



How your information is shared so that this practice can meet legal requirements

The law requires The Glebe Surgery to share information from your medical records in certain circumstances. Information is shared so that the NHS or Public Health England can, for example:

- plan and manage services;
- check that the care being provided is safe;
- prevent infectious diseases from spreading.

We will share information with NHS Digital, the Care Quality Commission and local health protection team (or Public Health England) when the law requires us to do so. Please see below for more information.

We must also share your information if a court of law orders us to do so.

NHS Digital

- NHS Digital is a national body which has legal responsibilities to collect information about health and social care services.
- It collects information from across the NHS in England and provides reports on how the NHS is performing. These reports help to plan and improve services to patients.
- This practice must comply with the law and will send data to NHS Digital, for example, when it is told to do so by the Secretary of State for Health or NHS England under the Health and Social Care Act 2012.
- More information about NHS Digital and how it uses information can be found at: <https://digital.nhs.uk/home>

Care Quality Commission (CQC)

- The CQC regulates health and social care services to ensure that safe care is provided.
- The law says that we must report certain serious events to the CQC, for example, when patient safety has been put at risk.
- For more information about the CQC see: <http://www.cqc.org.uk/>

Public Health

- The law requires us to share data for public health reasons, for example to prevent the spread of infectious diseases or other diseases which threaten the health of the population.
- We will report the relevant information to local health protection team or Public Health England.
- For more information about Public Health England and disease reporting see: <https://www.gov.uk/guidance/notifiable-diseases-and-causative-organisms-how-to-report>

NHS 111 COVID-19 Triage response

Purpose – in order for NHS 111 to triage patient calls with queries regarding Covid-19 during practice closures or times of pressure on the system, enabling the robust process for patients, potentially suffering with covid-19, to be triaged and treated in the most effective and appropriate way.

Legal Basis - The Secretary of State for Health and Social Care has issued NHS Digital with a Notice under Control of Patient Information Regulations (COPI). This allows NHS Digital to share patient information with organisations entitled to process this under COPI for COVID-19 purposes. This means that for GP Connect, NHSD are creating a single 'National Sharing Agreement' on the Spine that contains all GP practices in England.

Patients can opt out of their information being shared with GP Connect by contacting their GP practice and requesting a Type 1 Opt out. Please note that opting out of having information shared may delay or impair the ability for urgent treatment.

Processor – NHS Digital, NHS 111 via GP Connect

General Practice Extraction Service (GPES)

Covid-19 Planning and Research data

Purpose : Personal confidential and Special Category data will be extracted at source from GP systems for the use of planning and research for the Covid-19 pandemic emergency period. Requests for data will be required from NHS Digital via their secure NHSX SPOC Covid-19 request process.

Legal Basis : NHS Digital has been directed by the Secretary of State under section 254 of the 2012 Act under the COVID-19 Direction to establish and operate a system for the collection and analysis of the information specified for this service: GPES Data for Pandemic Planning and Research (COVID-19). A copy of the COVID-19 Direction is published here:

<https://digital.nhs.uk/about-nhs-digital/corporate-information-and-documents/directions-and-data-provision-notice/secretary-of-state-directions/covid-19-public-health-directions-2020>

Patients who have expressed an opt out preference via Type 1 objections with their GP surgery, not to have their data extracted for anything other than their direct care will not be party to this data extraction.

Processor : NHS Digital NHS X

<p>General Practice Extraction Service (GPES)</p> <p>At risk patients data collection Version 3</p>	<p>Purpose - The objective of this collection is on an ongoing basis to identify patients registered at General Practices who may be:</p> <ul style="list-style-type: none"> • clinically extremely vulnerable if they contract COVID-19 • at moderate or high risk of complications from flu or COVID-19 <p>This General Practice Extraction Service (GPES) data will be extracted weekly and be used to assist in producing a weekly update of the Shielded Patient List (SPL).</p> <p>The data, as specified by the DPN, supports the COVID-19 Public Health Directions 2020 from the Secretary of State for Health and Social Care. Organisations that are in scope of the notice are legally required to comply.</p> <p>More information regarding this data collection can be found here: COVID-19 at risk patients Data Provision Notices</p> <p>Legal Basis - Sections 259(1)(a), 259(5) and 259(8) of the Health and Social Care Act 2012.</p> <p>Where a patient’s record contains a defined long-term medical condition, which poses a COVID-19 risk and/or a condition/code which identifies a patient as being of moderate or high risk of complications from flu/COVID-19, data will be extracted for</p> <p>Processor – NHS Digital or NHS X</p>
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We are required by law to provide you with the following information about how we handle your information and our legal obligations to share data.

Data Controller contact details	The Glebe Surgery. Monastery Lane , Storrington, West Sussex RH20 4LR
Data Protection Officer contact details	Trudy Slade trudy.slade@nhs.net 07833239618
Purpose of the processing	Compliance with legal obligations or court order.
Lawful basis for processing	The following sections of the GDPR mean that we can share information when the law tells us to. Article 6(1)(c) – ‘processing is necessary for compliance with a legal obligation to which the controller is subject...’ Article 9(2)(h) – ‘processing is necessary for the purpose of preventative...medicine...the provision of health or social care or treatment or the management of health or social care systems and services...’
Recipient or categories of recipients of the processed data	<ul style="list-style-type: none"> • The data will be shared with NHS Digital. • The data will be shared with the Care Quality Commission. • The data will be shared with our local health protection team or Public Health England. • The data will be shared with the court if ordered.
Rights to object and the national data opt-out	There are very limited rights to object when the law requires information to be shared but government policy allows some rights of objection as set out below. NHS Digital <ul style="list-style-type: none"> • You have the right to object to information being shared with NHS Digital for reasons other than your own direct care. • This is called a ‘Type 1’ objection – you can ask your practice to apply this code to your record. • Please note: The ‘Type 1’ objection, however, will no longer be available after 2020. • This means you will not be able to object to your data being shared with NHS Digital when it is legally required under the Health and Social Care Act 2012.

	<p>Public health</p> <ul style="list-style-type: none"> • Legally information must be shared under public health legislation. This means that you are unable to object. <p>Care Quality Commission</p> <ul style="list-style-type: none"> • Legally information must be shared when the Care Quality Commission needs it for their regulatory functions. This means that you are unable to object. <p>Court order</p> <ul style="list-style-type: none"> • Your information must be shared if it ordered by a court. This means that you are unable to object.
Right to access and correct	<ul style="list-style-type: none"> • You have the right to access your medical record and have any errors or mistakes corrected. Please speak to a member of staff or look at our 'subject access request' policy on the practice website. • We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view.
Retention period	<p>GP medical records will be kept in line with the law and national guidance. Information on how long records are kept can be found at: https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016 or speak to the practice.</p>
Right to complain	<p>You have the right to complain to the Information Commissioner's Office. If you wish to complain follow this link https://ico.org.uk/global/contact-us/ or call the helpline 0303 123 1113</p>