



### **Privacy Notice for Pembroke Medical Group**

This privacy notice describes the data, the practice holds about you, why we hold it, where and how we store it, how long for and how we protect it. It also tells you about your rights under the Data Protection Legislation and how the law protects you.

#### **Who we are and what do we do?**

Pembroke Medical Group  
266-268 Torquay Road  
Preston  
Paignton  
TQ3 2EZ  
01803 553558

Pembroke Medical Group is a Data Controller for the data we hold about you. We hold your data in order to provide you with health and care.

#### **What is personal data and what data do we use?**

Your personal data is any information that can be connected to you personally. If you can be identified from the data, it is personal data. The types of personal data we use and hold about you are:

- Details about you: your name, address, contact number, email address, date of birth, gender and NHS number. We may also hold information about your emergency contact, next of kin and carer.
- Details about your medical care: medical diagnosis, record of treatment received, referrals, history of prescribed medication, results of investigations such as X-rays etc.
- Information provided by you: this includes correspondence relating to feedback, concerns and complaints about the service you have received.
- Relevant information from other healthcare professionals, relatives or those who care for you.

We may also hold the following information about you:

- Religion or other beliefs of a similar nature,

- Family, lifestyle and/or social circumstances,
- Employment details,
- Financial details.

When we collect your mobile number we use it to text you to remind you of appointments via an NHS approved provider.

We may also text you about the following –

- Administrative information e.g. your prescription being ready to collect
- Information about new or changed medications
- Recall e.g. advising the patient to book a review appointment,
- Links to NHS patient information leaflets
- Signposting to third-party services
- Reminder e.g. for cervical screening or overdue blood tests
- Relevant immunisation campaigns
- notifying you about temporary changes to our opening hours (for example for staff training).

The Practice may use your mobile number or details, such as name, DOB & NHS number, to send out invitations for patients to book into vaccination clinics or services via a system called AccuBook which is provided by AccuRx. Those patients without a mobile number will be manually booked by this system. Patients who dissent from the use of their mobile number will be identified by the reporting process and their data not used in this way.

If you no longer wish to receive communication this way, please let a member of staff know who will be able to update your preferences.

When we collect your email address, we use it to email you information regarding Practice News; this is usually contained within a newsletter and also any immunisation campaigns. We may also email you in response to a complaint or feedback if this was sent in via email and this is your preferred method of contact. If you no longer wish to receive communication this way, please let a member of staff know who will be able to update your preferences.

### **Why do we process your data and what legal basis do we have to process your data?**

In order to process your personal data or share your personal data outside of the practice, we need a legal basis to do so. If we process or share special category data, such as health data, we will need an additional legal basis to do so.

We rely upon Article 6(1)(e) (public interest task) and Article 9(2)(h) (health and social care) for most of our processing and sharing, in particular to:

- Provide you with health and care,
- Share data from, or allow access to, your GP record, for healthcare professionals involved in providing you with health and care,
- Receive data from or access your data on other NHS organisation clinician systems,

- Work effectively with other organisations and healthcare professionals who are involved in your care,
- Ensure that your treatment and advice, and the treatment of others is safe and effective,
- Participate in National Screening Programmes,
- Use a computer program to identify patients who might be at risk from certain diseases or unplanned admissions to Hospitals,
- Help NHS England and the practice to conduct clinical audits to ensure you are being provided with safe, high-quality care,
- Support medical research when the law allows us to do so,
- Supply data to help plan and manage services and prevent infectious diseases from spreading.

We rely upon Article 6(1)(d) (vital interest) and Article 9(2)(c) (vital interests) to share information about you with another healthcare professional in a medical emergency.

We rely upon Article 6(1)(e) (public interest task) and Article 9(2)(g) (substantial public interest) to support safeguarding for patients who, for instance, may be particularly vulnerable to protect them from harm or other forms of abuse.

We rely upon Article 6(1)(c) (legal obligation) and Article 9(2)(h) to share your information for mandatory disclosures of information such as public inquiries. The kind of organisations we may be required to share information with may include NHS England, CQC, UK Health Security Agency and Office for Health Improvement and Disparities).

