

Confidentiality and Data Protection Information for Patients



Confidentiality

The practice is registered with the Information Commissioners Office and fully abides by the principles of the Data Protection Act. We are bound by the General Medical Council guidelines on confidentiality, which is more restrictive than the Data Protection Act.

Confidentiality is one of the keystones of medicine and is central to maintaining trust in the doctor-patient relationship; information you give us is treated in the strictest confidence.

With whom may information about me be shared?

Other than the doctor or nurse treating you, any member of staff may need to have access to your health records. Every member of staff is bound by strict confidentiality codes of conduct, which includes what information they can access and when.

By giving us private information, it is generally understood that that information may be shared with some individuals or organisations without your direct permission. This is called implied consent. Examples include:

- other doctors or nurses within the practice may be asked for a second opinion on your case.
- administration staff will need to access your records to get results, print prescriptions, type referral letters etc
- if you need to be referred to another health professional, such as physiotherapist, counsellor or hospital specialist, we will need to share relevant information with them. However, such referrals will usually have been discussed with you first
- if you request us to undertake work on your behalf, relevant information may need to be shared without your express consent, for example: whilst booking an ambulance, the ambulance service will need us to tell them your name, date of birth, address and any significant medical conditions
- selected external organisations may undertake work on our behalf. For example, the practice pharmacist will need to be able to view patient records to ensure patients are on the best medication for them. In most cases this will be done on the premises, but in some circumstances this may be undertaken at another location. Any organisation undertaking work on our behalf will be bound to the same rules of confidentiality.
- we are a teaching practice, so interesting cases may be discussed with other doctors as part of our continued learning, or with registrars and medical students attached to the practice. Wherever possible this is anonymised.
- we may be required to provide anonymous data to Gateshead Clinical Commissioning Group (GCCG) for the purposes of strategic health care planning. This information is collected by NECS (North East Commissioning Support) and stripped of any details that may identify you personally. NECS & GCCG are both NHS organisations and bound by the same rules on confidentiality.

The only other circumstances when information would be shared would be where we are required by law (such as when directed by the courts) or where we believe that a crime may be committed that would endanger other people (an obvious example of this would be suspected child abuse.) The law also allows us to break confidentiality where it is in your best interest; this is only ever used in very exceptional circumstances, such as finding a patient unconscious or incapacitated.

With whom will information about me not be shared?

We will not share medical information with any one else without your express (and usually written) permission. This includes employers the police (except where we directly ordered by the courts or in the detection of serious crime), insurance companies, council and so on.

We will also not share information with relatives, including spouses, without permission.

Local Sharing

It surprises many people that in this modern age, each organisation holds its own records and the systems currently do not 'talk' to each other – the hospital cannot see a patient's GP records and vice versa. This means that patients have to keep repeating their medical problems and there is no way of checking what medication they are on.

Summary Care Record

The Summary Care Record is a national initiative to reduce these problems by having a central database that holds a record of patients' medication and allergies. These are uploaded from GP records every time a change is made to a patient's drug list. The Summary Care Record can only be accessed by selected health organisations and, except in an emergency, only with a patient's permission. You have the right to opt out (or opt back in) at any time by informing the practice.

Local Record Viewing

The Summary Care Record allows only a limited view of the records. GPs, hospitals and other relevant Health and Social Care agencies providing care to patients in Gateshead are co-operating to allow each other access to records. The amount of access to read records will be dependent upon the organisation and what it safely needs to treat you – trigger for the release of data will be linked to that required to treat you appropriately.

The system has safeguards in place:

- (1) a patient has to be registered with the service for the service to access the records
- (2) except in an emergency, a patient has to be present to give permission for records to be accessed
- (3) organisations can define exactly which part of a record another organisation can access: we can define a different profile for different services

- (4) the system keeps a record of everyone who accesses the system and exactly which part of the record they have viewed.
- (5) The GP computer system can lock individual patient records and even individual entries, if there is something particularly sensitive.
- (6) The records themselves never leave the organisation holding the record. Unlike the summary care record.

You have the right to opt out of this service by advising your GP or hospital. However, we recommend that you do not exercise this right given the safeguards in place and the benefits to you in an emergency.

Health and Social Care Act 2012

Under the powers of this act, the Health and Social Care Information Centre (HSCIC) can, under certain circumstances, require personal confidential data from GP practices without seeking patient consent first. One of the first initiatives using these new powers is the care.data service. This will merge data from GPs, hospitals and other sources so that the NHS can provide a better level of integration and service planning. In future, approved researchers will have access to the information. For more information about care.data, see www.nhs.uk/caredata.

The information will be held securely and confidentially. GPs have no legal right to block requests from the HSCIC for information. However, patients do have a right to block HSCIC using their data. If you wish to opt out, you should inform the practice (you can also opt back in at any time).

Data Protection Act

The practice is registered under the above act and stores information for the following purposes:

- Provision of healthcare
- Healthcare administration
- Medical audit

You have the right to view your medical records. You may request to do so by speaking with the Practice Manager. However, we do charge for this, to cover the administrative costs. The maximum amount we can charge is set by law - you are advised to check the current charges with the Practice Manager. We also reserve the right under the Act to withhold any information which we would consider detrimental to your health or which identifies third parties.

If you have any questions or concerns about how we use your information and confidentiality, feel free to speak to the practice manager or our doctor.

Patient Response

Name:

Date of Birth:

Address:

NHS Number (if known):

Summary Care Record

I wish to opt out of the Summary Care Record. I understand that any records already uploaded will remain on the summary care record system, but will not be accessible. I understand that if I opt out of the Summary Care Record, health services will not be able to access my essential health records in an emergency [9Ndo]

I wish to opt in to the Summary Care Record [9Ndm]

Signed:

Date:

Health and Social Care Act 2012

I have previously opted out of the HSCIC data extraction, but now wish to opt in [9Nu5]

I do not wish the HSCIC to extract information from my health records at all. [9Nu0]

I am happy for the HSCIC to extract information from my health records for NHS planning purposes, but do not wish for them to release that information to other accredited third parties [9Nu4].

Signed:

Date:

Local Sharing

I do not want local health and care organisations to share my records. I understand that they would only be able to access my record with me present and with my permission and that denying access may place my health at risk in an emergency. [9Nd1]

I am happy to allow local organisations to share records for the purposes of my care [9Nd7]

Signed:

Date:

Please return this form to the practice.

Note: that you do not have to return this form to opt-in, we are required to assume that you agree unless you specifically opt-out. If you have previously opted-out, you can use this form to opt-in again.