



PRIVACY NOTICE

Applicable to Minerva PCN member practices:

Combe Down Surgery, The Avenue, Combe Down, Bath BA2 5EG

Newbridge Surgery, 129 Newbridge Hill, Bath BA1 3PT

Rush Hill & Weston Surgeries, 20 Rush Hill, Bath BA2 2QH

St Michael's Surgery, Walwyn Close, Twerton, Bath BA2 1ER

Your information, what you need to know

We are a group of well-established GP practices in Bath which have come together to form the Minerva Primary Care Network. Our General Practitioners and allied healthcare professionals provide primary medical care services to our practices populations and are supported by our administrative and managerial team in providing care for patients.

This privacy notice explains why we use personal information we collect about you as a patient of healthcare services provided by us.

Why we collect personal information?

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 and help us to protect your safety.

We collect and hold data for the purpose of providing healthcare services to our patients and running our organisation which includes monitoring the quality of care that we provide. In carrying out this role we will collect information about you which helps us respond to your queries or secure specialist services. We will keep your information in written form and/or in digital form. The records will include both personal and special categories of data about your health and wellbeing.

What types of personal information do we collect about you?

We may collect the following types of personal information:

- Your name, address, email address, telephone number and other contact information
- Gender, NHS Number and date of birth and sexual orientation
- Details of family members and next of kin details
- Health (Medical) information, including information relating to your sex life
- Details of any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments and telephone calls.
- Results of investigations such as laboratory tests or x-rays
- Biometric data
- Genetic information

How will we use the personal information we collect about you?

We may use your personal information in the following ways:

- To help us assess your needs and identify and provide you with the health and social care that you require
- To determine the best location to provide the care you require
- To comply with our legal and regulatory obligations
- To help us monitor and manage our services

We will keep our Privacy Notice under regular review. This notice was last reviewed 20/08/2021



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- To support medical research

Text (SMS) Messages

If you have provided your mobile telephone number, we may use this to send automatic appointment reminders, requests to complete surveys or to make you aware of services provided by the surgery that we feel will be to your benefit.

If you do not wish to receive these text messages, please let the reception team know.

Call Recording

Recordings of calls made and received by your GP Practice may be used to support the learning and development of our staff and to improve the service we provide to our patients.

They may also be used when reviewing incidents, compliments or complaints.

Call recordings will be managed in the same way as all other personal information processed by us and in line with current data protection legislation. Please note not all surgeries in the PCN have this functionality.

Data Processors

We may use the services of a data processor to assist us with some of our data processing, but this is done under a contract with direct instruction from us that controls how they will handle patient information and ensures they treat any information in line with the General Data Protection Regulation, confidentiality, privacy law, and any other laws that apply.

Circumstances under which we may share your data

NHS Digital

In order to comply with its legal obligations this practice may send data to NHS Digital when directed by the Secretary of State for Health under the Health and Social Care Act 2012.

This practice contributes to national clinical audits and will send the data, which are required by NHS Digital when the law allows. This may include demographic data, such as date of birth and information about your health, which is recorded in coded form. For example, the clinical code for diabetes or high blood pressure.

In particular, this PCN is supporting vital health and care planning and research by sharing your data with NHS Digital. For more information about this see the NHS Digital privacy notice for General Practice Data for Planning and Research here:

[General Practice Data for Planning and Research: GP Privacy Notice – NHS Digital](#)

Clinical audit

Information will be used by the CCG for clinical audit to monitor the quality of the service provided to patients with long terms conditions. Other organisations that look after you may also re-access your notes for clinical audit. When required, information will be held centrally and used for statistical purposes (e.g. the National Diabetes Audit). When this happens, strict measures are taken to ensure that individual patients cannot be identified from the data.



Individual Funding Request

An 'Individual Funding Request' is a request made on your behalf, with your consent, by a clinician, for funding of specialised healthcare which falls outside the range of services and treatments that CCG has agreed to commission for the local population. An Individual Funding Request is taken under consideration when a case can be set out by a patient's clinician that there are exceptional clinical circumstances which make the patient's case different from other patients with the same condition who are at the same stage of their disease, or when the request is for a treatment that is regarded as new or experimental and where there are no other similar patients who would benefit from this treatment. A detailed response, including the criteria considered in arriving at the decision, will be provided to the patient's clinician.