We rely upon Article 6(1)(c) (legal obligation) and Article 9(2)(f) (legal claims) to help us investigate legal claims and if a court orders us to do so.

We rely upon Article 6(1)(a) (consent) and Article 9(2)(a) (explicit consent), in order to:

- Help the practice investigate any feedback, including patient surveys, complaints or concerns you may have about contact with the practice,
- Help manage how we provide you with services from the practice, for example, when you nominate individuals to contact the practice on your behalf,
- Send you our newsletter,
- Contact you if you have signed up to our patient participation group,
- Share your information with third parties, for example, insurance companies and medical research organisations.

We also use anonymised data to plan and improve health care services. Specifically, we use it to:

- Review the care being provided to make sure it is of the highest standard,
- Check the quality and efficiency of the services we provide,
- Prepare performance reports on the services we provide.

### **Common law duty of confidentiality**

Healthcare staff will respect and comply with their obligations under the common law duty of confidence. We meet the duty of confidentiality under one of the following:

- You have provided us with your explicit consent,
- For direct care, we rely on implied consent,
- We have approval from the [Confidentiality Advisory Group \(CAG\)](#),
- We have a legal requirement to collect, share and use the data,
- On a case-by-case basis, we will share information in the public interest.

### **How do we collect your data?**

The practice collects data that you provide when you:

- Receive treatment or care from the practice,
- Contact the practice by telephone (all telephone calls received and made by the practice are recorded), online, via an online triage system or in person,
- Complete a form electronically or in paper,
- Contact the practice via a Social Network (for example if you communicate with the practice through Facebook),
- Visit the practice's website (If cookies are enabled).

We may also collect data from family members or carers to support your care.

We receive information about you from other providers to ensure that we provide you with effective and comprehensive treatment. These providers may include:

- The GP Practices within the Baywide Primary Care Network
- Other GP Practices
- NHS Trusts/Foundation Trusts
- NHS Commissioning Support Units (CSUs)
- Community Services (District Nurses, Rehabilitation Services and out of hours services)
- Ambulance or emergency services
- Independent contractors such as Pharmacies, Dentists and Opticians
- Devon Integrated Care Board (ICB)
- NHS England
- Local authorities
- Police and Judicial Services
- Educational Services
- NHS 111
- UK Health Security Agency
- Office for Health Improvement and Disparities
- Non-NHS health care providers
- Research providers

We also use a patient triage tool (provided by Klinik Healthcare Solutions). Klinik is a web-based Online Consultation tool that allows patients to submit a short medical or admin query directly to the Practice.

Klinik is provided by a third-party organisation and by using Klinik, you are submitting your

information to them. This information is stored on secure servers located in the UK and European Economic Area (EEA). This information is then provided to the practice to be reviewed. Further information on Klinik Patient Triage can be found:

<https://info.klinikhealthcaresolutions.com/privacy-notice-uk-v3>

We also utilise an automated patient registration software enabling new patients to reduce their registration time to as little as 24 hours. The software, Sanny, is provided to us by HealthTech1.

By completing our online automated registration form you are submitting your information to HealthTech1. HealthTech1 store your information on its secure data storage facilities located in the UK, European Economic Area (EEA) and US, (an approved third country). Once submitted, your information is then provided to the practice for us to review. Further information on HealthTech1 can be found at the below website:

<https://www.healthtech1.uk/>

We also use a cloud-based telephony system known as Surgery Connect. The implementation of Surgery Connect is designed to improve communication experiences for patients. Reducing queue wait times and allowing for additional services to provide an overall improved telephony experience.

