

How we use your information

Who we are and what we do

We use patient information to enable us to support our practices as the GP federation for BNSSG, and systems partners within the ICS to better understand how patients use services and the care and treatment required, so we can ensure the high-quality safe care provided is both as equitable and effective as possible.

This Privacy Notice sets out how we use this information in the best possible way. For specific uses, data sources and the legal basis for data processing, see our uses of information.

This notice summarises how we use your information.

It is part of how we ensure we are open and transparent how we collect and use information about you. It covers information we collect directly from you or receive from other individuals or organisations.

We will keep our privacy notice under regular review. This privacy notice was last reviewed in October 2022.

You can contact us if you have any questions or concerns about how we use your information.

Personal information we collect and hold

We do not routinely hold or have access to your medical records. However, we may need to hold some personal information about you, for example:

- As part of the services we provide to our practices, ICB and other system partners within the ICS, we may hold information on you with consent from the associated data controller. This information is only held for the duration of the work being carried out, and then removed from our systems in line with the associated data sharing and processing agreements. One Care, our practices and other system partners review and formally adopt detailed Data Privacy Impact Assessments (DPIA), which lay out how we will process data on their behalf in compliance with the General Data Protection Regulation, as part of signing a contract with us.
- During any visit to our website, the pages you see, along with a short text file called a 'cookie', are downloaded to your computer. Many websites do this, because cookies facilitate useful features such as the ability to identify whether a user has successfully logged into the site, or to find out whether the computer (and probably its user) has visited the website before.
- Some forms on our website also include a check box asking you for permission for us to add you to our mailing list. This is an opt-in mailing list, and your personal information will be used solely by us. **Under no circumstances will your personal information be sold or used by any other organisation.**
- From time to time, we may include links in our e-mails to other web sites we think may be of interest. Each email communication sent by us will have the option to remove your e-mail address from our list.

Our records may include relevant information that you have told us, or information provided on your behalf by GP practices and systems partners we work with. This data may relate to primary care. Primary care data relates to primary care services such as GPs, pharmacists and dentists, including military health services and some specialised services.

Our records may be held on paper or in a computer system. The types of information we collect, and use include:

- **Personal data:** defined in Data Protection Legislation as data or information about a living person, which also identifies that person or allows that person to be identified when combined with other information held by the organisation. Identifying information includes name, address, date of birth, postcode and NHS number.
- **Special category data:** defined in Data Protection Legislation as information about an identifiable individual's: race; ethnic origin; politics; religion; trade union membership; genetics; biometrics; health; sex life; sexual orientation. Criminal offence data will also be included.
- **Confidential information:** including both information 'given in confidence' and 'that which is owed a duty of confidence', this also includes 'special category data' as defined in the Data Protection Legislation.
- **Pseudonymised information:** this is data that has undergone a technical process, which replaces your identifiable information such as NHS number, postcode, date of birth with a unique identifier, which obscures the 'real world' identity of the individual patient to those working with the data.
- **Anonymised information:** this is data rendered into a form that does not identify individuals and where there is little or no risk of identification.
For specific uses, data sources and the legal basis for data processing, see our uses of information.

How do we use your information and what safeguards are in place?

We are committed to protecting your privacy and will only process personal confidential data in accordance with the UK General Data Protection Regulation and Data Protection Act 2018 (Data Protection Legislation).

One Care BNSSG C.I.C is a Data Controller under the terms of the Data Protection Legislation. We are legally responsible for ensuring all personal information we process i.e., hold, obtain, record, use or share about you, is processed in compliance with the Data Protection Principles.

All data controllers must notify the Information Commissioner's Office (ICO) of all personal information processing activities. Our ICO Data Protection Register entry can be found in the Data Protection Register on the Information Commissioner's Office website.

Everyone working for the NHS has a legal duty to keep information about you confidential. The NHS Care Record Guarantee and NHS Constitution provide a commitment that all NHS organisations and those providing care on behalf of the NHS will use records about you in ways that respect your rights and support your health and wellbeing.

If you are receiving services from the NHS, we share information that does not identify you (anonymised) with other NHS and social care partner agencies for the purpose of improving local services, research, audit and public health.

We only share information that identifies you when we have a fair and lawful basis.

This includes:

- for the purposes of the provision of health or social care or treatment or the management of health or social care systems
- when we are lawfully able to, for example in order to carry out our official functions as GP federation and in the public interest
- when we are lawfully required to report certain information to the appropriate authorities e.g., to prevent fraud or a serious crime
- to protect children and vulnerable adults
- you have given us permission

- when a formal court order has been served
- emergency planning reasons such as for protecting the health and safety of others
- when permission is given by the Secretary of State or the Health Research Authority to process confidential information without the explicit consent of individuals.

Where we have a legal basis for sharing and using data without consent, we will do so. This notice informs individuals that their information is shared.

