visits, immunisations, emergency appointments, etc.
- ☐ Notes and reports about your health, 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, or information provided to the surgery by you

How we keep your information confidential and safe

All your GP NHS health records are kept electronically. Our GP records database is hosted by EMIS Health Ltd, who is acting as a data processor, and all information is stored on their secure servers in Leeds, is protected by appropriate security, and access is restricted to authorised personnel. We also make sure that data processors that support us are legally and contractually bound to operate and prove security arrangements are in place where data that could or does identify a person are processed. We only use your mobile number to text you or email address to email you, regarding matters of medical care, such as appointment reminders. We maintain our duty of confidentiality to you always. 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), or where the law requires information to be passed on.

We are committed to ensuring the security and confidentiality of your information. There are a number of ways in which we do this:

- Staff receive annual training about protecting and using personal data
- Policies are in place for staff to follow and are regularly reviewed
- We check that only minimum amount of data is shared or accessed
- We use 'smartcards' to access systems, this helps ensure that the right people are

accessing data - people with a 'need to know'

- We use encrypted emails and storage which would make it difficult for someone to 'intercept' your information
- We report and manage incidents to make sure we learn from them and improve

How we use information about you

Confidential patient data will be shared within the healthcare team at the practice, including nursing staff, admin staff, secretaries and receptionists, and with other healthcare professionals to whom a patient is referred. Those individuals have a professional and contractual duty of confidentiality.

Data Processors

TMA (the data controller) use data processors for various reasons including maintaining an electronic patient document, receiving electronic correspondence from other health and social care providers, ensuring correct payments are received, quality monitoring and mandatory data collections. Details of these data processors can be found in the detailed privacy note later in this document.

Referrals for specific health care purposes

We sometimes provide your information to other organisations for them to provide you with medical services. We will always inform you of such a referral and you always have the right not to be referred in this way. These include:

- NHS Hospital Trusts
- Specialist Trusts including Mental Health Services
- Independent Contractors such as dentists, opticians, pharmacists
- Private Sector Providers
- Voluntary Sector Providers
- Ambulance Trusts
- Clinical Commissioning Groups

- Social Care Services
- Local Authorities
- Education Services
- Fire and Rescue Services
- Police
- Other 'data processors' during specific project work, e.g local GP federation

Data Sharing for Direct care

We share your personal information on national (summary care record) and local (connect care) data sharing platforms to create care records that would allow healthcare professionals to see information on your medical history if needed in an urgent clinical situation with your consent when possible.

Data Sharing for Secondary Uses

Data is also shared with national organisations and data processors based on national guidelines and law. This is for purposes that go beyond direct medical care that GP surgeries and other healthcare organisations provide you when you are unwell, or to keep you well. Secondary purposes include healthcare planning, audit, population analytics, research, and commissioning at a local, regional or national level. Often this will include patient identifiable data but sometimes may be anonymised aggregate data.

Your Data Rights to object to sharing of your information

You have the right to object to (or opt-out of) ways by which your information is shared, both for direct medical care purposes (such as the national summary care record or connect care or point of care referrals), i.e. primary uses of your information, or for purposes other than your direct medical care – so-called secondary uses. You cannot object to some of the ways by which your information is disclosed as they are mandated by law.

Details of these purposes are outlined in the detailed privacy note that follows. Also the TMA Patient Data Opt-out Policy outlines ways in which you can opt out of certain data sharing agreements. A copy of this can be found on the practice website.

Your right to rectification

You have the right to have any factual inaccuracies about you in your GP record corrected. However, there is no right to have accurate medical records deleted except when ordered by a court of Law.

Accessing your own medical information

You have the right to access your own GP record. Please see the TMA Subject Access Request Policy available on our website for further information on the process of accessing your medical information.

You can also sign up to have secure online access to your electronic GP record through EMIS Access online. Again, details of how to do this can be found on our website.

Your right to be informed

TMA provide fair processing information about all data processing activities concerning your medical records, by means of posters, and detailed privacy notices (such as the one that follows). It can be found on the practice website www.thamesmeadmedical.org

Lawful bases for processing and the European Union (EU) General Data Protection Regulations (GDPR)

GDPR is the new European Union privacy law, approved in 2016 jointly by European Parliament, the Council of the European Union and the European Commission. GDPR aims to bring all the EU member states under one umbrella by enforcing a single data protection law. It came into effect as of May 2018.

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

(<https://www.gov.uk/government/publications/guide-to-the-general-data-protection-regulation>)

In common with all GP surgeries, Thamesmead Medical Associates relies on “Official Authority” to process personal data using Article 6(1)(e) of GDPR. The other commonly used Articles of

GDPR used for the lawful basis of processing data include Article 9 (2)(h) and Article 6(1)(c) and Article 6(1)(d) and Article 9(2)(b) and Article 9(2)(i) of GDPR –

Article 6(1)(e) Official Authority “...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...”.

Article 9(2)(h)– Provision of Health “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...”

Article 6(1)(c)– Legal Obligation - “processing is necessary for compliance with a legal obligation to which the controller is subject.”

Article 6(1)(d) Vital Interests - “processing is necessary in order to protect the vital interests of the data subject or of another natural person”

Article 9(2)(b) – Employment & Social Security - “processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security”

Article 9(2)(i) Public Interest - “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,...”

The detailed privacy note that follows shows the links between these articles and specific data processing areas. This is not an exhaustive list, specific articles may apply to specific situations- see detailed privacy notes for further information.

That “official authority” is NHS England’s powers to commission health services under [the NHS Act 2006](#) or to delegate such powers to CCGs.

The “supervisory authority” mentioned in all of the above is the Information Commissioner.

Notification

The Data Protection Act 1998 requires organisations to register a notification with the

Information Commissioner to describe the purposes for which they process personal and sensitive information.

We are registered as a data controller and our registration can be viewed here.

<https://ico.org.uk/ESDWebPages/Entry/Z7525143>

Complaints

If you have concerns or are unhappy about any of our services in terms of data processing please contact our Data Protection Administrator –

Mr Giuseppe Ofori

Giuseppe.Ofori@nhs.net

02083335008

Thamesmead Medical Associates

Bentham Road

London

SE28 8BE

If you are still concerned and want to make a formal complaint, please contact the Practice Manager. Details of how to complain are on our website, or available in surgery.

For independent advice about data protection, privacy, and data sharing issues, you can contact:

The Information Commissioner Website: www.ico.gov.uk

Wycliffe House, Water Lane

Wilmslow

Cheshire SK9 5AF

Phone: 0303 123 1113 (local rate) or 01625 545 700 (national rate)

The following provides a detailed list about the many data processing activities that TMA performs. Our detailed privacy notice (which refers to all these types of data processing) can be viewed/downloaded from our website www.thamesmeadmedical.org - Clicking each headline will take you to the relevant privacy notice.

Detailed Privacy Notice

Thamesmead Medical Associates

General information sharing for direct medical care

- [Routine](#)
- [Emergencies](#)

Access to your GP record

- [Connect Care](#)
- [Coordinate My Care \(CMC\)](#)
- [Live Well Hubs \(Greenwich Health Ltd\) - Public Health](#)
- [GP Access Hub \(Greenwich Health Ltd\)](#)

NHS Data Sharing databases

- [The National Summary Care Record \(SCR\) - Core/Basic](#)
- [The National Summary Care Record \(SCR\) - Enriched](#)

Statutory Disclosures of information

- [Care Quality Commission \(CQC\)](#)
- [The Courts](#)
- [Driving and Vehicle Licensing Agency \(DVLA\)](#)
- [General Medical Council \(GMC\)](#)
- [Health Service Ombudsman \(HSO\)](#)
- [Her Majesty's Revenue and Customs \(HMRC\)](#)
- [NHS Counter Fraud Authority \(NHSCFA\)](#)
- NHS Digital
 - [The National Diabetes Audit \(NDA\)](#)
 - [Individual GP level data \(IGPLD\)](#)
 - [Female Genital Mutilation Enhanced Dataset \(FGM\)](#)
 - [Family and Friends Test \(FFT\)](#)
- [Police](#)
- [Infectious Diseases - Public Health](#)
- [National Screening Programmes – Public Health](#)
- [Safeguarding](#)

- [Other third parties](#)

Data Processors

- [EMIS Health Ltd](#) (our electronic GP records database)
- [Docman Ltd](#) (our electronic document viewer)
- [Payments and Quality Monitoring](#)
- [Greenwich Health Ltd/Riverside LLP](#) (GP Federations)

Pharmacies

- [Electronic Prescription Service](#) (EPS)
- [Pharmacy Ordering, Collection and Dispensing of Prescriptions](#)

Research (practice based - explicitly consented)

Patient Online

Communicating with our patients

- [Text messages](#)
- [Email \(medical purposes\)](#)

As Employee

- [Staff member personal data](#)

Legal Proceedings and Complaints

- [Medical Defence Organisations](#)
- [Complaints](#)

Right To Object

Right to Access and Right to Rectification

- **Routine information sharing – direct care / referrals**

This practice keeps data on you relating to who you are, where you live, what you do, your family, 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.

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 they often need specialist advice or treatments to aid patient care. For this reason, GPs share your care with others, predominantly within the surgery (specialist nurses or pharmacists doing outreach work in practices) but occasionally with outside organisations (hospital and community health services). In addition, we work daily with community pharmacists to dispense prescriptions needed.

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.

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 appointments, 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

Data Controller
Thamesmead Medical Associates
Bentham Road
London
SE28 8BE
02083335000
<http://www.thamesmeadmedical.org>

Data Protection Officer:
Giuseppe Ofori
Giuseppe.Ofori@nhs.net
02083335008

1) Purpose of the processing and the

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.

2) Lawful basis for processing

The processing of personal data in the delivery of direct care and for providers' administrative purposes in this

	<p>surgery and in support of direct care elsewhere is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p>Article 6(1)(e) Official Authority</p> <p>Article 9(2)(h) Provision of Health</p>
3) The recipient(s), or categories of recipients of your personal data	The data will be shared with Health and care professionals and support staff in this surgery and at hospitals, diagnostic and treatment centres and community health services who contribute to your personal care.
<p>4) How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> Consent <ul style="list-style-type: none"> Implied (e.g. direct care) Explicit (e.g. 2^o uses) COPI Regulations 2002 (e.g. Reg 5 - "s251" Sos approved) "overriding public interest" (to safeguard you or another person) legal obligation (e.g. court order, health protection) 	<p>Consent (Implied)</p> <p>This means that it would be reasonable to infer that you agree to the use of the information as long as:</p> <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, explaining how your information will be used and that you have the right to object We have no reason to believe that you have objected <p>We are satisfied that anyone we disclose personal information to understands that we are giving it to them in confidence, which they must respect</p>
<p>5) Is this:</p> <ul style="list-style-type: none"> Access to your GP record Extraction of information from your GP record Access to data held about you by another data controller 	<p>Access to your GP record</p> <p>Or</p> <p>Extraction of information from your GP record</p>
6) Right to object	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
7) Retention period of the data (or criteria used to determine the retention period)	The data will be retained in line with the law and national guidance. https://digital.nhs.uk/data-and-information
8) Right to access and correct	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
9) The right to lodge a complaint with a supervisory authority	<p>Yes:</p> <p>You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

10) Further information	https://www.nhs.uk/conditions/consent-to-treatment/
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Emergency / Urgent information sharing - direct medical care

There are occasions when intervention is necessary in order to save or protect a patient's life or to prevent them from serious immediate harm, for instance during a collapse or diabetic coma or serious injury or accident. In many of these circumstances the patient may be unconscious or too ill to communicate. In these circumstances we have an overriding duty to try to protect and treat the patient. If necessary we will share your information and possibly sensitive confidential information with other emergency healthcare services, the police or fire brigade, so that you can receive the best treatment.

The law acknowledges this and provides supporting legal justifications.

Individuals have the right to make pre-determined decisions about the type and extend of care they will receive should they fall ill in the future, these are known as "Advance Directives". If lodged in your records these will normally be honoured despite the observations in the first paragraph.

Data Controller Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org	<i>Data Protection Officer:</i> Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008
1) Purpose of the processing	Doctors have a professional responsibility to share data in emergencies to protect their patients or other persons. Often in emergency situations the patient is unable to provide consent.
2) lawful basis for the processing	The processing of personal data in the delivery of emergency care is supported under the following Article 6 and 9 conditions of the GDPR: Article 6(1)(e) Official Authority Article 9(2)(h) Provision of Health
3) The recipient(s), or categories of recipients, of your personal data	The data will be shared with Healthcare professionals and other workers in emergency and out of hours services and at local hospitals, diagnostic and treatment centres
4.) How does this comply with the Common Law Duty of Confidentiality? <ul style="list-style-type: none"> Consent <ul style="list-style-type: none"> Implied (e.g. direct care) Explicit (e.g. 2° uses) COPI Regulations 2002 (e.g. Reg 5 - "s251") "overriding public interest" (to safeguard you or another person) 	Consent (Implied) This means that it would be reasonable to infer that you agree to the use of the information as long as: <ul style="list-style-type: none"> We are accessing the information to provide or support your emergency care or are satisfied that the person we are sharing the information with is accessing or receiving it for this purpose We have no reason to believe that you have objected We are satisfied that anyone we disclose personal information to understands that we are giving it to them in confidence, which they must respect

<ul style="list-style-type: none"> • <i>legal obligation (e.g. court order)</i> • 	
<p>5) <i>Is this:</i></p> <ul style="list-style-type: none"> • <i>Access to your GP record</i> • <i>Extraction of information from your GP record</i> • <i>Access to data held about you by another data controller</i> 	Access to your GP record
6) <i>Right to Object</i>	<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>You also have the right to have an “Advance Directive” placed in your records and brought to the attention of relevant healthcare workers or staff.</p>
7) <i>Retention period of the data (or criteria used to determine the retention period)</i>	<p>The data will be retained in line with the law and national guidance.</p> <p>https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</p>
8) <i>Right to access and correct</i>	<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. If we share or process your data in an emergency when you have not been able to consent, we will notify you at the earliest opportunity</p>
9) <i>The Right to lodge a complaint with supervisory authority</i>	<p>Yes:</p> <p>You have the right to complain to the Information Commissioner’s Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website</p>
10) <i>Further information</i>	<p>https://www.nhs.uk/conditions/consent-to-treatment/</p>

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Connect Care

Connect care is a secure, local, electronic care record that makes existing information about your health and care more readily available anywhere you receive care from a health and social care providers in South East London.

