

Privacy Notice (Patients and Carers)

This Privacy Notice will explain how Meddygfa Waunfawr uses your personal data.

Meddygfa Waunfawr is a GP practice working within the area of the Betsi Cadwaladr Health Board. We serve a practice population of 5829 patients working across 2 sites. The practice aims to ensure the highest standard of medical care for our patients.

Meddygfa Waunfawr is the controller for personal information we process. The practice is committed to protecting your personal information and respecting your privacy. We have a legal duty to explain how we use personal information about you as a registered patient at the practice.

What Information do we collect about you?

We will collect information about you and in relation to your health and health care services you have received. This will include personal information such as your NHS number, name, address, contact information, date of birth, and next of kin.

We will also collect sensitive personal information about you (also known as special category data) which includes information relating to your health (appointment visits, treatments information, medical procedures, test results, diagnoses (current and previous problems) X-rays, or reports), as well as information relating to your sexual orientation, gender, race or religion.

All the above information we collect and hold about you forms part of your medical record and is primarily held to ensure you receive the best possible care and treatment.

How is your personal data collected?

The information we hold is collected through various routes; these may include:

- Direct interactions with you as our patient, when you register with us for care and treatment, during consultations with practice staff and when you subscribe to services for example, newsletters, text messaging, telephone recordings, creating an account for online services.

- Indirectly from other health care providers. When you attend other organisations providing health or social care services for example out of hours GP appointments or visits to A&E and some interactions with Social Care, they will let us know so that your GP record is kept up to date.
- Through wearable monitoring devices such as blood pressure monitors
- We do not currently use automated technologies such as when you interact with our website to collect data.

How do we use your information?

The Information we collect about you is primarily used for your direct care and treatment but may also be used for:

- The management of healthcare services
- Participation in National Screening Programmes
- National Data Collection Requirements
- Medical research and clinical audit
- Legal requirements
- Security and Safety of our staff and premises
- To work effectively with other organisations who may be involved in your care
- To support the health of the general public
- To ensure our services can meet future needs at the highest standard possible

Partners we may share your information with

We may share your information, subject to agreement on how it will be used with the following organisations:

- NHS Trusts / Foundation Trusts/Health Boards
- Other GP's such as those GP Practices as part of a cluster
- Out of hours providers
- Diagnostic or treatment centres
- Independent Contractors such as dentists, opticians, pharmacists
- Private Sector Providers (private hospitals, care homes, hospices, contractors providing services to the NHS)
- Specialist Services
- Ambulance Trusts
- Social Care Services
- Digital Health and Care Wales
- NHS Wales Shared Services
- Legal and Risk Services
- Health and Care Research Wales
- Public Health Wales
- Healthcare Quality and Improvement Partnership
- Local Authorities
- Education Services
- Fire and Rescue Services

- Police & Judicial Services
- Voluntary Sector Providers
- The Courts
- Solicitors
- Life Assurance and Insurance Companies/Employers/Occupational Health Doctors

We may also use external third-party companies (data processors) to process your personal information. These companies will be bound by contractual agreements to ensure information is kept confidential and secure. This means that they cannot do anything with your personal information unless we have instructed them to do it. They will not share your personal information with any organisation apart from us. They will hold it securely and retain it for the period we instruct.

We will require your signed consent before disclosing information to Solicitors, Social Care Services and Life Assurance and Insurance Companies/Employers/Occupational Health Doctors. We will not normally release details about other people that are contained in your records (e.g. spouse, children, parents etc.) unless we also have their consent. We will only disclose the relevant medical information as per your consent. You have the right, should you request it, to see reports prepared for Insurance Companies, employers or occupational Health doctors before they are sent.

Sharing Your Information without Consent

We will normally ask you for your consent, but there are times when we may be required by law to share your information without your consent, for example:

- Where there is a serious risk of harm or abuse to you or other people
- Where a serious crime, such as assault, is being investigated or where it could be prevented
- Where we encounter infectious diseases that may endanger the safety of others, such as meningitis or measles (but not sensitive information such as HIV/AIDS)
- Where a formal Court Order has been issued
- Where there is a legal requirement, e.g. if you had committed a Road Traffic Offence

The practice is committed to ensuring that your privacy is protected.

