

Tile House Surgery

Privacy Notice

Children & Young Adults

(Applies to children 13 – 16 years)

How we use your personal information

This notice explains why the practice collects information about you and how that information may be used.

The health care professionals, who provide you with care will keep records about your health and any treatment or care you have received (e.g. Hospital, GP Surgery, Walk-in Centre etc.). These records help to give you the best possible healthcare.

From the age of 13 years, the ICO (Information Commissioner's Office) regards you as having the competence to consent to your own health care and the processing of the information that we hold about you at this practice which form what is known as your 'Health Record'.

This is in line with what is called the '**Gillick Competence**' which is a medical law that decides whether a child under 16 years is able to consent to his/her own medical treatment without the need for consent from a parent/carer/legal guardian.

These records may be electronic (information kept on our computers), on paper (letters that we may have or that we receive) or a mixture of both, and we take every care to make sure that your information is kept confidential and secure. Records which this GP Practice holds about you may include the following:

- Details about you, such as your address, legal representative, emergency contact details
- Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments, etc.
- Notes and reports about your health
- Details about any treatment you have had or are having.
- Results of any tests that you may have such as blood tests, x-rays etc.
- Important information from other health professionals, relatives or those who care for you
- Important information from your school that may be to do with your health or wellbeing (eg. behaviour reports, concerns from teachers, vaccinations you have had)
- Information from Child Health about any Health assessments or vaccinations you have had, you have missed or you may need.

Your records will be stored in line with the NHS Code of Practice for Records Management

It is our job to give you the best care possible and so your records are used to make sure that this happens. We may sometimes need to share your information with other people in the NHS to help us to make things in the NHS better. Most of the time, this information will not have your personal details (name, date of birth) so you cannot be identified. In cases where we do need to give your personal details, we will always ask if this is okay with you. Information may be used within the GP practice for clinical audits to help us monitor the quality of the care that you receive.

Sometimes your information may be requested to be used for research purposes – the surgery will always ask you before giving any information for this purpose.

How we keep your records confidential

We have to keep your personal information and records private so we will only use or share your information in line with the following guidelines and laws:

General Data Protection Regulation 2018

Human Rights Act 1998

Common Law Duty of Confidentiality

Health and Social Care Act 2012

NHS Codes of Confidentiality and Information Security

Information: To Share or Not to Share Review

Every member of staff who works for the Practice or another NHS organisation has a legal obligation to keep information about you confidential. Staff at this practice have to sign a 'Confidentiality Agreement'.

We will only ever use or pass on information about you if others involved in your care if this is important for your treatment. We will not give your information to anyone else without your permission unless there are exceptional circumstances (i.e. life or death situations), where the law requires information to be passed on, for example Child Protection and Serious Criminal Activity.

Organisations that we may share your information with

We may also have to share or receive your information, under strict agreements on how it will be used, with the following organisations:-

- NHS Organisations
- Doctor, Dentist, Optician or Pharmacist
- Ambulance Service
- Social Care & Safeguarding Services
- Child Health
- County Council
- Schools
- Fire and Rescue Services
- Police & Court Services (if we are asked by law)

We will always tell you who we are sharing your information with and may even have to ask for your consent to do this (ask if it is okay with you) and you may be asked to sign a form for this.

Access to your information

Under the new General Data Protection Regulation (GDPR) you have the right to ask to see your medical records whenever you like and this is free. Also, if you think that any of the information you see is not correct, you can ask for this information to be taken out. This can only be done if we are 100% sure that the information is NOT correct. To be able to see your records, this is what you will need to do:

- Write a letter to the doctor here to ask to look at your records. You will need to include your full name, date of birth, NHS number (if you know it) and your address. This is so that we can make sure that we are giving this information to the right person.
- The doctor will use the **Gillick Competence** rules (that we talked about above) to make sure that you are able to have that consent
- We will not charge for this (unless you ask a lot of times then we may put on a charge)
- If the doctor agrees that it is okay for you to have access, we will give you the information within 30 days

Data Processor

This is the person/people or organisation that is responsible for using and recording your information. All staff at **The Tile House Surgery** are individual Data Processors

Data Controller

The Data Controller is the person/organisation responsible for keeping your information secure and confidential. **The Tile House Surgery** is your Data Controller

Data Protection Officer (DPO)

The Data Protection Officer has overall responsibility for GDPR within this area. Our designated DPO is: **Jane Marley** who can be contacted at Basildon, Brentwood CCG

Objections / Complaints

If you need to know anything else about how we use or keep your information, you can ask to speak to our Practice Manager and she will be happy to explain. If you have access to the internet, you can also read more about this on the ICO website (www.ico.org.uk)

Change of Details

It is important that you tell us or any other person treating you if any of your details such as your name, address or contact details have changed.

Notification

Under the General Data Protection Regulations we have to register this surgery with the Information Commissioner to describe the purposes for which we process personal and sensitive information.

This information is available for everyone on the Information Commissioners Office website www.ico.org.uk

This practice is registered with the Information Commissioners Office (ICO).

How the NHS and care services use your information

The Tile House Surgery is one of many practices working in the health and care system to improve care for patients and the public.

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 information helps to ensure you get the best possible care and treatment.

The information collected about you when you use these services can also be used and provided to other organisations for purposes beyond your individual care, for instance to help with:

- improving the quality and standards of care provided
- research into the development of new treatments
- preventing illness and diseases
- monitoring safety
- planning services

This may only take place when there is a clear legal basis to use this information. All these uses help to provide better health and care for you, your family and future generations. Confidential patient information about your health and care is **only used** like this where allowed by law.

Most of the time, anonymised data is used for research and planning so that you cannot be identified in which case your confidential patient information isn't needed.

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 do choose to opt out your confidential patient information will still be used to support your individual care.

To find out more or to register your choice to opt out, please visit www.nhs.uk/your-nhs-data-matters. On this web page you will:

- See what is meant by confidential patient information
- Find examples of when confidential patient information is used for individual care and examples of when it is used for purposes beyond individual care
- Find out more about the benefits of sharing data
- Understand more about who uses the data
- Find out how your data is protected
- Be able to access the system to view, set or change your opt-out setting
- Find the contact telephone number if you want to know any more or to set/change your opt-out by phone
- See the situations where the opt-out will not apply

You can also find out more about how patient information is used at:

<https://www.hra.nhs.uk/information-about-patients/> (which covers health and care research); and <https://understandingpatientdata.org.uk/what-you-need-know> (which covers how and why patient information is used, the safeguards and how decisions are made)

You can change your mind about your choice at any time.

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

Health and care organisations have until 2020 to put systems and processes in place so they can be compliant with the national data opt-out and apply your choice to any confidential patient information they use or share for purposes beyond your individual care. Our organisation 'is / is not currently' compliant with the national data opt-out policy.¹ "