Your health and care records usually move around by letter, email, fax or phone. At times this can delay information sharing which can impact decision making and slow down treatment. With connect care, authorised staff involved in your care will have faster access to important information about you, on a need to know basis.

This will help them provide you with the most timely and efficient care, especially when care is unplanned, an emergency, or during the evenings and weekends.

The GP surgery will upload information onto the connect care record. This will be diagnoses', medication, allergies, investigation reports and any information that is coded onto your health record. Other providers such as hospitals and mental health providers also upload information. This provides one place where health and social care professionals could access information on you (with your consent) to provide timely and integrated care. The connect care record is read only. Hence inputting new information still occurs in individual provider's computer systems.

You are able to opt out from the GP surgery uploading your health information by completing an 'opt out' form in the surgery.

You are also able to opt out from all organisations uploading your health information into connect care by completing the 'opt out' form at

www.lewishamandgreenwich.nhs.uk/connectcare

Data Controller: Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org	Data Protection Officer: Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008
1) Purpose of the processing	This system allows GP, hospital staff, district nurses and other local organisations involved in your care to share important information about the care you receive.. This could include checking which medications a patient is taking or a child's immunisation history
2) Lawful basis of processing	The processing of personal data in the delivery of care via connect care is supported under the following Article 6 and 9 conditions of the GDPR: Article 6(1)(e) Official Authority Article 9(2)(h) Provision of Health
3) The recipient(s), or categories of recipients, of your personal data	Lewisham and Greenwich NHS Trust create and control the connect care record (who becomes the data controller for the uploaded information) Healthcare Professionals providing direct medical care to the data subject, with a legitimate relationship to the patients, and with contemporaneous explicit consent This is a transfer of data from one data controller (TMA) to another (LGT)
4) How does this comply with the Common Law	Consent (Implied) This means that it would be reasonable to infer that

<p><i>Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> • <i>Consent</i> <ul style="list-style-type: none"> ○ <i>Implied (e.g. direct care)</i> ○ <i>Explicit (e.g. 2° uses)</i> • <i>COPI Regulations 2002 (e.g. Reg 5 - "s251")</i> • <i>"overriding public interest" (to safeguard you or another person)</i> • <i>legal obligation (e.g. court order)</i> • 	<p>you agree to the use of the information as long as:</p> <ul style="list-style-type: none"> • We are accessing the information to provide or support your care or are satisfied that the person we are sharing the information with is accessing or receiving it for this purpose • We have no reason to believe that you have objected <p>We are satisfied that anyone we disclose personal information to understands that we are giving it to them in confidence, which they must respect</p> <p>Connect care records are created automatically if you are registered with a GP in South East London, so consent is implied but you are able to opt of the service,.</p>
<p><i>5) Is this:</i></p> <ul style="list-style-type: none"> • <i>Access to your GP record</i> • <i>Extraction of information from your GP record</i> • <i>Access to data held about you by another data controller</i> 	<p><i>Extraction of information from your GP record. And Access to data held about you by another data controller.</i></p>
<p><i>6) Right to object</i></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><i>7) Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>The data will be retained in line with the law and national guidance. https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</p>
<p><i>8) Right to access and correct</i></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><i>9) The right to lodge a complaint with a supervisory authority</i></p>	<p>Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>
<p><i>10) Further information</i></p>	<p>The provider will ask your permission at the point of care before viewing your Connect Care record. If you are unable to give permission, e.g. in an emergency, your care provider may access your record if they believe it is in your best interest.</p> <p>You can opt out of having a Connect Care record. To do this, please download, print and fill in the opt-out form: www.lewishamandgreenwich.nhs.uk/connectcare</p>

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Coordinate My care

<p>Coordinate My Care (CMC) is an NHS clinical service sharing information between healthcare providers, coordinating care, and recording wishes of how you patients would like to be cared for in an urgent or emergency situation. It initially started for palliative care and end of life patients. A care plan was created so urgent care services like 111 and the ambulance service would be aware of patient's care and wishes if they were called out of hours. It has now expanded to include patients who frequently use emergency services. The care plan is uploaded to the CMC system by the GP to which only trained legitimate professionals have access. These include ambulance control staff, NHS 111 operators, GPs, out of hours GP services, hospitals, nursing and care homes, hospices and community nursing teams</p>	
<p>Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i> Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
<p>1) Purpose of the processing</p>	<p>This system allows GP, hospital staff, district nurses and other local organisations involved in your care to share important information about the people they care for and their wishes regarding ongoing care especially in an emergency or urgent situation.</p>
<p>2) lawful basis for the processing</p>	<p>The processing of personal data in the delivery of care via CMC is supported under the following Article 6 and 9 conditions of the GDPR: Article 6(1)(e) Official Authority Article 9(2)(h) Provision of Health</p>
<p>3) The recipient(s), or categories of recipients, of your personal data</p>	<p>The Royal Marsden NHS Foundation Trust create and control the CMC record (who becomes the data controller for the uploaded information) Healthcare Professionals providing direct medical care to the data subject, with a legitimate relationship to the patients, and with contemporaneous explicit consent This is a transfer of data from one data controller (TMA) to another (Royal Marsden)</p>
<p>4) How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2^o uses) • COPI Regulations 2002 (e.g. Reg 5 - "s251") • "overriding public interest" (to safeguard you or another person) • legal obligation (e.g. court order) • 	<p>Consent (Explicit)</p> <ul style="list-style-type: none"> • This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.
<p>5) Is this:</p> <ul style="list-style-type: none"> • Access to your GP record • Extraction of information from your GP record • Access to data held about you by another data controller 	<p>Extraction of information from your GP record.</p>

<i>6) Right to object</i>	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.
<i>7) Retention period of the data (or criteria used to determine the retention period)</i>	The data will be retained in line with the law and national guidance. https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016
<i>8) Right to access and correct</i>	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.
<i>9) The right to lodge a complaint with a supervisory authority</i>	Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)
<i>10) Further information</i>	http://coordinatemycare.co.uk

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Live Well Hubs (Greenwich Health) Public Health

<p>Live well hubs are commissioned by the Royal borough of Greenwich to provide certain public health interventions i.e. contraceptive coils and implants and smoking cessation treatments and NHS over 40 Health checks. The GP practice will book patients into the live well hubs appointments with patients consent. The clinicians at the live well hubs will be able to access the full medical records from the practice to aid patient treatment. They access the patient medical records through Vision 360 an intermediary IT system. The live well hubs are run by the local GP federation called Greenwich Health Ltd. (For more information on Greenwich Health and GP federations – see the dedicated privacy note on this provider) The live well hubs clinicians will only access medical for patients booked at the service with patient consent. We also provide demographic data to live well hubs for the National Health Checks program to be carried out. This does not request access to full medical records but basic demographic information to aid health checks invitation.</p>	
<p>Data Controller: Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p>Data Protection Officer: Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
<p>1) <i>Purpose of the processing</i></p>	<p>The identifiable data is required to inform appropriate treatment to be given to the patient attending Live Well Hubs provided by Greenwich Health Ltd</p> <p>In order for Greenwich health Ltd to deliver the health check services required as part of the contract through Public Health, this identifiable data is necessary.</p>
<p>2) <i>Lawful basis of processing</i></p>	<p>The processing of personal data in the delivery of care via the livewell hubs is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p>Article 6(1)(e) Official Authority</p> <p>Article 9(2)(h) <i>Provision</i> of Health</p>
<p>3) The recipient(s), or categories of recipients, of your personal data</p>	<p>The live well hubs off Greenwich Health Ltd.</p>
<p>4) How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2^o uses) • COPI Regulations 2002 (e.g. Reg 5 - “s251”) • “overriding public interest” (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Consent (explicit)- for livewell hub booked appointments</p> <p>This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place</p> <p>Legal Obligation – for the National Health check programme. It is a statutory public health service in England under the Health and Social Care Act 2012</p>
<p>5) <i>Is this:</i></p> <ul style="list-style-type: none"> • Access to your GP record • Extraction of information from your GP record • Access to data held about you by another data controller 	<p>Access to the GP record</p>
<p>6) <i>Right to Object</i></p>	<p>You have the right to object to some or all the information being processed under Article 21. Please</p>

	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.
7) Retention period of the data (or criteria used to determine the retention period)	The data will remain on the GP's clinical system and will therefore be subject existing data retention regulations. The data will be retained in line with the law and national guidance. https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016
8) Right to access and correct	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. If we share or process your data in an emergency when you have not been able to consent, we will notify you at the earliest opportunity.
9) The right to lodge a complaint with a supervisory authority	Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)
10) Further information	https://livewellgreenwich.org.uk http://www.greenwich-health.com/live-well-centres/

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GP Access Hubs (Greenwich Health)

<p>Extended hours GP Access Hub is run by Greenwich Health Ltd (a local GP federation). For more information on Greenwich Health and GP federations – see the dedicated privacy note on this provider. They provide routine primary care appointments in the evenings and weekends when the practice is closed. The practice with patient agreement can book appointment for patient go to this GP Access Hub base in Thamesmead and Eltham.</p> <p>This hub are run by GP's, the GP is able to access the full medical records from the practice using IT system called Vision 360.</p> <p>They are able to put a clinical entry into the system so the practice is able to see what happened. The hub GP's will only access the data/medical records for patient booked in with patient consent.</p>	
<p>Data Controller: Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p>Data Protection Officer: Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
<p>1) Purpose of the processing</p>	<p>The identifiable data is required to inform appropriate treatment to be given to the patient attending GP Access Hubs of Greenwich Health Ltd</p>
<p>2) lawful basis for the processing</p>	<p>The processing of personal data in the delivery of care via the GP access hubs is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p>Article 6(1)(e) Official Authority Article 9(2)(h) Provision of Health</p>
<p>3) The recipient(s), or categories of recipients, of your personal data</p>	<p>The data will be shared with GP Access Hubs of Greenwich health Ltd.</p>
<p>4) How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2^o uses) • COPI Regulations 2002 (e.g. Reg 5 - “s251”) • “overriding public interest” (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Consent (explicit)</p> <p>This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.</p>
<p>5) Is this:</p> <ul style="list-style-type: none"> • Access to your GP record • Extraction of information from your GP record 	<p>Access to the GP record</p>

<ul style="list-style-type: none"> • <i>Access to data held about you by another data controller</i> 	
6) Right to Object	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
7) Retention period of the data (or criteria used to determine the retention period)	<p>The data will remain on the GP's clinical system and will therefore be subject existing data retention regulations</p> <p>The data will be retained in line with the law and national guidance.</p> <p>https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</p>
8) Right to access and correct	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. If we share or process your data in an emergency when you have not been able to consent, we will notify you at the earliest opportunity.
9) The right to lodge a complaint with a supervisory authority	<p>Yes:</p> <p>You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>
10) Further information	http://www.greenwich-health.com/greenwich-extended-hours-clinics/

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The National Summary Care Record – Basic

The Summary Care Record (SCR) is an electronic record of important patient information, created from GP medical records. It can be seen and used by authorised staff in other areas of the health and care system involved in the patient's direct care. This would normally be in a urgent or emergency clinical situation. Unlike connect care records which can only be viewed by health and social care professionals in South East London, this is a national care record, and can be accessed across England if the situation arose.

Certain parts of patient medical records will be shared within the NHS to provide effective care to patients outside their GP practice.

This will enable health care professionals to have quicker access to information about any medicines or allergies/bad reactions a patient may have had.

The summary care record will contain Name, Date of Birth, NHS number, repeat medications and allergies.

Information can only be accessed by an NHS professional that holds an NHS smart card with a chip and passcode.

People accessing information can only see parts that are relevant to their job. Health care staff will ask for a patient's permission every time they need to look at the summary care record.

If the patient is unable to be asked, i.e. they are unconscious, the health care professional may look into the record if it is for the good of the patient but a note will be placed in the medical records to show this.

The SCR is run by NHS Digital. NHS Digital is the secure haven for NHS patient data, a single secure repository where data collected from all branches of the NHS is processed. NHS Digital provides reports on the performance of the NHS, statistical information, audits and patient outcomes as well as patient level clinical IT platforms.