Our legal basis for processing your personal data

The Practice will only use and share your information where there is a legal basis to do so.

The key pieces of legislation/guidance that we are governed by are The General Data Protection Regulations (UK); Data Protection Act 2018; Human Rights Act 2018 (Article 8); Access to Health Records Act 1990; Freedom of Information Act 2000; Health & Social Care Act 2012, 2105; The Public Records Act 1958; Copyright Design and Patents Act 1988; The Re-use of Public Sector Information Regulations 2015; The Environmental Information Regulations 2004; Computer Misuse Act 1990; The Common Law Duty of Confidentiality; Information Security Management – NHS Code of Practice.

The legal bases for most of our processing relates to your direct care and treatment:

- Article 6(1)(e) – processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Where we have a specific legal obligation that requires the processing of personal data, the legal basis is:

- Article 6(1)(c) – processing is necessary for compliance with a legal obligation to which the controller is subject.

Where we process special category data, for example data concerning health, racial or ethnic origin, or sexual orientation, we need to meet an additional condition in the GDPR. Where we are processing special category personal data for purposes related to the commissioning and provision of health services the condition is:

- Article 9(2)(h) – processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and service; or
- Article 9(2)(i) – processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices.....

The Practice may process your personal data for the purposes of research in such circumstances our legal basis for doing so will be:

- Article 6 (1)(e) - processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Where we process special category personal data for research purposes the legal basis for doing so is:

- Article 9 (2)(a) - you have provided your explicit consent
- Article 9(2)(j) – processing is necessary for...scientific or historical research purposes or statistical purposes.

The Practice may also process personal data for the purpose of, or in connection with, legal proceedings (including prospective legal proceedings), for the purpose of obtaining legal advice, or for the purpose of establishing, exercising or defending legal rights. Where we process personal data for these purposes, the legal basis for doing so is:

- Article 6(1)(e) – processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; or
- Article 6(1)(c) – processing is necessary for compliance with a legal obligation to which the controller is subject; or
- Article 6(1)(f) – processing is necessary for the purposes of legitimate interests pursued by the controller.

Where we process special category of personal data for these purposes, the legal basis for doing so is:

- Article 9(2)(f) – processing is necessary for the establishment, exercise or defence of legal claims; or
- Article 9(2)(g) – processing is necessary for reasons of substantial public interest.

In rare circumstances we may need to share information with law enforcement agencies or to protect the wellbeing of others for example to safeguard children or vulnerable adults. In such circumstances are legal basis for sharing information is:

- Article 6(1)(c) – processing is necessary for compliance with a legal obligation to which the controller is subject; or
- Article 6(1)(d) - processing is necessary to protect the vital interest of the data subject or another natural person; or
- Article 6(1)(e) – processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Where we share special categories of person data for the purposes of safeguarding, the legal basis for doing so is:

- Article 9(2)(g) - processing is necessary for reasons of substantial public interest; Data Protection Act 2018 S10 and Schedule 1, Paragraph 18 ‘Safeguarding of children and individuals at risk’

How We Keep Your Information Confidential and Secure

We are committed to protecting your privacy and will only use information collected lawfully in accordance with the Data Protection Act 2018, Article 8 of the Human Rights Act, the Common Law of Confidentiality, The (UK) General Data Protection Regulation and the NHS Codes of Confidentiality and Security. Everyone working in or for the NHS must use personal information in a secure and confidential way.

Please be aware that your information will be accessed by non-clinical Practice staff in order to perform tasks enabling the functioning of the Practice. These are, but not limited to:

- Typing referral letters to Hospital Consultants or allied Health Professionals
- Opening letters from hospitals and Consultants
- Scanning clinical letters, reports and any other documents not available electronically
- Photocopying or printing documents for referral to Consultants
- Handling, printing, photocopying and postage of medico legal and life assurance reports and other associated documents
- When you register with the Practice we may ask for proof of ID – this is to ensure that no one tries to register you at the Practice using your identity but without your knowledge. Please be assured that any copies of ID that we take at that point are destroyed once we have confirmation of your registration by NHS Wales. This takes 2-3 days maximum.