We will only share and use the minimum amount of information necessary to perform our duties. All information we hold about you will be held securely and confidentially.

We use administrative and technical controls to keep information secure including procedures and encryption. Only a limited number of authorised staff have access to information that identifies you, where it is appropriate to their role and is strictly on a need-to-know basis.

All our staff, contractors and committee members receive appropriate and on-going training to ensure they are aware of their personal responsibilities. Our staff have contractual obligations to uphold confidentiality, enforceable through disciplinary procedures.

We will only keep information in accordance with the schedules set out in the Records Management Code of Practice 2021. When appropriate, we will confidentially and securely dispose of information in accordance with the Code of Practice.

Overseas transfers

Your information will not be sent outside of the United Kingdom, where the laws do not protect your privacy to the same extent as the law in the UK. We will never sell any information about you.

What are your rights?

You have the right to privacy and to expect the NHS to keep your information confidential and secure. Under UK GDPR you have specific legal rights. These rights are:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling

Your right to opt out of data sharing and processing

The NHS Constitution states, 'You have a right to request that your personal confidential information is not used beyond your own care and treatment and to have your objections considered'.

Type 1 opt-out

If you do not want personal confidential information that identifies you to be shared outside your GP practice, you can register a 'Type 1 opt-out' with your GP practice. This prevents your personal confidential information from being used except for your direct health care needs and in particular circumstances required by law, such as a public health emergency like an outbreak of a pandemic disease. Patients are only able to register the opt-out at their

GP practice and your records will be identified using a particular code that will stop your records from being shared outside of your GP practice.

National data opt-out

The national data opt-out enables individuals to opt-out from the use of their data for research or planning purposes. Your national data opt-out choice can be viewed or changed at any time by using an online service.

There are some circumstances where there is a legal obligation for us to process your personal confidential information and you will not be able to opt-out. These include:

- to protect children and vulnerable adults
- when a formal court order has been served upon us
- when we are lawfully required to report certain information to the appropriate authorities e.g., to prevent fraud or a serious crime
- emergency planning reasons such as for protecting the health and safety of others
- when permission is given by the Secretary of State or the Health Research Authority to process confidential information without the explicit consent of individuals

Your right of access: subject access requests

Individuals can find out if we hold any personal information by making a subject access request under the Data Protection legislation. If we do hold information about you, we will:

- confirm that we are processing your personal data
- provide a copy of your personal information
- provide additional information, such as the reason why we hold your information; who we may have shared information with; or how long we hold information

If you would like to receive a copy of information we hold about you, please contact us at:
Post: One Care BNSSG C.I.C, Unit 5, Osprey Court, Hawkfield Drive, Whitchurch, Bristol, BS14 0BB.

Email: enquiries@onecare.org.uk

Confidentiality advice and support

We have a Caldicott Guardian, who is a senior member of staff responsible for protecting the confidentiality of service users and their information, as well as enabling appropriate and lawful information-sharing.

Data Protection Impact Assessments

We routinely complete Data Protection Impact Assessments (DPIAs), which helps us to identify, assess and mitigate or minimise privacy risks with our data processing activities. DPIAs particularly relevant when a new data processing process, system or technology is being introduced. Details of our DPIAs are available on request from our Data Protection Officer (enquiries@onecare.org.uk).

Complaints and suggestions

We try to meet the highest standards when collecting and using personal information. We encourage people to bring concerns to our attention if they think our collection or use of information is unfair, misleading or inappropriate. We also welcome any suggestions for improving our procedures.

The One Care BNSSG C.I.C. Protection Officer is Rus Clark who can be contacted by email at enquiries@onecare.org.uk .

You can contact the Information Commissioner's Office (ICO) for independent advice about data protection, privacy and data-sharing issues.

Post: Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Phone: 08456 30 60 60 or 01625 54 57 45.

Please contact us if you have any questions or concerns about how we use your information.

For independent advice about data protection, privacy and data-sharing issues, you can contact the Information Commissioner's Office (ICO). You can also complain directly to the ICO.

Further information

You can find further information about how the NHS uses personal confidential data and your rights in:

- The NHS Care Record Guarantee
- The NHS Constitution
- An independent review of information about service users is shared across the health and care system led by Dame Fiona Caldicott was conducted in 2012. The report, Information: To share or not to share? The Information Governance Review.
- Please visit the NHS Digital website for further information about their work. The Guide to Confidentiality provides a useful overview of the subject.
- The Information Commissioner's Office is the Regulator for the UK General Data Protection Regulation and Data Protection Act 2018.
- The NHS Health Research Authority (HRA) protects and promotes the interests of patients and the public in health and social care research.

You have the right to be informed of automated decision making and profiling.

Please see details of Risk Stratification below, which explains any profiling that may take place:

- there is no automated decision making
- no decision is taken about any individual without human intervention of the information.