<p>Data Controller Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i> Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
<p>1) Purpose of the processing</p>	<p>To enable healthcare professionals, authorised with an NHS smartcard, to view relevant information extracted from the GP record, limited to allergies and medication and demographic information. in providing clinical care for that patient.</p>
<p>2) lawful basis for processing</p>	<p>The processing of personal data in the delivery of care via the SCR is supported under the following Article 6 and 9 conditions of the GDPR: Article 6(1)(e) Official Authority Article 9(2)(h) Provision of health</p>
<p>3) The recipient(s), or categories of recipients, of your personal data</p>	<p>NHS Digital (who becomes the data controller for the uploaded information) Healthcare Professionals providing direct medical care to the data subject, with a legitimate relationship to the patients, and with contemporaneous explicit consent This is a transfer of data from one data controller (TMA) to another (NHS Digital)</p>
<p>4) How does this comply with the Common Law Duty</p>	<p>Consent (implied)</p>

<p>of Confidentiality?</p> <ul style="list-style-type: none"> Consent <ul style="list-style-type: none"> Implied (e.g. direct care) Explicit (e.g. 2^o uses) COPI Regulations 2002 (e.g. Reg 5 - "s251") "overriding public interest" (to safeguard you or another person) legal obligation (e.g. court order) 	<p>This means that it would be reasonable to infer that you agree to the use of the information as long as:</p> <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, explaining how your information will be used and that you have the right to object We have no reason to believe that you have objected We are satisfied that anyone we disclose personal information to understands that we are giving it to them in confidence, which they must respect <p>SCR is an opt out service, so consent is implied, but patients are able to opt out of this service if they request. Opt out forms can be obtained from the practice reception.</p>
<p>5) Is this:</p> <ul style="list-style-type: none"> Access to your GP record Extraction of information from your GP record Access to data held about you by another data controller 	<p>Extraction of information from the GP record</p>
<p>6) Right to object</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>7) Retention period of the data (or criteria used to determine the retention period)</p>	<p>The data will be retained in line with the law and national guidance. https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</p>
<p>8) Right to access and correct</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>9) The right to lodge a complaint with a supervisory authority</p>	<p>Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>
<p>10) Further information</p>	<p>https://digital.nhs.uk/services/summary-care-records-scr/summary-care-records-scr-information-for-patients</p> <p>You can opt out of The National Summary Care Record – Core/Basic record. To do this, please</p>

	download, print and fill in the opt out form http://www.thamesmeadmedical.org/practices/thamesmead/Summary-care-records-optout-form.pdf
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The National Summary Care Record – Enriched

Enriched Summary care records simply means additional information included in the summary care record over the aforementioned basic summary. .

The additional information content has been defined and reviewed by clinical groups . SCR with additional information incorporate individual coded items and associated free text and will include:

Significant medical history (past and present)

Reason for medication and

- Anticipatory care information (such as information about the management of long term conditions)
- Reason for medication
- Communication preferences
- End of life information
- Immunisations

The enriched SCR should be considered for those with more complex medical issues who are more likely to access out of hours and urgent medical services.

The Enriched SCR is run by NHS Digital. NHS Digital is the secure haven for NHS patient data, a single secure repository where data collected from all branches of the NHS is processed. NHS Digital provides reports on the performance of the NHS, statistical information, audits and patient outcomes as well as patient level clinical IT platforms.

<p>Data Controller Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p>Data Protection Officer: Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
1) Purpose of the processing	To enable healthcare professionals, authorised with an NHS smartcard, to view relevant information extracted from the GP record to aid clinical care.
2) lawful basis for processing	<p>The processing of personal data in the delivery of care via the SCR is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p>Article 6(1)(e) Official Authority Article 9(2)(h) Provision of Health</p>
3) The recipient(s), or categories of recipients, of your personal data	<p>NHS Digital (who becomes the data controller for the uploaded information)</p> <p>Healthcare Professionals providing direct medical care to the data subject, with a legitimate relationship to the patients, and with contemporaneous explicit consent</p> <p>This is a transfer of data from one data controller (TMA) to another (NHS Digital)</p>
<p>4) How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ <i>Implied (e.g. direct care)</i> ○ <i>Explicit (e.g. 2^o uses)</i> • COPI Regulations 2002 (e.g. Reg 5 - “s251”) • “overriding public interest” (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Consent (implied)</p> <p>This means that it would be reasonable to infer that you agree to the use of the information as long as:</p> <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, explaining how your information will be used and that you have the right to object • We have no reason to believe that you have objected • We are satisfied that anyone we disclose personal information to understands that we are giving it to them in confidence, which they must respect

	SCR is an opt out service, so consent is implied, but patients are able to opt out of this service if they request. Opt out forms can be obtained from the practice reception.
<p>5) <i>Is this:</i></p> <ul style="list-style-type: none"> • <i>Access to your GP record</i> • <i>Extraction of information from your GP record</i> • <i>Access to data held about you by another data controller</i> 	Extraction of information from the GP record
6) Right to object	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
7) Retention period of the data (or criteria used to determine the retention period)	The data will be retained in line with the law and national guidance. https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016
8) Right to access and correct	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.
9) The right to lodge a complaint with a supervisory authority	<p>Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>
10) Further information	<p>https://digital.nhs.uk/services/summary-care-records-scr/summary-care-records-scr-information-for-patients</p> <p>You can opt out of The National Summary Care Record – Core/Basic record and hence enriched. To do this, please download, print and fill in the opt out form http://www.thamesmeadmedical.org/practices/thamesmead/Summary-care-records-optout-form.pdf</p>

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The Care Quality Commission (CQC)

CQC make sure health and social care services provide people with safe, effective, compassionate and high-quality care. They monitor inspect and regulate our services to make sure we meet fundamental standards of quality and safety and they publish their findings including performance ratings to help people choose care.	
Data Controller: Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org	Data Protection Officer: Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008
1) Purpose of the processing	To enable The CQC access to a patient's medical records for the purposes of their assessment or investigation. Normally this occurs during a CQC inspection to ensure a practice is delivering the appropriate standards of care.
2) Lawful basis for processing	The processing of personal data in the delivery of CQC inspections and practice monitoring is supported under the following Article 6 and 9 conditions of the GDPR: Article 6(1)(c) Legal Obligation Article 9(2)(h) Provision of Health
3) The recipient(s), or categories of recipients, of your personal data	The CQC
4) How does this comply with the Common Law Duty of Confidentiality? <ul style="list-style-type: none"> Consent <ul style="list-style-type: none"> Implied (e.g. direct care) Explicit (e.g. 2^o uses) COPI Regulations 2002 (e.g. Reg 5 - "s251") "overriding public interest" (to safeguard you or another person) legal obligation (e.g. court order) 	Legal obligation This means that we are compelled by law to share your data in this way Under Section 64 – the Health and Social Care Act 2008
5) Is this: <ul style="list-style-type: none"> Access to your GP record Extraction of information from your GP record Access to data held about you by another data controller 	Extraction of information from the GP record and/or Access to the GP record
6) Right to Object	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.
7) Retention period of the data (or criteria used to determine the retention period)	If data is provided to the CQC, then retained in line with CQC policies on storing identifiable data (see CQC Code of Practice) https://www.cqc.org.uk/file/4201 Also see - https://digital.nhs.uk/data-and-information
8) Right to access and correct	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.
10) <i>The right to lodge a complaint with a supervisory authority</i>	<p>Yes:</p> <p>You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>
11) <i>Further information</i>	<p>The Care Quality Commission (CQC) is the independent regulator of health care and adult social care services in England. CQC also protects the interests of people whose rights are restricted under the Mental Health Act.</p> <p>Under the Health and Social Care Act 2008, the CQC has the power to request access to a patient's medical records for the purposes of an investigation into, or assessment of, an organisation.</p> <p>Requests for information should be proportionate and the minimum necessary.</p> <p>Relevant legislation:</p> <p>The Health and Social Care Act 2008, s64</p> <p>CQC Code of practice on confidential personal information 2016</p> <p>https://www.cqc.org.uk/file/4201</p>

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The Courts

<p>The courts, both civil and criminal, have powers to order disclosure of information in various circumstances. We are required to disclose information if ordered to do so by a judge or presiding officer of a court.</p>	
<p><i>Data controller</i> Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i> Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
<p>1) Purpose of the processing</p>	<p>To enable healthcare professionals working in TMA to provide all necessary information about individuals to the courts, when instructed (“court order”).</p>
<p>2) Lawful basis for the processing</p>	<p>The processing of personal data in the relation to court orders is supported under the following Article 6 and 9 conditions of the GDPR: Article 6(1)(c) Legal Obligation Article 9(2)(h) Provision of Health</p>
<p>3) The recipient(s), or categories of recipients, of your personal data</p>	<p>The Courts</p>
<p>4) How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2^o uses) • COPI Regulations 2002 (e.g. Reg 5 - “s251”) • “overriding public interest” (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Legal obligation</p> <p>This means that we are compelled by law to share your data in this way</p> <p>This will be in relation to the relevant Legal Laws.</p> <p>It would be best practice for us to inform the patient of this disclosure and obtain consent. However the article above would override any patient refusal to do so.</p>
<p>5) Is this:</p> <ul style="list-style-type: none"> • Access to your GP record • Extraction of information from your GP record • Access to data held about you by another data controller 	<p>Extraction of information from the GP record</p>
<p>6) Right to Object</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>7) Retention period of the data (or criteria used to determine the retention period)</p>	<p>Data retained in line with judiciary policies on storing identifiable data https://www.judiciary.uk/about-the-judiciary/judiciary-and-data-protection-privacy-notice/</p>
<p>8) Right to access and correct</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>

9) The right to lodge a complaint with a supervisory authority	Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)
10) Further information	<p>* "Common Law Duty of Confidentiality", common law is not written out in one document like an Act of Parliament. It is a form of law based on previous court cases decided by judges; hence, it is also referred to as 'judge-made' or case law. The law is applied by reference to those previous cases, so common law is also said to be based on precedent.</p> <p>The general position is that if information is given in circumstances where it is expected that a duty of confidence applies, that information cannot normally be disclosed without the information provider's consent. In practice, this means that all patient information, whether held on paper, computer, visually or audio recorded, or held in the memory of the professional, must not normally be disclosed without the consent of the patient. It is irrelevant how old the patient is or what the state of their mental health is; the duty still applies. Three circumstances making disclosure of confidential information lawful are:</p> <ul style="list-style-type: none"> • where the individual to whom the information relates has consented; • where disclosure is in the public interest; and <p>Where there is a legal duty to do so, for example a court order.</p>

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Driver & Vehicle Licensing Agency (DVLA)

<p>Applicants and licence holders have a legal duty to notify the DVLA of any injury or illness that would have a likely impact on safe driving ability.</p> <p>GPs are obliged to notify the DVLA when fitness to drive requires <i>notification but an individual cannot or will not notify the DVLA themselves</i>, and if there is concern for road safety, which would be for both the individual and the wider public.</p>	
<p>Data controller: Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p>Data Protection Officer: Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
1) Purpose of the processing	Data disclosed is personal data. Under some circumstances, this might also include special category data
2) lawful basis for the processing	<p>The processing of personal data in relation to DVLA fitness to drive standards is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p>Article 6(1)(d) Vital Interests Article 9(2)(h) Provision of Health</p>
3) The recipient(s), or categories of recipients, of your personal data	DVLA
<p>4) How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> Consent <ul style="list-style-type: none"> Implied (e.g. direct care) Explicit (e.g. 2^o uses) COPI Regulations 2002 (e.g. Reg 5 - "s251") "overriding public interest" (to safeguard you or another person) legal obligation (e.g. court order) 	<p>Overriding public interest</p> <p>Your consent will be asked for before disclosing this information to the DVLA. However if it cannot be obtained and the GP assesses there is a risk to yourself or others, the information will be disclosed to the DVLA.</p>
<p>5) Is this:</p> <ul style="list-style-type: none"> Access to your GP record Extraction of information from your GP record Access to data held about you by another data controller 	Extraction of information from the GP record
6) Right to object	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.
7) Retention period of the data (or criteria used to determine the retention period)	Data retained in line with DVLA policies on storing identifiable data https://www.gov.uk/government/organisations/

	driver-and-vehicle-licensing-agency/about/personal-information-charter
8) <i>Right to access and correct</i>	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
9) <i>The right to lodge a complaint with a supervisory authority</i>	<p>Yes:</p> <p>You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>
10) <i>Further information</i>	<p>https://www.gov.uk/driving-medical-conditions</p> <p>https://www.gmc-uk.org/ethical-guidance/ethical-guidance-for-doctors/confidentiality---patients-fitness-to-drive-and-reporting-concerns-to-the-dvla-or-dva/patients-fitness-to-drive-and-reporting-concerns-to-the-dvla-or-dva</p>

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The General Medical Council (GMC)

Disclosures to the GMC – investigation of a doctor’s fitness to practise i.e. are they underperforming in their duties as a doctor and putting patients at risk. This process may have been instigated via a patient, colleague or the index doctor themselves.

Under the Medical Act 1983, the GMC has the power to request access to a patient’s medical records for the purposes of an investigation into a doctor’s fitness to practise.

