

**The Tyburn Private Medical Practice
Patient Privacy
Policy and Process**

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| Policy No | C03b |
| Responsible Person | Registered Manager |
| Date Issued | 16.11.2020 |
| Next Review Date | Every two years |
| Authorised by | Dr Adam Hazell |
| Version No | 01 |

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| Title | Patient Privacy Policy and Process |
| Author | Martha Walker/Adam Hazell |
| Responsible Person | Registered Manager - Dr. Adam Hazell |
| Authorised | 16.11.2020 |
| Issue Date | 16.11.2020 |
| Review Date | Every two years unless review required earlier |
| Policy No and Version | C03b Version 01 |
| References | GDPR and Data Protection Act GMC: Good medical practice |
| Appendix | |
| Scope | All individuals in the employ of this establishment <i>(‘employ’ means any person who is employed, self-employed, a volunteer, working under practising privileges or contract of service with this establishment)</i> |

How The Tyburn Private Medical Practice uses your information to provide you with healthcare

This practice keeps medical records confidential and complies with the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

We hold your medical record so that we can provide you with safe care and treatment.

We will also use your information so that this practice can check and review the quality of the care we provide. This helps us to improve our services to you.

The confidentiality of your information is very important to us and we comply with data protection legislations and medical confidentiality guidelines of our professional bodies (namely the General Medical Council).

- We will share relevant information from your medical record with other health care professionals when they provide you with care. For example, when you are referred to a consultant, or when we send details about your prescription to your chosen pharmacy. We recommend that we share the care given to you here with your NHS GP; however, we will only do this with your consent and would provide you with copies of all correspondence.
- You have the right to object to information being shared for your own care. Please speak to the practice manager if you wish to object. You also have the right to have any mistakes or errors corrected.

Other important information about how your information is used to provide you with healthcare at The Tyburn Medical

Registering for care at The Tyburn Medical

All patients who receive care are registered on our computer system.

This database holds your name, address, date of birth, telephone number, e-mail address, confirmation that ID has been checked and your regular (NHS) GP recorded – you will be asked to

indicate if you consent to The Tyburn Medical sharing clinical information with your regular GP (please note you may change this decision at any time). This database does not hold information about the care you receive. The information is only accessible to authorised practice members.

The database is held by The Tyburn Medical. Personal data about you is held in the practice's computer system. The information is only accessible to authorised practice members. Our computer system has secure audit trails and we back up information routinely. The practice has a confidentiality policy that all staff adhere to.

The data is stored on a cloud-based practice management system called HeyDoc, that is fully compliant with the General Data Protection Regulation (GDPR) and Data Protection Act 2018. The privacy policy can be found on the following link; <https://www.heydoc.co.uk/heydoc-privacy-policy>. The servers they use for our Services are located in London, UK. Whenever they transfer your personal data out of the EEA, they ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- They will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
- Where they use certain service providers they may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe.
- Where they use providers based in the US, they may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US. They take all reasonable steps to keep any personal data they hold secure and have adopted technical and organisational measures to prevent personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. They use two-factor authentication to increase the security of Client accounts. Data is replicated continuously, with multiple copies stored between security centres to ensure immediate failover. Data in transfer is fully encrypted using the most secure cryptographic technologies available. This means that when you access your data via the internet, the server will negotiate a secure link with the end user via a process called SSL. This is the same technology used for online banking and credit card transactions and is known to be the most secure system available. They restrict access to personal data to their employees, contractors and agents who require that information in order to operate and develop our application and services. They will only process your personal data on their instructions and they are subject to a duty of confidentiality. They have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

What personal data do we hold apart from that collected when registering at The Tyburn Medical?

As a medical practice we will hold medical records and information about you in order to treat you appropriately and in a timely manner.

