

## Confidentiality and Data Protection: How We Use the Information You Give Us

**The practice is registered with the Information Commissioners Office and fully abides by the General Medical Council guidelines on confidentiality and principles of 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.**

**The practice Caldicott Guardian is: **Helen Gunn****

The practice is registered under the Data Protection Act. You have the right to view your record, though we may make a charge for you to do so. To view your record, please speak to the practice manager.

### **With whom may information about me be shared?**

Any member of staff at the practice 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
- 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 and care professional, we will need to share relevant information with them, so they can safely care for you. We may share this information on paper or electronically
- we are participating in the Great North Care Record, which allows health and care organisations directly involved in caring for you to view key information. Except in an emergency (eg you are unconscious), you will be asked for your consent.
- if we need to refer you to the district or community nursing service, because you are housebound, the nursing service are acting on behalf of the practice instead of our nursing staff. In order to safely treat you and communicate with the practice, we have the ability to view each other's records.

- 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 emergency 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, registrars and medical students as part of our continued learning. Wherever possible this is anonymised.
- we may be required to provide anonymous data to Gateshead Clinical Commissioning Group (GCCG) and NECS (North East Commissioning Support) for the purposes of strategic health care planning. NECS & GCCG are both NHS organisations, 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 (eg suspected child abuse.) In exceptional circumstances, the law also allows us to break confidentiality where it is in your best interest, eg you are unconscious.

### **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 family members, employers, the police (except where we directly ordered by the courts or in the detection of serious crime), insurance companies, council and so on.

### **Sharing with Other Local Health and Care Organisations**

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

GPs, hospitals and other relevant Health and Social Care agencies providing care to patients in Gateshead are co-operating to allow each other access key information within care records, such as significant health problems, test results, medication, and allergies. Except for the district nursing service, consultation notes *cannot* be viewed. The amount of access to read records will be dependent upon the organisation and what each staff member needs to treat you.

The system has safeguards in place:

1. you have to be registered with the service for the service to access the record
2. except in an emergency, you have to give permission for your records to be accessed. It is assumed that if you have been referred to a specialist, you have given permission for them to access the record
3. limits can be set to what an organisation or individual professional can view
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

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, particularly in an emergency.

## Organisations currently sharing records:

- **GP Practices:** as your care co-ordinator, we have full access to your district nurse, GP Extra Care records and MIG record. It is assumed that having registered with us you will allow us to access this record without your expressed permission
- **GP Out of Hours Service:** have access to diagnoses, medications, allergies, immunisations and important other information from the GP system. They cannot see consultations. You have to be registered with them as an emergency and give consent for them to view the record.
- **GP Extra Care:** This service offers additional routine appointments for practices as part of improving access to General Practice: They have full access to the GP record with your consent (you have to be booked into the service and present). In return we have full access to any records they have about you
- **Northumberland Tyne and Wear Mental Health NHS Trust:** have access to diagnoses, medications, allergies, immunisations and important other information from the GP system. They cannot see consultations. You have to be registered with them as a patient and give consent for them to view the record.

- Acute Hospital Trusts within the Northern Region: have access to diagnoses, medications, allergies, immunisations and important other information from the GP system. They cannot see consultations. You have to be registered with them as a patient and give consent for them to view the record. If you have been referred to a specialist, they may seek more information to manage the referral effectively - they may do so either by ringing the practice, or by accessing the Great North Care Record.
- Gateshead Foundation NHS Trust: This organisation provides the community services (for example, Community Matrons and District Nurses). Once we have referred you, they have full access to your GP record, and vice versa. From our point of view, it appears as one combined record.

### ***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. 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).



## ***Opting Out***

You have the right to opt out of the Summary Care Record and Great North Care Record data sharing. This will have an impact on the quality of care you receive in an emergency if those caring for you do not have access to important health information about you. If you wish to opt out of record sharing, complete the opt-out form available from reception or our website. Please note that, if you have children, you can also apply to opt out of sharing their information, there are circumstances when we will not be able to do so.

## **For More Information**

More details of how we use your information can be found on our website or by speaking to the practice manager. If you have any questions or concerns about how we handle your data, again, please speak to the practice manager.