Relevant legislation:

[The Medical Act 1983](#)

Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org	<i>Data Protection Officer:</i> Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008
1) Purpose of the processing	To enable The GMC access to a patient’s medical records for the purposes of an investigation into a doctor’s fitness to practise.
2) lawful basis for the processing	The processing of personal data in the relation to GMC fitness to practice investigations is supported under the following Article 6 and 9 conditions of the GDPR: Article 6(1)(c) Legal Obligation Article 9(2)(h) Provision of Health
3) The recipient(s), or categories of recipients, of your personal data	General Medical Council
4) How does this comply with the Common Law Duty of Confidentiality? <ul style="list-style-type: none"> Consent <ul style="list-style-type: none"> Implied (e.g. direct care) Explicit (e.g. 2^o uses) COPI Regulations 2002 (e.g. Reg 5 - “s251”) “overriding public interest” (to safeguard you or another person) legal obligation (e.g. court order) 	Legal obligation This means that we are compelled by law to share your data in this way Under the Medical Act 1983 However in most cases the index patient would have made the referral to the GMC so will be aware. If not patient initiated, it would be best practice for us to inform the patient of this disclosure and obtain consent. However the articles above would override any patient refusal to do so.
5) Is this: <ul style="list-style-type: none"> Access to your GP record Extraction of information from your GP record Access to data held about you by another data controller 	Extraction of information from the GP record
6) Right to object	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

<i>7) Retention period of the data (or criteria used to determine the retention period)</i>	Data retained in line with GMC policies on storing identifiable data https://www.gmc-uk.org/privacy_policy.asp
<i>8) Right to access and correct</i>	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
<i>9) The right to lodge a complaint with a supervisory authority</i>	Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)
<i>10) Further information</i>	https://www.gmc-uk.org/privacy-and-cookies

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The Health Service Ombudsman (HSO)

The HSO has been set up by Parliament to provide an independent complaint handling service for patient complaints that have not been resolved by the NHS in England. Normally complaints are resolved at the practice level or the NHS England level. However if a patient is not happy with the outcome of those processes they can escalate to the HSO for an independent review.

The HSO has the power to request access to a patient's medical records for the purposes of an investigation.

Relevant legislation:

[The Health Services Commissioners Act 1993,s12](#)

<p>Data Controller</p> <p>Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i></p> <p>Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
1) Purpose of the processing	To enable the HSO to receive information concerning a patient for the purposes of an investigation. Sensitive data (health)
2) lawful basis for the processing	The processing of personal data in relation to HSO investigations is supported under the following Article 6 and 9 conditions of the GDPR: Article 6(1)(c) Legal Obligation Article 9(2)(h) Provision of Health
3) The recipient(s), or categories of recipients, of your personal data	The Health Service Ombudsman
<p>4) How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> Consent <ul style="list-style-type: none"> Implied (e.g. direct care) Explicit (e.g. 2^o uses) COPI Regulations 2002 (e.g. Reg 5 - "s251") "overriding public interest" (to safeguard you or another person) legal obligation (e.g. court order) 	<p>Legal obligation</p> <p>This means that we are compelled by law to share your data in this way.</p> <p>Under Section 12 of the The Health Services Commissioners Act 1993</p> <p>However in most cases the index patient would have made the complaint and referral to HSO so will be aware.</p>
<p>5) Is this:</p> <ul style="list-style-type: none"> Access to your GP record Extraction of information from your GP record Access to data held about you by another data controller 	Extraction of information from the GP record
6) Right to object	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
7) Retention period of the data (or criteria used to determine the retention period)	Data retained in line with HSO policies on storing identifiable data

	https://www.ombudsman.org.uk/about-us/corporate-information/freedom-information-and-data-protection/our-publication-scheme/our-privacy-policy
<i>8) Right to access and correct</i>	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
<i>9) The right to lodge a complaint with a supervisory authority</i>	<p>Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>
<i>10) Further information</i>	https://www.ombudsman.org.uk/

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Her Majesty's Revenue & Customs (HMRC)

HMRC has the power to request access to a patient's medical records for the purposes of an investigation into an individual's tax affairs. This may be the patient or practice employee.

Relevant legislation:

[Schedule 36, Part 1 of the Finance Act 2008](#)

<p>Data Controller: Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p>Data Protection Officer: Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
1) Purpose of the processing	To provide HMRC with information from the GP record, or documents, <i>for the purpose of checking the tax position of another person whose identity is known to the investigating officer ("the taxpayer")</i> .
2) lawful basis for the processing	The processing of personal data in relation to HMRC investigations is supported under the following Article 6 and 9 conditions of the GDPR: Article 6(1)(c) Legal Obligation Article 9(2)(b) Employment and Social Security
3) The recipient(s), or categories of recipients, of your personal data	HMRC
<p>4) How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> Consent <ul style="list-style-type: none"> Implied (e.g. direct care) Explicit (e.g. 2^o uses) COPI Regulations 2002 (e.g. Reg 5 – "s251") "overriding public interest" (to safeguard you or another person) legal obligation (e.g. court order) 	<p>Legal obligation</p> <p>This means that we are compelled by law to share your data in this way</p> <p>Under Section 36, Part 1 of the Finance Act 2008</p> <p>It would be best practice for us to inform the patient of this disclosure and obtain consent. However the articles above would override any patient refusal to do so.</p>
<p>5) Is this:</p> <ul style="list-style-type: none"> Access to your GP record Extraction of information from your GP record Access to data held about you by another data controller 	Extraction of information from the GP record
6) Right to Object.	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
<i>7) Retention period of the data (or criteria used to determine the retention period)</i>	Data retained in line with HMRC policies on storing identifiable data https://www.gov.uk/government/publications/data-protection-act-dpa-information-hm-revenue-and-customs-hold-about-you/data-protection-act-dpa-information-hm-revenue-and-customs-hold-about-you
<i>8) Right to access and correct</i>	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
<i>9) The right to lodge a complaint with a supervisory authority</i>	Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)
<i>10) Further information</i>	Relevant legislation: Schedule 36, Part 1 of the Finance Act 2008 http://www.hmrc.gov.uk/gds/ch/attachments/sch_36_v2.htm

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NHS Counter Fraud Authority (NHSCFA)

<p>The NHS Counter Fraud Authority is a special health authority charged with identifying, investigating and preventing fraud and other economic crime within the NHS and the wider health group.</p> <p>As a special health authority focused entirely on counter fraud work, the NHSCFA is independent from other NHS bodies and directly accountable to the Department of Health and Social Care</p> <p>The investigators have the power to require the disclosure of the relevant parts of a patient's record, should they believe that this is important to the investigation.</p>	
<p>Data Controller :</p> <p>Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i> Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
1) Purpose of the processing	Under the NHS Act 2006, investigations into fraud in the NHS may require access to confidential patient information.
2) lawful basis for the processing	The processing of personal data in relation to NHSCFA investigations is supported under the following Article 6 and 9 conditions of the GDPR: Article 6(1)(c) Legal Obligation Article 9(2)(h) Provision of Health
3) The recipient(s), or categories of recipients of your personal data	NHS Counter Fraud Authority
<p>4) How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> Consent <ul style="list-style-type: none"> Implied (e.g. direct care) Explicit (e.g. 2^o uses) COPI Regulations 2002 (e.g. Reg 5 - "s251") "overriding public interest" (to safeguard you or another person) legal obligation (e.g. court order) 	<p>Legal obligation</p> <p>This means that we are compelled by law to share your data in this way</p> <p>Under Section 10 of the NHS Act 2006</p> <p>It would be best practice for us to inform the patient of this disclosure and obtain consent. However the article above would override any patient refusal to do so.</p>
<p>5) Is this:</p> <ul style="list-style-type: none"> Access to your GP record Extraction of information from your GP record Access to data held about you by another data controller 	Extraction of information from the GP record
6) Right to Object	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
7) Right to access and correct	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
8) Retention period of the data (or criteria used to determine the retention period)	Data retained in line with NHS Counter Fraud policies on storing identifiable data https://cfa.nhs.uk/privacy

<p>9) <i>The right to lodge a complaint with a supervisory authority</i></p>	<p>Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>
<p>10) <i>Further information</i></p>	<p>https://cfa.nhs.uk/home</p> <p>Relevant legislation: NHS Act 2006 https://www.legislation.gov.uk/ukpga/2006/41/part/10</p>

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NHS Digital – The National Diabetes Audit (NDA)

The National Diabetes Audit is a major national clinical audit which measures the effectiveness of diabetes healthcare against National Institute of Health and Care Excellence (NICE) Clinical Guidelines and NICE Quality Standards, in England and Wales. The NDA collects and analyses data for use by a range of stakeholders to drive changes and improvements in the quality of services and health outcomes for people with diabetes.

The NDA answers five key questions: -

- ✓ Is everyone with diabetes diagnosed and recorded on a practice diabetes register?
- ✓ What percentage of people registered with diabetes received the nine NICE key processes of diabetes care?
- ✓ What percentage of people registered with diabetes achieved NICE defined treatment targets for glucose control, blood pressure and blood cholesterol?
- ✓ What percentage of people registered with diabetes are offered and attend a structured education course?
- ✓ For people with registered diabetes what are the rates of acute and long term complications (disease outcomes)

The NDA is run by NHS Digital. NHS Digital is the secure haven for NHS patient data, a single secure repository where data collected from all branches of the NHS is processed. NHS Digital provides reports on the performance of the NHS, statistical information, audits and patient outcomes as well as patient level clinical IT platforms.

<p><i>Data Controller</i> Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i> Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008v</p>
<p>1) Purpose of the processing</p>	<p>A national monitoring system, auditing the care of patients with diabetes Data extracted includes NHS number, date of birth and postcode, as well as clinical parameters related to diabetes</p>
<p>2) lawful basis for the processing</p>	<p>The processing of personal data in relation to NDA audits is supported under the following Article 6 and 9 conditions of the GDPR: Article 6(1)(c) Legal Obligation Article 9(2)(h) Provision of Health</p>
<p>3) The recipient(s), or categories of recipients, of your personal data</p>	<p>NHS Digital</p>
<p>4) How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2^o uses) • COPI Regulations 2002 (e.g. Reg 5 - "s251") • "overriding public interest" (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Legal obligation</p> <p>This means that we are compelled by law to share your data in this way</p> <p>The NDA is a mandatory data extraction under section 254 of the Health and Social Care Act 2012</p> <p>Whilst there is no right to object under 6(1)(c), NHS Digital respects Type 1 opt-out (9Nu0) present in the GP record and no data will be extracted and uploaded. Please see reception if you would like a Type 1 opt out placed on your medical record.</p>
<p>5) Is this:</p> <ul style="list-style-type: none"> • Access to your GP record 	<p>Extraction of information from the GP record</p>

<ul style="list-style-type: none"> • <i>Extraction of information from your GP record</i> • <i>Access to data held about you by another data controller</i> 	
6) <i>Right to object</i>	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
7) <i>Retention period of the data (or criteria used to determine the retention period)</i>	Data retained in line with NHS Digital policies on storing identifiable data https://digital.nhs.uk/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information
8) <i>Right to access and correct</i>	Whilst there is no right to object under 6(1)(c), NHS Digital respects Type 1 opt-out (9Nu0) present in the GP record and no data will be extracted and uploaded . Please see reception if you would like a Type 1 opt out placed on your medical record.
9) <i>The right to lodge a complaint with a supervisory authority</i>	Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)
10) <i>Further information</i>	The National Diabetes Audit (NDA) is a mandatory data extraction under s254 of the Health and Social Care Act HSCA 2012 https://digital.nhs.uk/data-and-information/clinical-audits-and-registries/national-diabetes-audit

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NHS Digital – Individual GP Level Data (IGPLD)

<p>The Department of Health has instructed NHS Digital to collect clinical data for a given set of metrics at individual GP level and report these data back to GPs and general practices only. Examples of metrics could include diabetic complications, percentage of patients that have had their flu vaccination. GPs and general practices will receive non-identifiable data for their own patients; they will not receive any identifiable data or data for patients from other general practices. The purpose of this is for GP practices to reflect on their care for patients and establish any trends that may require action i.e. intra-practice variation in care.</p> <p>NHS Digital is the secure haven for NHS patient data, a single secure repository where data collected from all branches of the NHS is processed. NHS Digital provides reports on the performance of the NHS, statistical information, audits and patient outcomes as well as patient level clinical IT platforms.</p>	
<p>Data Controller: Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p>Data Protection Officer: Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
<p>1) Purpose of the processing</p>	<p>A national monitoring system to enable NHS Digital to provide GPs with clinical information on the care provision for their patients</p> <p>This is a mandatory data extraction under s254 of the HSCA 2012</p>
<p>2) lawful basis for the processing</p>	<p>The processing of personal data in relation to IGPLD audits is supported under the following Article 9 conditions of the GDPR:</p> <p>Article 6(1)(c) Legal Obligation</p>
<p>3) The recipient(s), or categories of recipients, of your personal data</p>	<p>NHS Digital</p>
<p>4) How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> Consent <ul style="list-style-type: none"> Implied (e.g. direct care) Explicit (e.g. 2^o uses) COPI Regulations 2002 (e.g. Reg 5 - "s251") "overriding public interest" (to safeguard you or another person) legal obligation (e.g. court order) 	<p>Legal obligation</p> <p>This means that we are compelled by law to share your data in this way</p> <p>Under section 254 of the Health and Social Care Act 2012</p> <p>Whilst there is no right to object under 6(1)(c), NHS Digital respects Type 1 opt-out (9Nu0) present in the GP record and no data will be extracted and uploaded. Please see reception if you would like a Type 1 opt out placed on your medical record.</p>
<p>5) Is this:</p> <ul style="list-style-type: none"> Access to your GP record Extraction of information from your GP record Access to data held about you by another data controller 	<p>Extraction of information from the GP record</p>
<p>6) Right to object</p>	<p>Whilst there is no right to object under 6(1)(c), NHS Digital respects Type 1 opt-out (9Nu0) present in the GP record and no data will be extracted and uploaded. Please see reception if you would like a Type 1 opt out placed on your medical record.</p>
<p>7) Retention period of the data (or criteria used to determine the retention period)</p>	<p>Data retained in line with NHS Digital policies on storing identifiable data</p> <p>https://digital.nhs.uk/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information</p>

8) <i>Right to access and correct</i>	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
9) <i>The right to lodge a complaint with a supervisory authority</i>	<p>Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>
10) <i>Further information</i>	<p>This is a mandatory data extraction under s254 of the HSCA 2012</p> <p>https://digital.nhs.uk/services/general-practice-gp-collections/service-information/individual-gp-level-data</p>

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NHS Digital – Female Genital Mutilation (FGM) Enhanced Dataset

NHS Digital collects data on FGM within the NHS in England on behalf of the Department of Health . The data collected is used to produce information that helps to:

- improve how the NHS supports women and girls who have had or who are at risk of FGM
- plan the local NHS services needed both now and in the future
- help other organisations e.g. local authorities to develop plans to stop FGM happening in local communities

NHS Digital is the secure haven for NHS patient data, a single secure repository where data collected from all branches of the NHS is processed. NHS Digital provides reports on the performance of the NHS, statistical information, audits and patient outcomes as well as patient level clinical IT platforms.