Surgery Connect software is provided to us by the third-party NHS approved service provider X-on. All callers will be informed at the start of their call that all calls to and from the practice are recorded for training and monitoring purposes. By contacting the Pembroke Medical Group via telephone, you are agreeing to have your conversations recorded and information stored. Your information is stored on a secure server located in the UK. You have the right to request copies of your recorded calls, as well as the right to request your recorded calls are deleted. Pembroke Medical Group can access, listen to, and download your call recordings. Recordings will be automatically deleted as they become the oldest stored by X-on, replaced by the newest recordings. Call recordings are retained for 36 months in accordance with the NHS contractual requirement. Further information can be found at the following website:

<https://www.x-on.co.uk/trust-centre/>

### **Who do we share your data with?**

In order to deliver and coordinate your health and care, we may sometimes share information with other organisations. We will only ever share information about you if other agencies involved in your care have a genuine need for it. Anyone who receives information from the practice is under a legal duty to keep it confidential and secure.

For some of our Care Home Residents we share your records using Interoperability with Immedicare so that they are able to provide a virtual clinical support service 24/7 for when you may need to be cared for.

The information being shared can be personal contact details, diagnosis, medications, allergies, and test results. Your records will be treated with the strictest confidence and can only be viewed if you use their service. Further information regarding Immedicare can be found here:

<https://immedicare.co.uk/privacy-notice/>

Please be aware that there may be certain circumstances, such as assisting the police with the investigation of a serious crime, where it may be necessary for the practice to share your personal information with external agencies without your knowledge or consent.

We may share information with the following organisations:

- The GP Practices, Compass House Medical Centre and Chilcote Surgery within the Baywide Primary Care Network
- Other GP Practices
- NHS Trusts/Foundation Trusts
- Devon Integrated Care Board (ICB)
- NHS Commissioning Support Units
- Community Services (District Nurses, Rehabilitation Services and out of hours services)
- Ambulance or emergency services
- Independent contractors such as Pharmacies, Dentists and Opticians
- Local authorities
- Multi-Agency Safeguarding Hub (MASH)
- Police and Judicial Services
- Educational Services
- Fire and Rescue Services
- NHS 111
- The Care Quality Commission, ICO and other regulators
- UK Health Security Agency
- Office for Health Improvement and Disparities
- NHS England
- Non-NHS health care providers
- Research providers
- Rowcroft Hospice
- SCW Child Health Information Services
- Apollo Data Extraction Services

In addition to sharing data with the above services, the practice will also use carefully selected third party service providers that process data on behalf of the practice. When we use a third-party service provider, we will always have an appropriate agreement in place to ensure that they keep the data secure, that they do not use or share information other than in accordance with our instructions and that they are operating responsibly to ensure the protection of your data. Examples of functions that may be carried out by third parties includes:

- Organisations that provide IT services & support, including our core clinical systems; systems which manage patient facing services (such as our website and service accessible through the same); data hosting service providers; systems which facilitate video consultation, appointment bookings or electronic prescription services; document management services etc.

- Organisations who are delivering services on behalf of the practice (for example conducting Medicines Management Reviews to ensure that you receive the most appropriate, up to date and cost-effective treatments or supporting practices in offering choices of providers and appointments to patients who are being referred via the NHS E-Referral system).
- Delivery services (for example if we were to arrange for delivery of any medicines to you).
- Payment providers (if for example you were paying for a prescription or a service such as travel vaccinations).

We use a processor, iGPR Technologies Limited (“iGPR”), to assist us with responding to report requests relating to your patient data, such as subject access requests that you submit to us (or that someone acting on your behalf submits to us) and report requests that insurers submit to us under the Access to Medical Records Act 1988 in relation to a life insurance policy that you hold or that you are applying for.

iGPR manages the reporting process for us by reviewing and responding to requests in accordance with our instructions and all applicable laws, including UK data protection laws. The instructions we issue to iGPR include general instructions on responding to requests and specific instructions on issues that will require further consultation with the GP responsible for your care.

For further information of who we share your personal data with and our third-party processors, please contact the Operations Manager.

### **Where do we store your data?**

We use a number of IT systems and tools to store and process your data, on behalf of the practice. Examples of tools we use include our Core Clinical System EMIS, Joy App, NHSmail, Microsoft 365, Klinik patient triage and AccuRx messaging.