Invoice Validation

Invoice validation is an important process. It involves using your NHS number to identify which CCG is responsible for paying for your treatment. Section 251 of the NHS Act 2006 provides a statutory legal basis to process data for invoice validation purposes. We can also use your NHS number to check whether your care has been funded through specialist commissioning, which NHS England will pay for. The process makes sure that the organisations providing your care are paid correctly.

NHS payments processes

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 amounts, paid per patient, per quarter vary according to the age, sex and other demographic details for each patient. 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 early in the morning or late at night or at the weekends. Practices can also receive payments for certain national initiatives such as immunisation programs and practices may also receive incomes 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.

In order to make patient based payments basic and relevant necessary data about you needs to be sent to the various payment services. The release of this data is required by English laws.

Risk Stratification and population health management for planning and commissioning of local services

This is a process for identifying and managing patients who have or may be at-risk of health conditions (such as diabetes) or who are most likely to need healthcare services (such as people with frailty). Tools used in the NHS help determine a person's risk of suffering a particular condition and enable us to focus on preventing ill health before it develops.



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Information about you is collected from a number of sources including NHS Trusts, GP Federations and us. By adopting this approach of data driven planning and delivery of care, support and services can be appropriately targeted to improve residents physical and mental health outcomes and overall wellbeing, whilst reducing health inequalities.

Data can also be used to help the in the planning, implementing and evaluating of the areas local population health strategy and analysis of appointment demand and capacity. This can help the commissioners of healthcare understand the needs of the population and understand how activities within one element of the healthcare economy impacts on other elements.

Extracted data is pseudonymised for analysis but can be reidentified at practice level should interventions be appropriate.

If you do not wish information about you to be included in any risk stratification programmes, please let us know. We can add a code to your records that will stop your information from being used for this purpose. Please be aware that this may limit the ability of healthcare professionals to identify if you have or are at risk of developing certain serious health conditions.

Supporting Medicines Management

CCGs operate pharmacist and prescribing advice services to support local GP practices with prescribing queries, which may require identifiable information to be shared. These pharmacists work with your usual GP to provide advice on medicines and prescribing queries, and review prescribing of medicines to ensure that it is appropriate for your needs, safe and cost-effective. Where specialist prescribing support is required, the CCG medicines optimisation team may order medications on behalf of your GP Practice to support your care.

Clinical Research

With your consent, we will share information from medical records to support medical research when the law allows us to do so. For example, to learn more about why people get ill and what treatment might work best.

This is important because:

- The use of information from GP medical records is very useful in developing new treatments and medicines.
- Medical researchers use information from medical records to help answer important questions about illnesses and disease so that improvements can be made to the care and treatment patients receive.

Minerva PCN practices that take part in research do so with RCGP Research Ready.

Any medical or health related personal information will be treated with confidence in line with the common law duty of confidentiality and the Confidentiality NHS Code of Practice. Records may be accessed by staff in other surgeries within the Primary Care Network to determine suitability for research.



Improving Diabetes Care

Information is used to enable focussed discussions to take place at practice-led local diabetes review meetings between health care professionals. This enables the professionals to improve the management and support of these patients.

National screening programmes

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, aortic aneurysms and diabetic retinal screening service. The law allows us to share your contact information with Public Health England so that you can be invited to the relevant screening programme.

Local Information Sharing – GP Connect

GP Connect is a system that allows other health and care providers access to your GP medical records to enable them to support your health and care when you are seen outside your normal GP surgery.

Your GP electronic patient record is held securely and confidentially on an electronic system called SystmOne TPP managed by us. If you require attention from a health professional in the Emergency Department, Out Of Hours service, or community service such as the district nurses, the professionals treating you are better able to give you safe and effective care if relevant information from your GP record is available to them.

We are able to share information electronically with other local health and care providers that also use SystmOne. Depending on the service you are using and your health and care needs, this may involve the professional accessing your GP electronic patient record. In all cases, your information is only accessed and used by authorised health and social care professionals in locally based organisations who are involved in providing or supporting your direct care. Before sharing information we will ensure that there is an appropriate need and reason to share it. If we need to share information that you may not be aware of, we will do our best to let you know.