Data Controller
Thamesmead Medical Associates
Bentham Road
London
SE28 8BE
02083335000
<http://www.thamesmeadmedical.org>

Data Protection Officer:
Giuseppe Ofori
Giuseppe.Ofori@nhs.net
02083335008

1) Purpose of the processing

NHS Digital collects data on FGM within the NHS in England on behalf of the Department of Health in order to improve care to those women effected now and in the future. .

2) lawful basis for the processing

The processing of personal data in relation to FGM audits is supported under the following Article 6 and 9 conditions of the GDPR:
Article 6(1)(c) Legal Obligation
Article 9(2)(h) Provision of Health

3) The recipient(s), or categories of recipients, of your personal data

NHS Digital

4) How does this comply with the Common Law Duty of Confidentiality?

- Consent
 - Implied (e.g. direct care)
 - Explicit (e.g. 2^o uses)
- COPI Regulations 2002 (e.g. Reg 5 - "s251")
- "overriding public interest" (to safeguard you or another person)
- legal obligation (e.g. court order)

[Legal obligation](#)

This means that we are compelled by law to share your data in this way

Under section 254 of the Health and Social Care Act 2012

Whilst there is no right to object under 6(1)(c), NHS Digital respects Type 1 objections (9Nu0) present in the GP record and no data will be extracted and uploaded if so. Please see reception if you would like a Type 1 opt out placed on your medical record.

However please see Police privacy notice that explains FGM must always be reported to the police.

5) Is this:

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

[Extraction of information from the GP record](#)

6) <i>Right to Object</i>	Whilst there is no right to object under 6(1)(c), NHS Digital respects Type 1 objections (9Nu0) present in the GP record and no data will be extracted and uploaded if so. Please see reception if you would like a Type 1 opt out placed on your medical record.
7) <i>Retention period of the data (or criteria used to determine the retention period)</i>	Data retained in line with NHS Digital policies on storing identifiable data https://digital.nhs.uk/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information
8) Right to access and correct	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
9) <i>The right to lodge a complaint with a supervisory authority</i>	Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)
10) <i>Further information</i>	This is a mandatory data extraction under s254 of the HSCA 2012 https://digital.nhs.uk/data-and-information/clinical-audits-and-registries/female-genital-mutilation-datasets http://content.digital.nhs.uk/article/7524/Patients---your-FGM-information-and-how-we-use-it NHS Digital Directions: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/427336/fgm.pdf

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NHS Digital – Family and Friends Test (FFT)

The Friends and Family Test (FFT) is an important feedback tool that supports the fundamental principle that people who use NHS services, should have the opportunity to provide feedback on their experience.

It asks people if they would recommend the services they have used and offers a range of responses. When combined with supplementary follow-up questions, the FFT provides a mechanism to highlight both good and poor patient experience. This kind of feedback is vital in transforming NHS services and supporting patient choice. It is a contractual obligation that we feedback our FFT results to the commissioners of our service NHS England via NHS Digital. The information uploaded is anonymous and aggregate level and any comments given are not linked to a specific patient. However we use specific personal patient data – a mobile number- to get this kind of feedback via SMS texts. See Text privacy note for further information.

NHS Digital is the secure haven for NHS patient data, a single secure repository where data collected from all branches of the NHS is processed. NHS Digital provides reports on the performance of the NHS, statistical information, audits and patient outcomes as well as patient level clinical IT platforms.

<p><i>Data Controller</i> Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i> Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
<p><i>1) Purpose of the processing</i></p>	<p>As part of the NHS constitution, the NHS actively encourages feedback from the public, patients and staff, and welcomes its use to improve its services.</p>
<p><i>2) lawful basis for the processing</i></p>	<p>The processing of personal data in relation to FFT submissions is supported under the following Article 6 and 9 conditions of the GDPR: Article 6(1)(c) Legal Obligation Article 9(2)(h) Provision of Health</p>
<p><i>3) The recipient(s), or categories of recipients, of your personal data</i></p>	<p>NHS Digital and Thamesmead Medical Associates</p>
<p><i>4) How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2^o uses) • COPI Regulations 2002 (e.g. Reg 5 - “s251”) • “overriding public interest” (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Legal obligation</p> <p>This means that we are compelled by law to share your data in this way</p> <p>Under The NHS Act 2006 Section 13E (inserted by Health and Social Care Act 2012) specifies that the NHS has a duty to secure continuous improvement in quality of services to individuals, particularly the quality of experience undergone by patients.</p> <p>NHS England discharges this duty via the NHS Standard Contract. Organisations undertaking the FFT as part of the NHS Standard Contract are therefore</p>

	'exercising official authority' in doing so and this is the legal basis
<p>5) Is this:</p> <ul style="list-style-type: none"> • Access to your GP record • Extraction of information from your GP record • Access to data held about you by another data controller 	Extraction of information from the GP record
6) Right to Object	<p>Patients have the right to provide TMA with their mobile number in order to enable an alternative number by which to contact them, without allowing SMS messages to be sent (i.e. "mobile phone calls only"). This can be done via the original SMS message.</p> <p>We will record and action any such objection accordingly, ensuring no SMS messages are sent to patients. .</p>
7) Retention period of the data (or criteria used to determine the retention period)	<p>The data will remain on the GP's clinical system and will therefore be subject existing data retention regulations.</p> <p>The data will be retained in line with the law and national guidance.</p> <p>https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</p>
8) Right to access and correct	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
9) The right to lodge a complaint with a supervisory authority	Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)
10) Further information	<p>The Friends and Family test data is published by NHS England. https://www.england.nhs.uk/fft/</p> <p>FTTs are discarded after being logged patient identifiable data is not linked to any comments.</p>

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Police

There will be circumstances where the GP practice is approached by the police and asked to disclose medical information in relation to an investigation.

As with any disclosures to the police, there must be:

- a legal duty to disclose, or
- a sufficiently important reason to disclose AND a legal basis for doing so

Examples include-

Prevention of Terrorism Act (1989) and Terrorism Act (2000)

An obligation to inform the Police if you have information (including personal information) that may assist them in preventing an act of terrorism, or help in apprehending or prosecuting a terrorist.

The Road Traffic Act (1988)

A statutory duty to inform the Police, when asked, of any information that might identify any driver who is alleged to have committed an offence under the Act. We are not required to disclose clinical or other confidential information.

The Female Genital Mutilation Act (2003)

A statutory duty to report to the police under Section 5B of this Act where it appears that a girl under the age of 18 has been subject to genital mutilation.

Section 29(3) of the Data Protection Act 1998

Allows a data controller to disclose personal data to a third party where the disclosure is made for any of the crime prevention or taxation

Data Controller: Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org	<i>Data Protection Officer:</i> Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008
1) Purpose of the processing	Data disclosed is personal data. Under some circumstances, this might also include special category data
2) lawful basis for the processing	The processing of personal data in relation to police disclosures is supported under the following Article 6 and 9 conditions of the GDPR: Article 6(1)(c) Legal Obligation Article 9(2)(i) Public Interest
3) The recipient(s), or categories of recipients, of your personal data	The police (or other judicial authorities)
4) How does this comply with the Common Law Duty of Confidentiality? <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2° uses) • COPI Regulations 2002 (e.g. Reg 5 - "s251") • "overriding public interest" (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Legal obligation</p> <p>This means that we are compelled by law to share your data in this way</p> <p>and</p> <p>Overriding public interest</p> <p>Where we can your data, without your consent, to save your life or that of others</p>

	<p>See above for examples of laws and circumstances that would apply</p> <p>It would be best practice for us to inform the patient of this disclosure and obtain consent. However the articles above would override any patient refusal to do so.</p>
<p>5) Is this:</p> <ul style="list-style-type: none"> • Access to your GP record • Extraction of information from your GP record • Access to data held about you by another data controller 	<p>Extraction of information from the GP record</p>
<p>6) Right to object</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>7) Retention period of the data (or criteria used to determine the retention period)</p>	<p>Data retained in line with police policies For example: https://www.met.police.uk/privacy-notice/</p>
<p>8) Right to access and correct</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>9) The right to lodge a complaint with a supervisory authority</p>	<p>Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>
<p>10) Further information</p>	<p>https://www.gmc-uk.org/ethical-guidance/ethical-guidance-for-doctors/confidentiality/disclosures-for-the-protection-of-patients-and-others</p>

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Infectious Diseases - 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 Tuberculosis 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 Scarlet Fever. A full list of notifiable diseases can be found on - <https://www.gov.uk/guidance/notifiable-diseases-and-causative-organisms-how-to-report>

This will necessarily mean the subjects personal and health information being shared with the Public Health organisations. Nationally this is Public Health England, locally this will be the local authority.

Data Controller
Thamesmead Medical Associates
Bentham Road
London
SE28 8BE
02083335000
<http://www.thamesmeadmedical.org>

Data Protection Officer:
Giuseppe Ofori
Giuseppe.Ofori@nhs.net
02083335008

1) Purpose of the processing

To enable healthcare professionals working in TMA to provide all necessary information about individuals to Public Health England, when related to specific infectious diseases. 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 under a legal obligation.

2) lawful basis for the processing

The processing of personal data in relation to infectious disease notification is supported under the following Article 6 and 9 conditions of the GDPR:
Article 6(1)(c) Legal Obligation
Article 9(2)(i) Public Interest

3) The recipient(s), or categories of recipients, of your personal data

Public Health England

4) How does this comply with the Common Law Duty of Confidentiality?

- Consent
 - Implied (e.g. direct care)
 - Explicit (e.g. 2^o uses)
- COPI Regulations 2002 (e.g. Reg 5 - "s251")
- "overriding public interest" (to safeguard you or another person)
- legal obligation (e.g. court order)

Legal obligation

This means that we are compelled by law to share your data in this way

or

Regulation 3 of COPI 2002

Where an application of law exists that allows sharing of your data without your consent

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

It would be best practice for us to inform the patient

	of this disclosure and obtain consent. However the articles above would override any patient refusal to do so.
<p>5) Is this:</p> <ul style="list-style-type: none"> • Access to your GP record • Extraction of information from your GP record • Access to data held about you by another data controller 	Extraction of information from the GP record
6) Right to Object	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
7) Retention period of the data (or criteria used to determine the retention period)	<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>https://www.gov.uk/government/organisations/public-health-england/about/personal-information-charter.</p>
8) Right to access and correct	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.
9) The right to lodge a complaint with a supervisory authority	<p>Yes:</p> <p>You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)/</p>
11) Further information	https://www.gov.uk/guidance/notifiable-diseases-and-causative-organisms-how-to-report

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National Screening Programmes - Public Health

<p>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, cervical cancer, aortic aneurysms and diabetic retinal screening service. The law allows us to share your contact information (i.e. address and mobile number) and basic medical information with Public Health England so that you can be invited to the relevant screening programme. This does not request access to full medical records. This information is extracted from our GP system with intermediary IT systems called Open Exeter and Calculating Quality Reporting Service (CQRS)-. These systems allow for invitations to occur and to monitor the quality of screening recall. See the Payments and Quality Monitoring privacy notice for further information on these systems.</p>	
<p>Data Controller Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p>Data Protection Officer: Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
<p>1) Purpose of the processing</p>	<p>The NHS provides several national health screening programs to detect diseases or conditions earlier such as; cervical and breast cancer, aortic aneurysm and diabetes eye screening. 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.</p>
<p>2) lawful basis for the processing</p>	<p>The processing of personal data in relation to national screening programmes is supported under the following Article 6 and 9 conditions of the GDPR:</p> <ul style="list-style-type: none"> Article 6(1)(c) Legal Obligation Article 6(1)(e) Official Authority Article 9(2)(h) Provision of Health
<p>3) The recipient(s), or categories of recipients, of your personal data</p>	<p>Public Health England.</p>
<p>4) How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2^o uses) • COPI Regulations 2002 (e.g. Reg 5 - "s251") • "overriding public interest" (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Legal obligation</p> <p>This means that we are compelled by law to share your data in this way</p> <p>It is a statutory public health service in England under the Health and Social Care Act 2012</p> <p>However patients are able to opt out of national screening programmes – see- https://www.gov.uk/government/publications/opting-out-of-the-nhs-population-screening-programmes</p>
<p>5) Is this:</p> <ul style="list-style-type: none"> • Access to your GP record • Extraction of information from your GP record • Access to data held about you by another data controller 	<p>Extraction of information from the GP record</p>
<p>6) Right to Object</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</p>

	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
<i>7) Retention period of the data (or criteria used to determine the retention period)</i>	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 https://www.gov.uk/government/organisations/public-health-england/about/personal-information-charter .
<i>8) Right to access and correct</i>	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.
<i>9) The right to lodge a complaint with a supervisory authority</i>	Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)
<i>11) Further information</i>	More information can be found at https://www.gov.uk/topic/population-screening-programmes

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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. In most cases this will be the children's or adults safeguarding teams in the local authority (Greenwich or Bexley depending on where you live) and in extreme circumstances may involve contacting the police.