To provide patients with a high standard of medical care, we need to hold personal information. This personal data can include:

- Past and current medical conditions; personal details such as age, address, telephone number, e-mail, next of kin, NHS GP (as outlined above in the 'Registering for care' section)
- X-rays and clinical photographs

- Information about your treatment that we have provided or propose and its cost
- Notes of conversations or incidents that might occur for which a record needs to be kept
- Records of consent to treatment
- Any correspondence relating to you from yourself or other health care professionals

Why do we hold information about you?

We need to keep comprehensive and accurate personal data about patients to provide you with safe and appropriate medical care. We will ask you yearly to update your medical history and contact details.

Identifying patients who might be at risk of certain diseases

Your medical records will be searched by a computer programme, so that we can identify patients who might be at risk from certain diseases or conditions such as diabetes or hypertension. This means we can offer patients additional care or support as early as possible.

Information which identifies you will only be seen by this practice. This information will also be anonymised for audit purposes to monitor and measure the quality of the care we deliver.

For more information please speak to the Practice Manager.

Safeguarding

Sometimes we need to share information so that other people, including healthcare staff, children or others with safeguarding needs, are protected from risk of harm. These circumstances are rare.

We do not need your consent or agreement to do this.

Please ask the practice manager for information regarding our safeguarding policies. We will readily supply you with a copy and is available from reception on demand.

| We are required by law to provide you with the following information about how we handle your information | |
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| Data Controller contact details | Dr Adam Hazell, The Tyburn Private Medical Practice. 22 Upper Wimpole Street, London. W1G 6NB Telephone number: 02045307040 |
| Data Protection Officer contact details | n/a due to the size of the practice list. |
| Purpose of the processing | <ul style="list-style-type: none"> • To give direct health to individual patients. For example, when a patient agrees to a referral for direct care, such as to a hospital, relevant information about the patient will be shared with the other healthcare staff to enable them to give appropriate advice, investigations, treatments and/or care. • To check and review the quality of care. (This is called audit and clinical governance.) • To advise patients of changes to services or new services. |

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| <p>Lawful basis for processing</p> | <p>These purposes are supported under the following sections of the GDPR:</p> <ul style="list-style-type: none"> • Article 6(1)(e) ‘...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...’; and • Article 9(2)(h) ‘necessary for the purposes of preventative 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 services...’ <p>Healthcare staff will also respect and comply with their obligations under the common law duty of confidence.</p> |
| <p>Recipient or categories of recipients of the processed data</p> | <p>Disclosure of information</p> <p>To provide proper and safe medical care we may need to disclose personal information about you including to:</p> <ul style="list-style-type: none"> • Healthcare professionals and staff in this practice • Hospitals (if required, e.g. referral or emergency transfer) • Out of hours services • Diagnostic and treatment centres • Other organisations involved in the provision of direct care to individual patients • Regulatory bodies e.g. Care Quality Commission <p>Information would only be shared with your consent and you would be copied into all correspondence if you wished.</p> <p>Disclosure will take place on a ‘need-to-know’ basis. Only those individuals or organisations who need to know to provide care for you will be given the information.</p> <p>In very limited circumstances or when required by law or a court order, personal data may have to be disclosed to a third party not connected with your health care. The practice would take legal advice before disclosing data in these very limited circumstances and where possible you will be informed of these requests for disclosure</p> |
| <p>Requesting your consent under GDPR</p> | <p>We will continue to obtain consent from you as a patient be it implied, verbal or written for the treatment or procedures undertaken at The Tyburn Private Medical Practice. This will be in line with the General Medical Council’s guidelines and will be recorded appropriately in your medical records.</p> <p>In addition to this</p> <p>We require your consent under GDPR to communicate with you by phone, e-mail or post.</p> <p>We will:</p> <ul style="list-style-type: none"> • Ask you to opt-in to any marketing or other communications • Offer choices as to how to communicate with you should you so wish |