Records are also shared if you attend appointments through the Improving Access Service or at one of the other Minerva PCN practices.

If you are resident in a residential care home or nursing home we may share your record with staff there who in turn may share information with attending clinicians i.e. out of hours GP or ambulance crews.

Minerva also sub-contract to outside organisations to employ associated healthcare professionals who will have access to medical records when providing direct care. These employees are bound by the same standards of confidentiality.

We are also able to share with health and social care staff outside of SystmOne TPP. Information will be shared securely via phone, email or post, or through **Integrated Care Record** systems between local health and social care organisations. Integrated care record systems only allow staff to access the information they need for the job they do. For further information see: <https://bathneshealthandcare.nhs.uk/integrated-care-records/> Or [Your Care Record \(bswccg.nhs.uk\)](https://www.bswccg.nhs.uk)



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We also use GP Connect which is a system that allows other health and care providers access to your GP medical records to enable them to support your health and care when you are accessing care outside your normal GP surgery i.e. through NHS 111. You can read more about GP Connect here: [GP Connect information for patients](#)

Emergencies

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 extent 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.

Regulatory inspection by the Care Quality Commission (CQC)

The Care Quality Commission (CQC) is an organisation established in English law by the Health and Social Care Act. The CQC is the regulator for English health and social care services to ensure that safe care is provided. The law allows CQC to access identifiable patient data as well as requiring this practice to share certain types of data with them in certain circumstances, for instance following a significant safety incident.

For more information about the CQC see: <http://www.cqc.org.uk/>

National Fraud Initiative - Cabinet Office

The use of data by the Cabinet Office for data matching is carried out with statutory authority under Part 6 of the Local Audit and Accountability Act 2014. It does not require the consent of the individuals concerned under Data Protection legislation. Data matching by the Cabinet Office is subject to a Code of Practice. For further information see:

<https://www.gov.uk/government/publications/code-of-data-matching-practice-for-national-fraud-initiative>

National Registries

National Registries (such as the Learning Disabilities Register) have statutory permission under Section 251 of the NHS Act 2006, to collect and hold service user identifiable information without the need to seek informed consent from each individual service user.

Website

When you visit our website information may automatically be collected about you. This information will not identify you, it relates to:

'Google Analytics', which collects technical information, including your browser type and version, time zone setting, operating system and platform and pages you visit.

'Cookies' are stored whilst you are using the site. Cookies are used to recognise your computer when you visit our website to improve the websites usability. To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, visit www.allaboutcookies.org



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Any information you provide via an online request through the website will only be processed for that request and will not be used for any other reason. Your personal information will not be processed outside of the UK.

The organisation that provides the website on our behalf is contracted and subject to the same legal rules and conditions for keeping personal confidential data secure.

In the interests of 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 TB and Hepatitis B to local outbreaks of food poisoning or Measles. Certain illnesses are also notifiable, i.e. the doctors treating the patient are required by law to inform the Public Health Authorities, for instance Scarlet Fever.

This will necessarily mean the subjects personal and health information being shared with the Public Health organisations.

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".

To ensure that adult and children's safeguarding matters are managed appropriately, access to identifiable information will be shared in circumstances where it's legally required for the safety of the individuals concerned.

Summary Care Record (SCR)

The Summary Care Record consists of a basic medical record held on a central government database on every patient registered with a GP surgery in England. Your SCR provides authorised healthcare staff with faster, secure access to essential information about you in an emergency or when you need unplanned care, where such information would otherwise be unavailable.

The basic data is automatically extracted from your GP's electronic record system and uploaded to the central system. GPs are required by their contract with the NHS to allow this upload. The basic upload consists of current medication, allergies and details of any previous bad reactions to medicines, the name, address, date of birth and NHS number of the patient.

As well as this basic record additional information can be added, and this can be far reaching and detailed. However, whereas the basic data is uploaded automatically any additional data will only be uploaded if you specifically request it and with your consent. This information can include specific care plans or instructions for other healthcare professionals i.e. a pain management plan or 'do not resuscitate' plan for the ambulance service.

Summary Care Records can only be viewed within the NHS on NHS smartcard controlled screens or by organisation, such as pharmacies, contracted to the NHS.