There are three 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>

<p><i>Data Controller</i></p> <p>Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i></p> <p>Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
<p><i>1) Purpose of the processing</i></p>	<p>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".</p> <p>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.</p>
<p><i>2) lawful basis for processing</i></p>	<p>The processing of personal data in relation to safeguarding procedures is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p>Article 6(1)(c) Legal Obligation Article 6(1)(d) Vital Interests Article 9(2)(h) Provision of Health</p>
<p><i>3) The recipient(s), or categories of recipients, of your personal data</i></p>	<p>Greenwich or Bexley Council depending on where you live</p>

<p>4) How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2^o uses) • COPI Regulations 2002 (e.g. Reg 5 - "s251") • "overriding public interest" (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Legal Obligation</p> <p>Under the aforementioned legal acts</p> <p>It would be best practice for us to inform the patient of this disclosure and obtain consent. However the articles above would override any patient refusal to do so.</p>
<p>5) Is this:</p> <ul style="list-style-type: none"> • Access to your GP record • Extraction of information from your GP record • Access to data held about you by another data controller 	<p>Extraction of information from the GP record</p>
<p>6) Right to Object</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>7) Retention period of the data (or criteria used to determine the retention period)</p>	<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 see –</p> <p>https://www.royalgreenwich.gov.uk/info/200169/data_protection/4/our_data_protection_privacy_notice</p> <p>https://www.bexley.gov.uk/services/privacy-notice</p>
<p>8) Right to access and correct</p>	<p>The Patient or legal representatives has 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>9) The right to lodge a complaint with a supervisory authority</p>	<p>Yes:</p> <p>You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>
<p>10) Further information</p>	<p>https://www.england.nhs.uk/ourwork/safeguarding/</p> <p>https://www.royalgreenwich.gov.uk</p>

	https://www.bexley.gov.uk
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Other Third Parties (solicitors, employers, insurance companies, department of work and pensions etc.)

<p>Third parties involved with patients often contact the practice to request medical information related to an ongoing process that they are involved in with the patient. Examples include, solicitor's acting on behalf of the patient on a legal issue, employers asking for medical information if the patient has been off work for a prolonged period or requires adaptations at work. Insurance companies requesting background medical information in order for them to make a decision on life insurance premiums. The department of work and pensions asking for background medical information for Employment and Support Allowance (ESA) and Personal Independence Payments (PIP) assessments. This is not an exhaustive list, but the same principle applies to all of these issues, we only disclose such medical information with explicit patient consent. Normally this is obtained by the relevant third party. But occasionally we may want to do this or confirm the consent if not clear.</p>	
<p><i>Data controller</i> Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p>Data processor: <i>Data Protection Officer:</i> Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
<p>1) <i>purpose of the processing</i></p>	<p>To enable healthcare professionals working in TMA to provide information to other third parties such as solicitors, insurance companies etc. on behalf of their patient with their consent</p>
<p>2) <i>lawful basis for the processing</i></p>	<p>The processing of personal data in the delivery of third party administrative purposes in this surgery is supported under the following Article 6 and 9 conditions of the GDPR: Article 6(1)(e) Official Authority Article 9(2)(h) Provision of Health Article 9(2)(a) – Explicit Consent</p>
<p>3) <i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>The requesting organisation</p>
<p>4) <i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2° uses) • COPI Regulations 2002 (e.g. Reg 5 - "s251") • "overriding public interest" (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Consent (explicit)</p> <p>This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.</p>
<p>5) <i>Is this:</i></p> <ul style="list-style-type: none"> • Access to your GP record 	<p>Extraction of information from the GP record</p>

<ul style="list-style-type: none"> • <i>Extraction of information from your GP record</i> • <i>Access to data held about you by another data controller</i> 	
6) <i>The right to withdraw consent at any time, where relevant</i>	Yes – at any time
7) <i>Retention period of the data (or criteria used to determine the retention period)</i>	Data retained in line with the third party organisation's policies on storing identifiable data
8) <i>Right to access and correct</i>	The Patient or legal representatives has 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.
9) <i>The right to lodge a complaint with a supervisory authority</i>	<p>Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>
10) <i>Further information</i>	<p>This covers information provided to third party organisations such as solicitors (e.g. personal injury claims), insurance companies (e.g. life assurance), employers, etc.</p> <p>The explicit consent of patients must be obtained and demonstrable before the release of any such information.</p>

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EMIS Health Ltd – (our electronic GP records database)

All information about patients, both clinical and demographic are recorded and received in their GP electronic record.

The majority of information recorded arises from consultations (face to face, telephone, etc.) with the patient.

It includes data added to the record directly (typed), added electronically (e.g. results), as well as letters and other documents that are scanned, or photographs that are taken, and subsequently added to the record.

TMA records such information in line with Article 5 of the GDPR:

- *“adequate, relevant and limited to what is necessary”*
- *“accurate and, where necessary, kept up to date”*
- *“processed in a manner that ensures appropriate security of the personal data”*

There are no written records used anymore for this purpose. We are able to add consultations, prescribe, scan on external documents all within this electronic patient record. That information is then available to others with a legitimate relationship to the patient in and outside the practice. (see multiple other privacy notices). The electronic system also has our appointment systems and also allows patients to book appointments online, access their medical records and order repeat prescriptions online.

The NHS system of choice gives GP practices the choice of several GP electronic records that can be used. The practice uses EMIS Web from EMIS Health Ltd. The biggest GP IT provider in the UK. EMIS Health Ltd acts as the data processor for this, hosting the patient records database at their secure servers in Leeds. The practice accesses the records on this hosted system via the secure NHS N3 broadband. The practice staff access the system with use of smart cards, pins and passwords.

The *“right to erasure”* does **not** apply to the keeping of electronic GP records in this way as:

- processing is necessary in the exercise of official authority
Article 6(1)(e)
- processing is necessary for the provision of health or social care
Article 9(2)(h)

Data Processor: Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org	Data Protection Officer: Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008
1) Purpose of the processing	To record all relevant information about our patients (the data subjects) within their GP electronic record
2) Lawful basis for the processing	The processing of personal data in the delivery of via EMIS is supported under the following Article 6 and 9 conditions of the GDPR: Article 6(1)(e) Official Authority Article 9(2)(h) Provision of Health
3) The recipient(s), or categories of recipients, of your personal data	EMIS Health Ltd.
4) How does this comply with the Common Law Duty of Confidentiality?	Consent (implied) By joining the practice you accept we have to document clinical contacts and clinical information

<ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2° uses) • COPI Regulations 2002 (e.g. Reg 5 - "s251") • "overriding public interest" (to safeguard you or another person) • legal obligation (e.g. court order) 	regarding you, and this is the way we do it
<p>5) Is this:</p> <ul style="list-style-type: none"> • Access to your GP record • Extraction of information from your GP record • Access to data held about you by another data controller 	Access to the GP record
6) Right to object	<p>The patient can express an objection to the storing of certain data within their record.</p> <p>Article 6(1)(e) gives the data subject the right to object.</p> <p>The right to rectification.</p> <p>The right of access.</p>
7) Retention period of the data (or criteria used to determine the retention period)	<p>Standard NHS data retention policy: GP records are retained for 10 years after patient death except –</p> <p>If a new provider requests the records, these are transferred to the new provider to continue care. If no request to transfer:</p> <ol style="list-style-type: none"> 1. Where the patient does not come back to the practice and the records are not transferred to a new provider the record must be retained for 100 years unless it is known that they have emigrated 2. Where a patient is known to have emigrated, records may be reviewed and destroyed after 10 years 3. If the patient comes back within the 100 years, the retention reverts to 10 years after death. <p>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</p>
8) Right to access and correct	The Patient or legal representatives has 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.
9) The right to lodge a complaint with a supervisory authority	<p>Yes:</p> <p>You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate)</p>

	<p>or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>
10)Further information	<ul style="list-style-type: none"> • https://www.emishealth.com/products/emis-web

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Docman Ltd - (our electronic document viewer)

<p>Docman is an NHS endorsed cloud based software that links to EMIS Web (our GP electronic record) and allows us to workflow and store clinical and administrative documents within the practice. Its is provided by Docman Ltd. These documents can be viewed via EMIS and also seen by patients that have access to their medical records. It also allows us to receive clinical documents from other local NHS provide i.e. Lewisham and Greenwich NHS Trust, electronically rather the hard copy post. The practice accesses the records on this hosted system via the secure NHS N3 broadband. The practice staffs accesses the system with use of smart cards, pins and passwords.</p>	
<p><i>Data Controller:</i> Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i> Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
1) Purpose of the processing	To enable TMA to digitise all correspondence, and receive digital information, about patients
2) lawful basis for the processing	<p>The processing of personal data in the delivery of via Docman Ltd is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p>Article 6(1)(e) Official Authority Article 9(2)(h) Provision of Health</p>
3) The recipient(s), or categories of recipients, of your personal data	Docman Ltd
<p>4) How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> Consent <ul style="list-style-type: none"> Implied (e.g. direct care) Explicit (e.g. 2^o uses) COPI Regulations 2002 (e.g. Reg 5 - "s251") "overriding public interest" (to safeguard you or another person) legal obligation (e.g. court order) 	<p>Consent (implied)</p> <p>By joining the practice you accept we have to store and view clinical documents regarding you, and this is the way we do it</p>
<p>5) Is this:</p> <ul style="list-style-type: none"> Access to your GP record Extraction of information from your GP record Access to data held about you by another data controller 	Access to the GP record
6) Right to Object	<p>The patient can express an objection to the storing of certain data within their record. Article 6(1)(e) gives the data subject the right to object. The right to rectification. The right of access.</p> <p>Right related to the processing of information via Docman include the right to access and the right to rectification, as all such information ultimately becomes part of the electronic GP record (see EMIS Health Ltd)</p>

<p>7) Retention period of the data (or criteria used to determine the retention period)</p>	<p>All data held by Docman on our behalf is retained in line with NHS data retention practices –</p> <p>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</p>
<p>8) Right to access and correct</p>	<p>The Patient or legal representatives has 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>9) The right to lodge a complaint with a supervisory authority</p>	<p>Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>
<p>10) Further information</p>	<p>https://www.docman.com/docman10/</p>

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Payments and Quality Monitoring

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. These amount paid per patient per quarter varies according to the age, sex and other demographic details for each patient. This data is extracted automatically via an IT system called Open Exeter that is run by NHS Digital.

NHS Digital is the secure haven for NHS patient data, a single secure repository where data collected from all branches of the NHS is processed. NHS Digital provides reports on the performance of the NHS, statistical information, audits and patient outcomes as well as patient level clinical IT platforms.

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 on Saturdays. Practices can also receive payments for certain national initiatives such as immunisation programs. These payments are transacted through an IT system called Calculating Quality Reporting Service (CQRS), which is run by NHS Digital. This data is extracted automatically from the GP clinical systems.

Practices may also receive income relating to a variety of non-patient related elements such as premises. Finally there are short term initiatives and projects that 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. Often these payments are validated by manual written returns directly to the commissioners of our services i.e. Clinical Commissioning Groups, NHS England Royal Borough of Greenwich.

In order to make patient based payments basic and relevant necessary data about you needs to be sent to the various payment services.

Often these payment systems have the dual function of also allowing us to monitor the quality of care we are providing. Also in the NHS in South East London a system called Quality Medical Systems (QMS) is used to extract childhood immunisation data for NHS Public Health England and to allow practices to monitor their performance.

<p><i>Data Controller</i></p> <p>Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i></p> <p>Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
<p><i>1) Purpose of the processing</i></p>	<p>To enable TMA to pass basic demographic data and clinical data to commissioners to aid payments to the practice to ensure we are able to provide a service. To use similar data for the practice to monitor its clinical performance and improve care.</p>
<p><i>2) Lawful basis for the processing</i></p>	<p>The processing of personal data in the delivery payment validation and quality monitoring is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p>Article 6(1)(e) Official Authority Article 6(1)(c) Legal Obligation</p>

	Article 9(2)(h) Provision of Health
3) The recipient(s), or categories of recipients, of your personal data	NHS Digital (for Open Exeter and CQRS) QMS (for Childhood immunisation data) Commissioners of our services i.e. Greenwich Clinical Commissioning Group, NHS England, Royal Borough of Greenwich.
4) How does this comply with the Common Law Duty of Confidentiality? <ul style="list-style-type: none"> Consent <ul style="list-style-type: none"> Implied (e.g. direct care) Explicit (e.g. 2° uses) COPI Regulations 2002 (e.g. Reg 5 - "s251") "overriding public interest" (to safeguard you or another person) legal obligation (e.g. court order) 	Legal Obligation Under the NHS Act 2006 and Health and Social Care Act 2012 Consent (implied) By joining the practice you accept we have to use your data in order to paid for the work we do and for us to monitor the quality of our services and we use several data processors to aid this process.
5) Is this: <ul style="list-style-type: none"> Access to your GP record Extraction of information from your GP record Access to data held about you by another data controller 	Extraction of information from your GP record.
6) Right to object	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
7) Retention period of the data (or criteria used to determine the retention period)	All data retained by data processors above is in line with NHS data retention practices – 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
8) Right to access and correct	The Patient or legal representatives has 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
<i>9) The right to lodge a complaint with a supervisory authority</i>	<p>Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>
<i>10) Further information</i>	<p>https://digital.nhs.uk/services/nhais/open-exeter</p> <p>https://digital.nhs.uk/services/calculating-quality-reporting-service</p> <p>http://www.qms-uk.com/products/practicefocusimmunisation/</p> <ul style="list-style-type: none"> •

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Greenwich Health Ltd/Riverside Health LLP (GP Federations)

There is an increasing policy drive by the government for individual GP practices to work together to provide clinical services at scale and to share back office functions. The intended benefits being sharing best practice and standardising of processes, providing clinical services that individual practices may not be able to provide by themselves and improve long term sustainability of GP practices. The overall intention is to improve patient care. These grouping of practices working together are called GP Federations. They can have several different types of organisational structures.