For further information on this, please contact the Operations Manager.

### **GPConnect/Enhanced Data Sharing Module:**

We share your record using GP Connect/Enhanced Data Sharing Module to make sure that, whether you are visiting the practice, attending hospital, or being seen in the community or at home by a care professional, everyone knows the care you need and how you want to be treated. Your electronic health record is available to the practices in Baywide PCN and other local providers who are involved in your care. This includes the sharing of personal contact details, diagnosis, medications, allergies, and test results. Your records will be treated with the strictest confidence and can only be viewed if you use their service.

You can find more information about GP Connect at: <https://digital.nhs.uk/services/gp-connect/gp-connect-in-your-organisation/transparency-notice>

You can also search for organisations who use GP Connect here: <https://transparency.ndsp.gpconnect.nhs.uk/Name>

Please note that if you have previously dissented (opted-out) to sharing your records, this decision will be upheld, and your record will only be accessed by the practice. Should you wish to opt-out of, please speak to our reception team who will be able to update your personal preferences. **Please note that by opting out of this sharing, other health professionals may not be able to see important medical information, which may impact on the care you receive.**

### **The Devon and Cornwall Care Record**

Pembroke Medical Group is part of a new system that brings together patient data from a number of health and care systems and presents it as a single record.

*The Devon and Cornwall Care Record* enables frontline staff to see details held by GP practices, hospitals, hospices and other organisations across Devon and Cornwall, giving them a more complete view of a patient's history.

For instance, imagine that you've attended A&E with an injury in the morning and been told to see your GP in the afternoon. Under the new system, the GP will be able to see what happened to you in A&E by the time they see you in the afternoon.

Having access to patients' overall health and medical history will help health professionals identify problems more effectively and make quicker diagnoses.

They'll be able to see what medication patients are taking, what they've taken in the past and if they have any allergies. As well as making treatment safer, this will provide patients with greater continuity of care.

The improved administration will save healthcare staff time chasing down information and spare patients the frustration of having to repeat themselves to various professionals throughout the system. It will also cut down on duplicate appointments and tests and reduce clinical errors. And, by using their time more efficiently, clinicians will be able to spend longer with patients.

You can find out more about the Devon and Cornwall Care Record at

<https://www.devonandcornwallcarerecord.nhs.uk/>

### **Summary Care Record (SCR)**

NHS England have implemented the SCR which contains information about you; including your name, address, data of birth, NHS number, medication you are taking and any bad reactions to medication that you have had in the past. This information is automatically extracted from your records and uploaded onto a central system.

Many patients who are seen outside of their GP Practice are understandably not able to provide a full account of their care or may not be in a position to do so. The SCR means patients do not have to repeat their medical history at every care setting and the healthcare professional they are seeing is able to access their SCR. The SCR can only be viewed within the NHS on NHS smartcard-controlled screens or by organisations, such as pharmacies, contracted to the NHS.

As well as this basic record, additional information can be added to include further information. However, any additional data will only be uploaded if you specifically request it and with your consent. You can find out more about the SCR here:

<https://digital.nhs.uk/services/summary-care-records-scr>

## **National Screening Programmes**

The NHS provides national screening programmes so that certain diseases can be detected at early stages. These screening programmes include bowel cancer, breast cancer, cervical cancer, aortic aneurysms and a diabetic eye screening service. More information on the national screening programmes can be found at: <https://www.gov.uk/topic/population-screening-programmes>

## **Risk Stratification**

Your medical records will be searched by a computer program so that we can identify patients who might be at high risk from certain diseases such as heart disease or unplanned admissions to hospital. This means we can offer patients additional care or support as early as possible.

This process will involve linking information from your GP record with information from other health or social care services you have used. Information which identifies you will only be seen by this practice. More information can be found at <https://www.england.nhs.uk/ig/risk-stratification/> or speak to the practice.

## **One Devon Dataset**

As well as using your data to support the delivery of care to you, your data may be used to help improve the way health and social care is delivered to patients and service users throughout Devon using Population Health Management methods.