To protect your confidentiality, we will not normally disclose any medical information about you over the telephone, or by fax, unless we are sure that we are talking to you. This means that we will not disclose information to your family, friends, and colleagues about any medical matters at all, unless we know that we have your consent to do so.

We will only ever use or pass on your information if there is a genuine need to do so. We will not disclose information about you to third parties without your permission unless there are exceptional circumstances, such as when the law requires.

All persons in the Practice (whether employed by the Doctors, or for the Local Health Board) sign a confidentiality agreement that explicitly makes clear, their duties in relation to personal health information and the consequences of breaching that duty.

Computer System

This Practice operates a Clinical Computer System on which NHS Staff record information securely. This information can then be shared with other Clinicians so that everyone caring for you is fully informed about your relevant medical history.

Medicine Management

The Practice may conduct Medicines Management Reviews of medications prescribed to its patients. This service performs a review of prescribed medications to ensure patients receive the most appropriate, up to date and cost effective treatments. This service is provided by our clinicians and Pharmacists provided by the local Health Board.

Emergency Care Summary (ECS)

Emergency care information such as your name, date of birth, the name of your GP, any medicines which your GP has prescribed, any medicines you are allergic to or react badly to, is shared with Out of Hours as this might be important if you need urgent medical care when the GP surgery is closed.

NHS staff (Doctors, Nurses, Accident and Emergency, Ambulance control and crews) can look at your ECS if they need to treat you when the surgery is closed. They will ask for your consent before they look at your records. In an emergency and if you are unconscious, staff may look at your ECS without your agreement to let them give you the best possible care. Whenever NHS staff looks at your ECS, a record will be kept so we can always check who has looked at your information.

Direct Marketing to Patients

You must give your consent to allow the practice to send you marketing notifications regarding Clinical Services via SMS messages, voicemail, E-mails and letters. These may include appointment reminders, information about flu clinics, health promotion information, cancellation of clinics and changes in service provision. You can choose whether to consent or decline when completing the Health Questionnaire when registering as a new patient. You are entitled to withdraw your consent at any time by contacting the practice. Patients who are about to turn 16 years old should contact the practice to update all their contact details since the responsibility transfers to them from their parent/guardian. Current patients are already opted in automatically. If you wish to opt out, please contact the practice.

We will not share your information with any third parties for the purposes of direct marketing.

Your Rights

The General Data Protection Regulation (GDPR) includes a number of rights. We must generally respond to requests in relation to your rights within one month, although there are some exceptions to this.

The availability of some of these rights depends on the legal basis that applies in relation to the processing of your personal data, and there are some other circumstances in which we may not uphold a request to exercise a right. Your rights and how they apply are described below.

Right to be Informed

Your right to be informed is met by the provision of this privacy notice, and similar information when we communicate with you directly – at the point of contact.

Right of Access

You have the right to obtain a copy of personal data that we hold about you and other information specified in the GDPR, although there are exceptions to what we are obliged to disclose.

A situation in which we may not provide all the information is where in the opinion of an appropriate health professional disclosure would be likely to cause serious harm to your, or somebody else's physical or mental health.

- You will need to make a request to the practice manager.
- We may ask you to complete a request form to establish exactly what parts of your record you need.
- You will need to give us adequate information for us to be sure that your request is legitimate (address, date of birth, NHS number etc.) plus two forms of identification to enable us to confirm your identity – with a large practice list size
- There may be a charge for excessive requests for information held about you
- We are required to respond to you within 30 days.

Right to Rectification

You have the right to ask us to rectify any inaccurate data that we hold about you.

Right to Erasure ('right to be forgotten')

You have the right to request that we erase personal data about you that we hold. This is not an absolute right, and depending on the legal basis that applies, we may have overriding legitimate grounds to continue to process the data.