In Greenwich, all GP practices are part of a GP federation called Greenwich Health Ltd. This is a Greenwich wide organisation. Acknowledging that patients' needs vary across Greenwich. There are 4 sub divisions of Greenwich Health that are locality based. TMA is part of one of these sub divisions called Riverside Health LLP. This is made up of several practices in Woolwich, Plumstead and Thamesmead.

Greenwich Health is already providing pan –Greenwich services such as the aforementioned GP access hub and Livewell hubs. In addition they are aiding individual practices in their plans for re-calling and inviting patients for flu jabs during the autumn and winter months. They will have access to our clinical system, to aid inviting patients in and booking patients into flu clinic. This extra capacity is intended to help practices reach their flu targets hence reducing severe flu in our patients.

Riverside LLP has more local support for practices. This includes a business intelligence module using software designed by AT medics that allows us to check our performance on various clinical indicators i.e. diabetes care indicators, against local other practices and predicting end of year performance. This is an automatic extraction of clinical data from our IT systems, but this data is aggregated and not patient identifiable.

<p><i>Data Controller</i></p> <p>Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i></p> <p>Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
<p><i>1) Purpose of the processing</i></p>	<p>To enable TMA to pass basic demographic data and clinical data to Greenwich Health Ltd and Riverside LLP in order to provide direct clinical care ((i.e. flu vaccinations) and for us to monitor the quality of our services.</p>
<p><i>2) Lawful basis for the processing</i></p>	<p>The processing of personal data in the delivery direct clinical care and quality monitoring is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p>Article 6(1)(e) Official Authority Article 9(2)(h) Provision of Health</p>
<p><i>3) The recipient(s), or categories of recipients, of your personal data</i></p>	<p>Greenwich Health Ltd (for flu vaccination recall)</p> <p>Riverview Health LLP (for the Business intelligence module)</p>

<p>4) How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2^o uses) • COPI Regulations 2002 (e.g. Reg 5 - "s251") • "overriding public interest" (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Consent (implied)</p> <p>By joining the practice you accept we have to use your data in order to provide direct clinical care and for us to monitor the quality of our services and we use several data processors to aid this process.</p>
<p>5) Is this:</p> <ul style="list-style-type: none"> • Access to your GP record • Extraction of information from your GP record • Access to data held about you by another data controller 	<p>Extraction of information from your GP record.</p>
<p>6) Right to object</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>7) Retention period of the data (or criteria used to determine the retention period)</p>	<p>All data retained by data processors above is in line with NHS data retention practices –</p> <p>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</p>
<p>8) Right to access and correct</p>	<p>The Patient or legal representatives has 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>9) The right to lodge a complaint with a supervisory authority</p>	<p>Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

10) Further information	http://www.greenwich-health.com

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Electronic Prescription Service (EPS)

EPS is an electronic system run by NHS digital that links GPs practices to community pharmacists and allows GP practices to send prescriptions electronically to a nominated pharmacist chosen by the patient. This electronic prescription can be initiated as a one off in a GP or nurse consultation or be a long term repeat prescription ordered by the patient.

Consent to “nominate” a pharmacist to receive electronic prescriptions can be obtained by either a pharmacy or the GP surgery. Nominations can be changed at any time; if patient wants normal paper prescriptions they can request this also.

Where the prescription cannot be sent by EPS (e.g. a Controlled Drug), the nomination allows the pharmacist to collect the printed FP10 prescription from the surgery. See privacy note – pharmacy collection of FP10s.

<p><i>Data Controller</i></p> <p>Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i></p> <p>Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
<p><i>1) Purpose of the processing</i></p>	<p>To enable the electronic transmission of prescriptions to community pharmacies</p>
<p><i>2) Lawful basis for the processing</i></p>	<p>The processing of personal data in the delivery of EPS is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p>Article 6(1)(e) Official Authority Article 9(2)(h) Provision of Health</p>
<p><i>3) The recipient(s), or categories of recipients, of your personal data</i></p>	<p>Community pharmacists providing direct medical care to the data subject</p>
<p><i>4) How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2^o uses) • COPI Regulations 2002 (e.g. Reg 5 - “s251”) • “overriding public interest” (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Consent (explicit)</p> <p>Verbal consent will be needed, and nomination will be recorded on the medical records medication screen.</p>
<p><i>5) Is this:</i></p> <ul style="list-style-type: none"> • Access to your GP record • Extraction of information from your GP record • Access to data held about you by another data controller 	<p>Extraction of information from the GP record</p>

6) <i>Right to object</i>	Article 6(1)(e) gives the data subject the right to object. The source of the information shared in this way is your electronic GP record, and you have rights directly related to that (see EMIS Health – EMIS Web).
7) <i>Retention period of the data (or criteria used to determine the retention period)</i>	All data is recorded on EMIS Web on the GP record and the pharmacy's electronic system in line with NHS data retention practices – 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
8) <i>Right to access and correct</i>	The Patient or legal representatives has 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
9) <i>The right to lodge a complaint with a supervisory authority</i>	Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)
10) <i>Further information</i>	https://www.nhs.uk/using-the-nhs/nhs-services/pharmacies/electronic-prescription-service/

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Pharmacy Ordering, Collection and Dispensing of Prescriptions)

This privacy notice covers situations where a patient nominates a local community pharmacy (or other online or delivery or specialist pharmacist service) to :

- Order the repeat or one off medications on behalf of the patient when due
- Collect the prescription directly from the surgery, or
- For the surgery to post or electronically send the prescription to the relevant service/pharmacy
- Then the prescription will be available for the patient for collection or delivery.

The GP practice will always check that any prescription requests either form the patient themselves or nominated agent is timely and appropriate as per practice repeat prescribing policies.

<p><i>Data Controller</i></p> <p>Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i></p> <p>Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
<p><i>1) Purpose of the processing</i></p>	<p>To enable community pharmacies to order and dispense prescriptions from the surgery on behalf of patients</p>
<p><i>2) Lawful basis for the processing</i></p>	<p>The processing of personal data in the delivery of prescription collection is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p>Article 6(1)(e) Official Authority Article 9(2)(h) Provision of Health</p>
<p><i>3) The recipient(s), or categories of recipients, of your personal data</i></p>	<p>Community pharmacists providing direct medical care to the data subject</p>
<p><i>4) How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2^o uses) • COPI Regulations 2002 (e.g. Reg 5 - "s251") • "overriding public interest" (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Consent (explicit) obtained by the relevant pharmacist team.</p>
<p><i>5) Is this:</i></p> <ul style="list-style-type: none"> • Access to your GP record 	<p>Extraction of information from the GP record</p>

<ul style="list-style-type: none"> • <i>Extraction of information from your GP record</i> • <i>Access to data held about you by another data controller</i> 	
6) <i>Right to object</i>	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
7) <i>Retention period of the data (or criteria used to determine the retention period)</i>	<p>All data is recorded on EMIS Web on the GP record and the pharmacy's electronic system in line with NHS data retention practices –</p> <p>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</p>
8) <i>Right to access and correct</i>	The Patient or legal representatives has 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
9) <i>The right to lodge a complaint with a supervisory authority</i>	<p>Yes:</p> <p>You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

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Research (practice based – explicitly consented)

<p>This covers research situations where the data controller (TMA) is approached by research organisations, directly, to recruit patients for studies. These may be nationally accredited NHS organisations or private groups or charities.</p> <p>Any research proposal will only be agreed with a clearly defined protocol, consent mechanisms, and relevant research ethics committee approval, and in line with the principles of Article 89(1) of the EU GDPR.</p> <p>Research organisations do not approach patients directly, rather TMA will invite appropriate patients directly seeking their wish to take part.</p> <p>.</p>	
<p><i>Data Controller</i></p> <p>Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i></p> <p>Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
<p>1) <i>Purpose of the processing</i></p>	<p>To enable healthcare professionals working in TMA to provide information, derived from GP records, about individuals to accredited research organisations</p> <p>Sensitive data (health)</p>
<p>2) <i>Lawful basis for the processing</i></p>	<p>The processing of personal data in the delivery of research is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p>Article 6(1)(e) Official Authority Article 9(2)(j) – Research Purposes</p>
<p>3) <i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>Accredited research organisations</p>
<p>4) <i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> • <i>Consent</i> <ul style="list-style-type: none"> ○ <i>Implied (e.g. direct care)</i> ○ <i>Explicit (e.g. 2^o uses)</i> • <i>COPI Regulations 2002 (e.g. Reg 5 - “s251”)</i> • <i>“overriding public interest” (to safeguard you or another person)</i> • <i>legal obligation (e.g. court order)</i> 	<p>Consent (explicit)</p> <p>This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.</p>
<p>5) <i>Is this:</i></p> <ul style="list-style-type: none"> • <i>Access to your GP record</i> • <i>Extraction of information</i> 	<p>Extraction of information from the GP record</p>

<p><i>from your GP record</i></p> <ul style="list-style-type: none"> • <i>Access to data held about you by another data controller</i> 	<p>and/or</p> <p>Access to the GP record</p>
<p>6) <i>Right to object</i></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>7) <i>Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>Data retained in line with the research organisation's policies on storing identifiable data Retention periods will be defined in the research protocol</p>
<p>8) <i>Right to access and correct</i></p>	<p>The Patient or legal representatives has 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>9) <i>The right to lodge a complaint with a supervisory authority</i></p>	<p>Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

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<p>Patients above the age of 16 are able to use an online service called Patient Access (run by EMIS health Ltd) to book or cancel appointments online with a GP, order repeat prescriptions online view parts of your GP record, including information about medication, allergies, vaccinations, previous illnesses and test results view clinical correspondence such as hospital letters.</p> <p>The service is free and available to everyone who is registered with us. Patients can access this service via their website or app, which links to the practice EMIS system.</p> <p>Activation of patient online for any given patient is only performed with the consent of the patient (or legal representative). This can be done at the practice reception, as a specific form needs to be filled in a proof of ID is needed.</p>	
<p>Data Controller</p> <p>Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i></p> <p>Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
1) <i>Purpose of the processing</i>	To enable patients to securely access their GP record online and be able to book appointments, request repeat medication and view (read-only) their medical information.
2) <i>Lawful basis for the processing</i>	<p>The processing of personal data in the delivery of online services is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p>Article 6(1)(e) Official Authority Article 9(2)(h) Provision of Health</p>
3) <i>The recipient(s), or categories of recipients, of your personal data</i>	The data subject (you)
<p>4) <i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> Consent <ul style="list-style-type: none"> Implied (e.g. direct care) Explicit (e.g. 2^o uses) COPI Regulations 2002 (e.g. Reg 5 - "s251") "overriding public interest" (to safeguard you or another person) legal obligation (e.g. court order) 	<p>Consent (explicit)</p> <p>This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.</p>
<p>5) <i>Is this:</i></p> <ul style="list-style-type: none"> Access to your GP record Extraction of information from your GP record Access to data held about you by another data controller 	Access to the GP record
6) <i>Right to object</i>	You have the right to object to some or all the

	<p>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>The source of the information shared in this way is your electronic GP record, and you have rights directly related to that (see EMIS Health Ltd privacy note).</p>
<i>7) Retention period of the data</i>	As per EMIS Health Ltd privacy notice
<i>8) Right to access and correct</i>	The Patient or legal representatives has 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
<i>9) The right to lodge a complaint with a supervisory authority</i>	<p>Yes:</p> <p>You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>
<i>10) Further information</i>	<p>https://www.nhs.uk/nhsengland/aboutnhs-services/doctors/pages/gp-online-services.aspx</p> <p>https://patient.emisaccess.co.uk</p>

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Text Messages

The practice uses an NHS endorsed company called Iplato (<https://www.iplato.net/pcm4gp/>) in order to run this 2 way text messaging services

The majority of text messages are automatically generated to remind patients of forthcoming surgery appointments that they have booked. Patients can cancel appointments by return text.

Other uses include inviting eligible patients to attend for flu clinics or annual reviews (e.g. asthma, COPD) or in emergencies when surgeries have to be cancelled at short notice.

In addition the service is used to gain feedback on the services we provide via the nationally mandated Friends and Family Test - see the Friends and Family Test (FTT) Privacy Notice.

In addition NHS London is currently using the service in order to remind women of cervical screening reviews, in order to improve screening uptake. See National Screening Programmes – Public Health Privacy Notice.

We do not use text messages for any form of direct marketing.

All text messages are for direct medical care purposes only.

We will record and action any such objection accordingly, ensuring no text messages are sent to you.