Please be aware that if you choose to opt-out of SCR, NHS healthcare staff caring for you outside of this surgery may not be aware of your current medications, allergies you suffer from and any bad reactions to medicines you have had, in order to treat you safely in an emergency. Your records will stay as they are now with information being shared by letter,



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email, fax or phone. If you wish to opt-out of having an SCR please return a completed opt-out form to the practice.

Your right to withdraw consent for us to share your personal information (NHS National Data Opt-Out)

Whenever you use a health or care service, such as attending Accident & Emergency or using Community Care Services, important information about you is collected in a patient record for that service. Collecting this confidential patient information helps to ensure you get the best possible care and treatment.

The confidential patient information collected about you when you use these services can also be used and provided to other organisations for purposes beyond your individual care where allowed by law.

You have a choice about whether you want your confidential patient information to be used in this way. If you are happy with this use of information, you do not need to do anything. If you choose to opt out your confidential patient information will still be used to support your individual care.

We do not share your confidential patient information for purposes beyond your individual care without your permission. When sharing data for planning and reporting purposes, we use anonymised data so that you cannot be identified in which case your confidential patient information isn't required.

Information being used or shared for purposes beyond individual care does not include your confidential patient information being shared with insurance companies or used for marketing purposes and information would only be used in this way with your specific agreement.

Health and care organisations that process confidential patient information have to put systems and processes in place so they can be compliant with the national data opt-out. They must respect and apply your opt-out preference if they want to use or share your confidential patient information for purposes beyond your individual care.

We are currently compliant with the national data-out policy as we do not share your confidential patient information for purposes beyond your individual care without your permission.

To find out more or to register your choice to opt out, please visit www.nhs.uk/your-nhs-data-matters

You can change your choice at any time.

Data Retention

We follow the Records Management Code of Practice for Health and Social Care 2016 records retention schedule published by the Information Governance Alliance for the Department of Health which states that electronic patient records should be retained for 10 years from the date of death. At that point, all personal data we hold on you will be securely deleted

We keep recordings of our calls for 6 years (at those practices where this applies)

Legal Basis

We have been commissioned by the Bath and North East Somerset, Swindon and Wiltshire Clinical Commissioning Group to provide a GP surgery service and it is



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necessary for the performance of this task in the public interest for us to process your personal data.

We will use your special categories of personal data, such as that relating to your race, ethnic origin, and health for the purposes of providing you with health or social care or the management of health or social care systems and services. Such processing will only be carried out by a health or social work professional or by another person who owes a duty of confidentiality under legislation or a rule of law.

In some circumstances, we may process your personal information on the basis that:

- it is necessary to protect your vital interests;
- we are required to do so in order to comply with legal obligations to which we are subject;
- we are required to do so for the establishment, exercise or defence of a legal claim; or
- you have given us your explicit consent to do so.

Your rights

You have a right to:

- ask for a copy of the information we hold about you;
- correct inaccuracies in the information we hold about you
- withdraw any consent you have given to the use of your information;
- complain to the relevant supervisory authority in any jurisdiction about our use of your information
- in some circumstances:
 - ask us to erase information we hold about you;
 - request a copy of your personal data in an electronic format and require us to provide this information to a third party;
 - ask us to restrict the use of information we hold about you; and
 - object to the use of information we hold about you.

You can exercise these rights by contacting us as detailed below.

How to contact us

If you have any questions about our privacy notice, the personal information we hold about you, or our use of your personal information then please contact our Data Protection Officer at:

Data Protection Officer
c/o – your usual GP surgery address

Or

Via email – through your usual surgery email address, please mark for the attention of the DPO

How to make a complaint

If you have concerns or are unhappy about any of our services, please contact the Practice/Patient Services Manager.



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

The Information Commissioner

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Phone: 0303 123 1113 Website: www.ico.gov.uk/conerns

Change of Details

It is important that you tell the person treating you if any of your details such as your name or address have changed or if any of your details are incorrect in order for this to be amended. Please inform us of any changes so our records for you are accurate and up to date.

Notification

Data Protection Legislation 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 online in the public register at: http://ico.org.uk/what_we_cover/register_of_data_controllers. Any changes to this notice will be published on our website and at the Practice.