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| | <ul style="list-style-type: none"> • Offer you the option to withdraw consent to that communication at any time |
| Collection of personal information when visiting our website | <p>You can access most of the pages on our website without giving us your personal information although you may choose to do so, for example when you submit an enquiry. Users are requested not to send confidential details or debit/credit card numbers by e-mail unless specifically asked by us to do so.</p> <p>When you submit personal information, you consent to our use of the information as set above under 'Requesting your consent under GDPR'.</p> |
| Use of personal information | <p>We will use personal information given to us in accordance with these terms and conditions, and with any additional statements appearing on forms used for submitting personal information. We will not disclose personal information to any third parties without obtaining your prior consent, unless we are required by law to do so.</p> <p>If you submit an enquiry, we will use your personal information to administer and respond to your enquiry. We will store securely the information you supply and our response. We may produce reports on enquiries to enable us to monitor and develop our service but reports will be based on anonymous data; we will not identify individuals in our reports.</p> <p>If you comment or complain about our services, we may use your details to investigate your comments.</p> |
| Right to object | <ul style="list-style-type: none"> • You have the right to object to information being shared between those who are providing you with direct care. • This may affect the care you receive – please speak to the practice. • You are not able to object when information is legitimately shared for safeguarding reasons. • In appropriate circumstances it is a legal and professional requirement to share information for safeguarding reasons. This is to protect people from harm. • The information will be shared with Westminster Social and Safeguarding Services: Tel: 020 7641 2176 / 020 7641 1444 / 020 7641 1175 (9am to 5pm) Tel: 020 7641 6000 (out-of-office-hours) |
| 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. • 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. |

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| Data we get from other organisations | <p>We may receive information about your health from other organisations who are involved in providing you with health following a referral from The Tyburn Private Medical Practice. For example, if you go to hospital for treatment or an operation, the hospital will send us a letter to let us know what happens. This means your medical record at this practice is kept up-to date when you receive care from other parts of the health service.</p> <p>Note: Although obliged to share patient information with your NHS GP (with your consent) currently independent doctors do not have access to care and treatment records you receive elsewhere (NHS or private).</p> |
| Retention period | <p>GP medical records will be kept in line with the law and national guidance. The Practice Manager will advise you as to how long hardcopy medical records are legally required to be kept by us; digital medical records will be stored indefinitely until government regulations change.</p> |
| Access to your medical records | <p>You have the right of access to the data that we hold about you and to receive a copy. Parents may access their child's records if this is in the child's best interests and not contrary to a competent child's wishes. Formal applications for access must be in writing to the Practice Manager.</p> |
| If you do not agree | <p>If you do not wish personal data that we hold about you to be disclosed or used in the way that is described in this Code of Practice, please discuss the matter with your doctor. You have the right to object; however, this may affect our ability to provide you with medical care.</p> <p>You have a right to withdraw your consent at any time, however this will not be retrospective.</p> <p>Contact details Dr Adam Hazell, The Tyburn Private Medical Practice. 22 Upper Wimpole Street, London, W1G 6NB Telephone number: 02045307040 Email: office@thetyburn.com</p> |
| Cookies and Internet Protocol (IP) logging | <p>When you visit our website, our server will record your computer's IP address (the unique numerical address given to every computer connected to the Internet) and the time and duration of your visit.</p> <p>This website uses cookies, a piece of data that may be stored on your computer when you visit a website; these cookies store the anonymised IP address (the last digit group of the IP is removed before storage).</p> |

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| | <p>Cookies and your IP address will be used to track the pages you visit on our website. We will use this information to analyse the way our site is used, and to administer and improve the accessibility of our site. We will not use it for any other purpose. You may disable the use of cookies in your Internet browser without affecting your use of our website.</p> |
| Links | <p>From time to time our website may contain links to other sites. We are not responsible for the content or privacy practices of third parties that run other websites.</p> |
| Right to complain | <p>You have the right to complain to the Information Commissioner's Office</p> <p>For further details about your rights under the Data Protection Act, please visit the Information Commissioners Office website: www.ico.org.uk</p> <p>Telephone: 0303 123 1113.</p> <p>E-mail online form: https://ico.org.uk/global/contact-us/email/</p> <p>Write: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, England, UK.</p> |