Right to Restriction of Processing

You have the right to request that we restrict processing of personal data about you that we hold. You can ask us to do this for example where you contest the accuracy of the data.

Right to Data Portability

This right is only available where the legal basis for processing under the GDPR is consent, or for the purposes of a contract between you and the Practice. For this to apply the data must be held in electronic form. The right is to be provided with the data in a commonly used electronic format.

Right to Object

You have the right to object to processing of personal data about you on grounds relating to your particular situation. The right is not absolute, and we may continue to use the data if we can demonstrate compelling legitimate grounds, unless your objection relates to marketing.

Rights in relation to automated individual decision-making including profiling

You have the right to object to being subject to a decision based solely on automated processing, including profiling. Should we perform any automated decision-making, we will record this in our privacy notice, and ensure that you have an opportunity to request that the decision involves personal consideration.

Right to complain to the Information Commissioner

You have the right to complain to the Information Commissioner if you are not happy with any aspect of Practices processing of personal data or believe that we are not meeting our responsibilities as a data controller. The contact details for the Information Commissioner are:

Information Commissioner's Office
Wycliffe House
Water Lane,
Wilmslow SK9 5AF

Website: www.ico.org.uk

Tel: 0303 123 1113

Retention of your Personal Information / Storing your Information

We are required by UK law to keep your information and data for a defined period, often referred to as a retention period. The Practice will keep your information in line with the practice records management policy. Please ask at reception if you would like to see a copy.

Change of Details

It is important that you notify the practice if any of your details such as your name, address, home telephone number or mobile telephone number has changed or if any of your details such as date of birth is incorrect in order for this to be amended. You have a responsibility to inform us of any changes so our records are kept accurate and up to date at all times.

How to Contact us

If you have any questions about our privacy notice or information we hold about you, please contact the practice:

The Practice Manager, Meddygfa Waunfawr, Liverpool House, Waunfawr, Caernarfon, Gwynedd, LL55 4YY.

Telephone: 01286 650922.

Telephone

Incoming and outgoing calls to and from the practice are recorded for safety and quality purposes.

E-mail

You can contact the surgery through e-mail to request a call back from a member of the team, to request a repeat prescription, to send medical photographs and for any general enquiries. **E-mails should not be used as a contact method for urgent enquiries or emergencies.**

All administrative staff have access to our e-mail account. We will respond to your e-mail within three working days. If you initiate contact through e-mail, it will mean that you are giving your consent for the practice to contact you. When sending an e-mail from your private account to the surgery, we cannot always guarantee that the e-mail will be secure from being intercepted or hacked. An e-mail is classed as a medical record and will be added to your medical notes and will remain on your records whilst they are retained in compliance with the Records Retention Schedule.

My Health Online (MHOL) - Online Registration

Registering for My Health Online allows you to book a routine GP appointment 24 hours a day, cancel appointments no longer needed, check your repeat medication, order repeat prescriptions and make changes to your email and mobile contact number where appropriate. Patients aged 16 years and over can register to use this service and can de-register at any time. Please enquire at Reception if you need information.

Your NHS Number

Every person registered with the NHS in England and Wales has their own unique NHS number. It is made up of 10 digits - for example 123 456 7890. Your NHS number is used by healthcare staff to identify you correctly. It is an important step towards improving the safety of your healthcare. To improve safety and accuracy always check your NHS number on correspondence the NHS sends to you.

If you don't know your NHS number, ask at the Practice. You may be asked for proof of identify for example a passport or other form of identity. This is to protect your privacy.

Contact Details of our Data Protection Officer

The Practice is required to appoint a data protection officer (DPO). This is an essential role in facilitating practice accountability and compliance with UK Data Protection Law.

Our Data Protection Officer is:

Digital Health and Care Wales,
Information Governance, Data Protection Officer Support Service
4th Floor, Tŷ Glan-yr-Afon
21 Cowbridge Road East
Cardiff
CF11 9AD
Email : DHCWGMPDPO@wales.nhs.uk

We keep our Privacy Notices under regular review. This Privacy Notice was reviewed in June 2021 and will next be reviewed in June 2022.