<i>Data Controller</i> Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org	<i>Data Protection Officer:</i> Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008
<i>1) Purpose of the processing</i>	To enable staff at TMA to communicate with patients via text
<i>2) Lawful basis for the processing</i>	The processing of personal data in the delivery of text messaging services is supported under the following Article 6 and 9 conditions of the GDPR: Article 6(1)(e) Official Authority Article 9(2)(h) Provision of Health
<i>3) The recipient(s), or categories of recipients, of your personal data</i>	The data subject (you), iplato and TMA
<i>4) How does this comply with the Common Law Duty of Confidentiality?</i> <ul style="list-style-type: none">• Consent<ul style="list-style-type: none">○ Implied (e.g. direct care)○ Explicit (e.g. 2^o uses)• COPI Regulations 2002 (e.g. Reg 5 - "s251")• "overriding public interest" (to safeguard you or another person)• legal obligation (e.g. court order)	Implied consent (direct care) But patients are able to opt out by speaking to reception
<i>5) Is this:</i>	

<ul style="list-style-type: none"> • <i>Access to your GP record</i> • <i>Extraction of information from your GP record</i> • <i>Access to data held about you by another data controller</i> 	Extraction of information from your GP record
6) <i>Right to object</i>	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
7) <i>Retention period of the data (or criteria used to determine the retention period)</i>	As per the EMIS Health Ltd privacy notice
8) <i>Right to access and correct</i>	The Patient or legal representatives has 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
9) <i>The right to lodge a complaint with a supervisory authority</i>	<p>Yes:</p> <p>You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

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Email Messages (medical purposes)

Patients are free to provide TMA with their email address. We ask all newly registered patients for their email, those patients signing up for online services and adhoc.

Currently email is being used to invite eligible patients to attend for flu clinics or annual reviews (e.g. asthma, COPD) or in emergencies when surgeries have to be cancelled at short notice.

We will only use the email address that you provide for direct medical care purposes. We do not use email for direct marketing.

The practice will use the encrypted national NHS mail exchange system to send emails.

(<https://digital.nhs.uk/services/nhsmail>)

At any time you can ask the surgery to remove your email address from your GP record. We will honour any such objection.

<p><i>Data purpose</i></p> <p>Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i></p> <p>Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
<p><i>1) Purpose of the processing</i></p>	<p>To enable staff at TMA to communicate with patients via email</p>
<p><i>2) lawful basis for the processing</i></p>	<p>The processing of personal data in the delivery of email communication services is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p>Article 6(1)(e) Official Authority Article 9(2)(h) Provision of Health</p>
<p><i>3) The recipient(s), or categories of recipients, of your personal data</i></p>	<p>The data subject (you)</p>
<p><i>4) How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2^o uses) • COPI Regulations 2002 (e.g. Reg 5 - "s251") • "overriding public interest" (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Consent (explicit)</p> <p>Practice staff will explicitly verbally ask you for this information and explain the reasons why we use this information.</p>
<p><i>5)Is this:</i></p> <ul style="list-style-type: none"> • Access to your GP record • Extraction of information from your GP record • Access to data held about you 	<p>Extraction of information from your GP record</p>

<i>by another data controller</i>	
<i>6) Right to object</i>	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
<i>7) Retention period of the data (or criteria used to determine the retention period)</i>	As per the EMIS Health Ltd privacy notice
<i>8) Right to access and correct</i>	The Patient or legal representatives has 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
<i>9) The right to lodge a complaint with a supervisory authority</i>	<p>Yes:</p> <p>You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

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Staff Members personal data

As employers we need to keep certain information so that we can remain as an employer and manage payments. This is a combination of personal and financial information. We are required by law to hold certain types of data on those we employ under the Health and Social Care Act 2008 and this data is examined during CQC inspection visits. See – <https://www.cqc.org.uk/guidance-providers/regulations-enforcement/regulation-19-fit-proper-persons-employed#guidance>

We are also required under the Health and Social Care Act 2012 to share information about you with NHS Digital under a submission known as the “Workforce Minimum Dataset”. To find out more visit <https://digital.nhs.uk/data-and-information/areas-of-interest/workforce/workforce-minimum-data-set-wmds>

We are also required by HMRC and various taxation laws, such as “The Income Tax (Pay As You Earn) Regulations 2003” to keep financial records – see <https://www.legislation.gov.uk/ukxi/2003/2682/contents/made>

<p><i>Data Controller</i></p> <p>Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i></p> <p>Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
1) <i>Purpose of the processing</i>	To comply with the Health and Social Care Act 2008 and taxation law.
2) <i>Lawful basis for the processing</i>	<p>The processing of personal data in the relation to staff members personal data is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p style="padding-left: 40px;">Article 6(1)(c) Legal Obligation Article 9(2)(h) Provision of Health</p>
3) <i>The recipient(s), or categories of recipients, of your personal data</i>	CQC, HMRC, NHS Digital
<p>4) <i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2^o uses) • COPI Regulations 2002 (e.g. Reg 5 - “s251”) • “overriding public interest” (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Legal obligation</p> <p>This means that we are compelled by law to share your data in this way</p> <p>This will be in relation to the relevant Legal Laws as mentioned above.</p>
<p>5) <i>Is this:</i></p> <ul style="list-style-type: none"> • Access to your GP record • Extraction of information from your GP record • Access to data held about you by another data controller 	<p>N/A</p> <p>Staff records</p>

<p><i>6) Right to object</i></p>	<p>You have the right to object to some or all of the information being shared with CQC. Contact the Data Controller or the practice. There is no right to have UK taxation related data deleted except after certain statutory periods. There is no right to be exempt from the workforce minimum dataset</p>
<p><i>7) Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>The data will be retained for active use during the processing and thereafter according to NHS Policies, taxation and employment law.</p>
<p><i>8) Right to access and correct</i></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 records deleted except when ordered by a court of Law.</p>
<p><i>9) The right to lodge a complaint with a supervisory authority</i></p>	<p>Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate) There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

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Medical Defence Organisations

Sometimes when a patient is unhappy with the care they have received from the GP surgery and resolution has not been able to be achieved through the normal complaints procedure. A patient may proceed to formal legal proceeding against the individual GP or practice i.e. makes a claim for financial compensation. They will instruct solicitors to act on their behalf and contact the GP and practice in question. They make a request for information prior to making a claim in order for themselves to establish the facts; this is covered by the “other third parties” privacy notice. The GP will then instruct solicitors from their Medical Defence Organization to defend them in the proceedings. By the very nature of the proceeding this will lead to sharing of patient information on both sides in order for the case to be processed.

In addition, when a clinician comes across a case or clinical contact that raises ethical or legal issues, they may want to get expert medico-legal advice. When seeking medicolegal advice from defence organisations (i.e. not formal or likely legal proceedings as such) then information from an individual’s record may be disclosed to the supporting organisation. That information will be:

- ☐ Relevant (i.e. not the entire GP record)
- ☐ Anonymised or de-identified

Schedule 2 Paragraph 5 of the forthcoming Data Protection Bill 2018 states:

Information required to be disclosed by law etc. or in connection with legal proceedings -
5(3)

The listed GDPR provisions do not apply to personal data where disclosure of the data is necessary
(a) for the purpose of, or in connection with, legal proceedings (including prospective legal proceedings), or

(b) for the purpose of obtaining legal advice or otherwise establishing, exercising or defending legal rights to the extent that the application of those provisions would prevent the controller from making the disclosure.

<p>Data Controller</p> <p>Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i></p> <p>Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
<p>1) <i>Purpose of the processing</i></p>	<p>Disclosure of information from a patient’s record to a medical defence organisation in the event of actual or possible legal proceedings.</p>
<p>2) <i>Lawful basis for the processing</i></p>	<p>Lawful bases: Legal obligation outside GDPR</p>
<p>3) <i>The recipient(s), or categories of recipients, of</i></p>	<p>Medical Defence Organisations</p>

your personal data	
<p>4) How does this comply with the Common Law Duty of Confidentiality?</p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2^o uses) • COPI Regulations 2002 (e.g. Reg 5 - "s251") • "overriding public interest" (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Legal Obligation See above regarding the Data Protection bill 2018</p> <p>In most cases the legal proceedings will be instigated by the index patient hence they will be aware of the disclosure and understand it will be part of the proceedings.</p>
<p>5) Is this:</p> <ul style="list-style-type: none"> • Access to your GP record • Extraction of information from your GP record • Access to data held about you by another data controller 	<p>Extraction of information from your GP record</p>
6) Right to object	<p>Not applicable under GDPR. But if any concerns the patient or representative can contact the practice data protection officer.</p>
7) Retention period of the data (or criteria used to determine the retention period)	<p>Usually 10 years for legal proceedings Please see privacy notices for individual medical defence organisations.</p>
8) Right to access and correct	<p>The Patient or legal representatives has 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>
9) The right to lodge a complaint with a supervisory authority	<p>Yes: You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

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Complaints

When a complaint from a patient is received by the practice, discussion takes place between practice staff, and the patient, to try to resolve the complaint. See the practice complaints procedure.

Any such communication (emails, letters, faxes) is stored in a hard copy (i.e. emails are printed) and *separately* from the GP patient record.

Any communication made by email is processed in line with our email data retention policy (deleted after 1 calendar month).

All correspondence relating to the complaint is then stored securely in a file for 10 years, when it is destroyed.

<p>Data Controller</p> <p>Thamesmead Medical Associates Bentham Road London SE28 8BE 02083335000 http://www.thamesmeadmedical.org</p>	<p><i>Data Protection Officer:</i></p> <p>Giuseppe Ofori Giuseppe.Ofori@nhs.net 02083335008</p>
1) <i>Purpose of the processing</i>	Storage of communication following a complaint about care received at the practice. 
2) <i>Lawful basis for the processing</i>	<p>The processing of personal data in a complaints procedure is supported under the following Article 6 and 9 conditions of the GDPR:</p> <p>Article 6(1)(e) Official Authority Article 9(2)(h) Provision of Health</p>
3) <i>The recipient(s), or categories of recipients, of your personal data</i>	The data subject (you) and those staff involved in the complaint
<p>4) <i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> Consent <ul style="list-style-type: none"> Implied (e.g. direct care) Explicit (e.g. 2^o uses) COPI Regulations 2002 (e.g. Reg 5 - "s251") "overriding public interest" (to safeguard you or another person) legal obligation (e.g. court order) 	<p>Consent (implied)</p> <p>This means that it would be reasonable to infer that you agree to the use of the information as long as:</p> <p style="text-align: center;">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</p>

	<p>purpose</p> <p>Information is readily available to you, explaining how your information will be used and that you have the right to object</p> <p>We have no reason to believe that you have objected ,We are satisfied that anyone we disclose personal information to understands that we are giving it to them in confidence, which they must respect</p>
<p>5) Is this:</p> <ul style="list-style-type: none"> • Access to your GP record • Extraction of information from your GP record • Access to data held about you by another data controller 	<p>Extraction from your GP record.</p>
<p>6) Right to object</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>7)Retention period of the data (or criteria used to determine the retention period)</p>	<p>10 years following resolution of the complaint.</p>
<p>8) Right to access and correct</p>	<p>The Patient or legal representatives has 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>9) The right to lodge a complaint with a supervisory authority</p>	<p>Yes:</p> <p>You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/ or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 700 (national rate)</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website)</p>

The Right to Object

Like all other healthcare organisations, Thamesmead Medical Associates relies upon Article 6(1)(e) – Official Authority - of the GDPR as the most common legal basis by which to process personal data.

Accordingly, patients (the data subjects) have the right to express a “right to object” to the processing of information that relies upon that Article as the legal basis.

In many cases – such as the Summary Care Record and Connect Care Record – a simple and straightforward mechanism already exists by which patients can object to, i.e. prohibit, the processing of their data in this way.

For many data processing purposes, whilst we rely upon Article 6(1)(e), we nevertheless ask for, and record, your explicit consent before we share or access your data. If you do not consent, we do not process your data.

At any time after, however, you have the right to object and request that we cease processing your data in that way.

Individuals must have an objection on “grounds relating to his or her particular situation”.

We will always look carefully at any such “right to object” request, and if we can accommodate it, we will. In some cases, however, we will not be able to – for example, we cannot realistically uphold a right to object to the electronic storage of your GP record, or the conversion of any paper records to electronic records and the receipt of electronic communication from hospital trusts. To do so would put the surgery in a position where it could not safely provide you with medical care.

If you do wish to express the right to object to a particular data processing function, then please do contact the Data Protection Officer at the surgery

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The Right to Access and the Right to Rectification

You have the right to access your personal data – that is, your electronic GP record. See the TMA Subject Access Request Policy

The GDPR includes a right for individuals to have inaccurate personal data rectified, or completed if it is incomplete. This applies to your electronic GP record.

The Data Protection Act states that personal data is inaccurate if it is incorrect or misleading as to any matter of fact.

If you believe that entries within your GP record are inaccurate, incorrect or misleading then please do let us know. You can make a request for rectification in writing to our Data Protection Officer.

You may wish to discuss the relevant entry with your GP first, but you do not have to.

We will assess your concerns and respond to your request within one calendar month.

It may be the case that we cannot “delete” the relevant record or entry, because it is important that the entry, assessment or medical opinion be retained so that there is an understanding and explanation of subsequent events (such as how you were treated, or what further tests were organised) in your medical history.

Where we are not able to “delete” information, we can add a note to the disputed entry explaining your remaining concerns and we can offer you the option of adding an addendum of your own.

Please be aware that an alteration to an electronic record, or deletion of an entry in it, is always preserved (together with the original entry) as part of the electronic audit trail.

If you remain dissatisfied with the outcome of your request then you can follow our standard NHS complaints procedure, or approach the Information Commissioner’s Office directly.

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