We will use a pseudonymised extract (i.e., **not** identifiable information) which will be sent securely to NHS Devon ICB (Integrated Care Board) and in partnership with the Local Authorities. Data will be used to support the Devon Integrated Care System to improve short-term and medium-term health outcomes for local populations. If you would benefit from some additional care or support, your information will be shared back to the practice, or another local provider involved in your care, so that they can offer you direct care.

If you have previously asked the practice to apply a Type 1 opt-out to your medical records, this will be applied by NHS Devon ICB.

Further information about Population Health Management can be found here:

<https://www.england.nhs.uk/integratedcare/what-is-integrated-care/phm/>

Further information about the One Devon Dataset can be found here:

<https://devon.icb.nhs.uk/privacy-notice/>

We will rely on public interest task as the legal basis for processing your data for this purpose. You have a right to object to your information being used in this way. If you wish to discuss this further, please contact the reception team.

## **Research**

We are a research practice and work with NIHR Clinical Research Network SouthWest Peninsula and the University of Oxford to deliver research studies and trials. Employees of

the practices will access your information in order to determine whether you are suitable to be invited to participate in a study. We will only share your information with the research providers with your explicit consent. Further information regarding the research providers can be found here: <https://www.nihr.ac.uk/documents/nihr-privacy-policy/12242>

### Clinical Practice Research Datalink (CPRD)

This practice contributes to medical research and may send relevant data to CPRD. CPRD collects de-identified patient data from a network of GP practices across the UK. Primary care data is linked to a range of other health related data to provide a longitudinal, representative UK population health dataset. Further information regarding CPRD can be found here: <https://cprd.com/transparency-information>

### OpenSAFELY Data analytics Service

NHS England has been directed by the government to establish and operate the OpenSAFELY COVID-19 Service and the OpenSAFELY Data Analytics Service. These services provide a secure environment that supports research, clinical audit, service evaluation and health surveillance for COVID-19 and other purposes.

Each GP practice remains the controller of its own GP patient data but is required to let approved users run queries on pseudonymised patient data. This means identifiers are removed and replaced with a pseudonym.

Only approved users are allowed to run these queries, and they will not be able to access information that directly or indirectly identifies individuals.

Patients who do not wish for their data to be used as part of this process can register a [type 1 opt out](#) with their GP.

Here you can find [additional information about OpenSAFELY](#).

### How long do we hold your data?

We only hold your data for as long as necessary and are required to hold your data in line with the NHS Records Management Code of Practice 2023 Retention Schedule. Further information can be found online at:

<https://transform.england.nhs.uk/information-governance/guidance/records-management-code/>

### What rights do you have?

You have various rights under the UK GDPR and Data Protection Act 2018:

#### **Right of access:**

You have the right to request access to view or request copies of the personal data, we hold about you; this is known as a Subject Access Request (SAR). In order to request access, you should:

Contact the practice either by emailing [enquiries.pembrokehouse@nhs.net](mailto:enquiries.pembrokehouse@nhs.net) or by phone (01803 553558).

Please note that you are entitled to a copy of your data that we hold free of charge; however, we are entitled to charge in certain circumstances where the law permits us to do so. We are also entitled to refuse a request, where the law permits us to do so. If we require a fee or are unable to comply with your request, we will notify you within 1 calendar month of your request.

### **Right to restrict or object the use of your information:**

There are certain circumstances in which you can object from your data being shared. Information regarding your rights to opt-out is detailed below:

#### **Consent:**

If the practice is relying on the consent as the basis for processing your data, you have the right to withdraw your consent at any time. Once you have withdrawn your consent, we will stop processing your data for this purpose.

However, this will only apply in circumstances on which we rely on your consent to use your personal data. Please be aware that if you do withdraw your consent, we may not be able to provide certain services to you. If this is the case, we will let you know.

#### **Summary Care Record:**

The SCR improves care; however, if you do not want one, you have the right to object to sharing your data or to restrict access to specific elements of your records. This will mean that the information recorded by the practice will not be visible at any other care setting.

If you wish to discuss your options regarding the SCR, please speak to a member of staff at the practice. You can also reinstate your consent at any time by giving your permission to override your previous dissent.

#### **National Screening Programmes:**

If you do not wish to receive an invitation to the screening programmes, you can opt out at <https://www.gov.uk/government/publications/opting-out-of-the-nhs-population-screening-programmes> or speak to the practice.

#### **Type 1 Opt-out:**

You have the right to object to your confidential patient data being shared for purposes beyond your direct care by asking the practice to apply a Type 1 opt-out to your medical records. A type 1 opt-out prevents personal data about you, being extracted from your GP record, and uploaded to any other organisations without your explicit consent. If you wish for a Type 1 opt-out to be applied to your record, please contact reception.

### **National Data Opt-out:**

You have the right to object to your data being shared under the national data opt-out model. The national data opt-out model provides an easy way for you to opt-out of sharing data that identifies you being used or shared for medical research purposes and quality checking or audit purposes.

To opt-out of your identifiable data being shared for medical research or to find out more about your opt-out choices please ask a member of staff or go to NHS Digital's website:

<https://digital.nhs.uk/services/national-data-opt-out-programme>

### **National Disease Registration Service**

The National Disease Registration Service (NDRS) is run by NHS England and collects patient data on cancer, congenital anomalies and rare diseases, and provides analysis to support clinical teams, academics, charities and policy makers to help plan and improve treatments and healthcare in England.

Further information regarding the registry and your right to opt-out can be found at:

<https://digital.nhs.uk/services/national-disease-registration-service>

### **Right to rectification:**

You have the right to have any errors or mistakes corrected within your medical records. This applies to matters of fact, not opinion. If the information is of clinical nature, this will need to be reviewed and investigated by the practice. If you wish to have your records amended, please contact the Operations Manager.

If your personal information changes, such as your contact address or number, you should notify the practice immediately so that we can update the information on our system. We will also ask you from time to time to confirm the information we hold for you, is correct.

### **Right to erasure:**

The practice is not aware of any circumstances in which you will have the right to delete correct data from your medical record, which the practice is legally bound to retain. Although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the data and contact the practice if you hold a different view.

### **Right to complain:**

Please let us know if you wish to discuss how we have used your personal data, raise a concern, make a complaint or compliment. You can contact us at: enquiries.pembrokehouse@nhs.net.

Following this, if you are still unhappy with how we have used your data, you can then complain to the ICO.

If you wish to complain follow this link: <https://ico.org.uk/global/contact-us/> or call the helpline on **0303 123 1113**.

### **Data outside EEA**

We do not send your personal data outside of the EEA. However, if this is required, the practice would only do so, with your explicit consent.

### **Data Protection Officer**

The Data Protection Officer for the practice is Natalie Thompson-Clarke and can be contacted via email on [d-icb.deltppo@nhs.net](mailto:d-icb.deltppo@nhs.net) or by post: Delt Shared Services Limited, BUILDING 2 – Delt, Derriford Business Park, Plymouth, PL6 5QZ.

### **Cookies**

The practice's website uses cookies. A cookie is a small file, typically of letters and numbers, downloaded on to a device (like your computer or smart phone) when you access certain websites. Cookies allow a website to recognise a user's device. Some cookies help websites to remember choices you make (e.g., which language you prefer if you use the Google Translate feature). Analytical cookies are to help us measure the number of visitors to our website. The two types of cookies used by the practice are 'Session' and 'Persistent' cookies.

Some cookies are temporary and disappear when you close your web browser, others may remain on your computer for a set period. We do not knowingly collect or intend to collect any personal information about you using cookies. We do not share your personal information with anyone.

### **What can I do to manage cookies on my devices?**

Most web browsers allow some control of most cookies through the browser settings. To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, visit <http://www.allaboutcookies.org/>

### **Changes to privacy notice**

The practice reviews this privacy notice regularly and may amend the notice from time to time. If you wish to discuss any elements of this privacy notice, please contact the Operations Manager