

# DAVENPORT HOUSE SURGERY

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## Privacy Notice

We understand how important it is to keep your personal information safe and secure and we take this very seriously. We have taken steps to make sure your personal information is looked after in the best possible way and we review this regularly.

Please read this privacy notice ('Privacy Notice') carefully, as it contains important information about how we use the personal and healthcare information we collect on your behalf.

### 1. WHY WE ARE PROVIDING THIS PRIVACY NOTICE

We are required to provide you with this Privacy Notice by Law. It explains how we use the personal and healthcare information we collect, store and hold about you. If you are unclear about how we process or use your personal and healthcare information, or you have any questions about this Privacy Notice or any other issue regarding your personal and healthcare information, then please do contact our **Data Protection Officer** (details below).

The Law says:

- A. We must let you know why we collect personal and healthcare information about you;
- B. We must let you know how we use any personal and/or healthcare information we hold on you;
- C. We need to inform you in respect of what we do with it;
- D. We need to tell you about who we share it with or pass it on to and why; and
- E. We need to let you know how long we can keep it for.

## **2. THE DATA PROTECTION OFFICER**

The Data Protection Officer at the Surgery is the Practice Manager who can be contacted via email: [E82077.manager@nhs.net](mailto:E82077.manager@nhs.net) or 01582 463007 if:

- You have any questions about how your information is being held;
- If you require access to your information or if you wish to make a change to your information;
- If you wish to make a complaint about anything to do with the personal and healthcare information we hold about you;
- Or any other query relating to this Policy and your rights as a patient.

## **3. ABOUT US**

We, at the Davenport House (**'the Surgery'**) situated at Bowers Way, Harpenden, Herts AL5 4HX, are a **Data Controller** of your information. This means we are responsible for collecting, storing and handling your personal and healthcare information when you register with us as a patient.

There may be times where we also process your information. That means we use it for a particular purpose and, therefore, on those occasions we may also be **Data Processors**. The purposes for which we use your information are set out in this Privacy Notice.

## **4. INFORMATION WE COLLECT FROM YOU**

The information we collect from you will include:

- A. Your contact details (such as your name and email address, including place of work and work contact details);
- B. Details and contact numbers of your next of kin or emergency contact;
- C. Your age range, gender, ethnicity;
- D. Details in relation to your medical history;
- E. The reason for your visit to the Surgery;
- F. Medical notes and details of diagnosis and consultations with our GPs and other health professionals within the Surgery involved in your direct healthcare;
- G. Details of your social circumstances where these may impact your healthcare.

## **5. INFORMATION ABOUT YOU FROM OTHERS**

We also collect personal information about you when it is sent to us from the following:

- A. Hospital, a consultant or any other medical or healthcare professional, or any other person involved with your general healthcare.
- B. Social services, social workers and support workers.
- C. Police and court representatives.
- D. Insurance companies and solicitors.
- E. School administrators.
- F. DVLA
- G. Relatives, friends and carers.
- H. Employers
- I. Charities
- J. Housing Department, Job Centre and other local authority departments.

## **6. YOUR SUMMARY CARE RECORD**

Your summary care record is an electronic record of your healthcare history (and other relevant personal information) held on a national healthcare records database provided and facilitated by NHS England.

This record may be shared with other healthcare professionals and additions to this record may also be made by relevant healthcare professionals and organisations involved in your direct healthcare.

You may have the right to demand that this record is not shared with anyone who is not involved in the provision of your direct healthcare. If you wish to enquire further as to your rights in respect of not sharing information on this record then please contact our Data Protection Officer.

To find out more about the wider use of confidential personal information and to register your choice to opt out if you do not want your data to be used in this way, please visit <https://www.nhs.uk/your-nhs-data-matters/>

Note if you do choose to opt out, you can still consent to your data being used for specific purposes. However, if you are happy with this use of information you do not need to do anything. You may however change your choice at any time.

## **7. WHO WE MAY PROVIDE YOUR PERSONAL INFORMATION TO, AND WHY**

Whenever you use a health or care service, such as attending Accident & Emergency or using Community Care Services, important information about you is collected to help ensure you get the best possible care and treatment. This information may be passed to other approved organisations where there is a legal basis, to help with planning services, improving care, research into developing new treatments and preventing illness. All of this helps in providing better care to you and your family and future generations. However, as explained in this privacy notice, confidential information about your health and care is only used in this way where allowed by law and would never be used for any other purpose without your clear and explicit consent.

We may pass your personal information on to the following people or organisations, because these organisations may require your information to assist them in the provision of your direct healthcare needs. It, therefore, may be important for them to be able to access your information in order to ensure they may properly deliver their services to you:

- A. Hospital professionals (such as doctors, consultants, nurses, etc);
- B. Other GPs/Doctors;
- C. Pharmacists including practice based pharmacist;
- D. Nurses and other healthcare professionals;
- E. Dentists;
- F. Residential and nursing home staff;
- G. Counsellors, osteopaths, physiotherapists, chiropodists and other independent, alternative healthcare providers;
- H. Child Health;
- I. National Screening Services;
- J. Child Health
- K. Ambulance Service;
- L. Herts Stop Smoking Service;
- M. Any other person that is involved in providing services related to your general healthcare, including mental health professionals.

## 8. OTHER PEOPLE WHO WE PROVIDE YOUR INFORMATION TO

- A. Commissioners;
- B. Clinical Commissioning Groups;
- C. Local authorities;
- D. Community health services;
- E. For the purposes of complying with the law e.g. Police, Solicitors, Insurance Companies, Social Services;
- F. Anyone you have given your consent to, to view or receive your record, or part of your record. **Please note, if you give another person or organisation consent to access your record we will need to contact you to verify your consent before we release that record. It is important that you are clear and understand how much and what aspects of, your record you give consent to be disclosed.**
- G. **Extended Access** – we provide extended access services to our patients which means you can access medical services outside of our normal working hours. In order to provide you with this service, we have formal arrangements in place with the Clinical Commissioning Group and with other practices whereby certain key “**hub**” practices offer this service on our behalf for you as a patient to access outside of our opening hours. This means, those key “**hub**” practices will have to have access to your medical record to be able to offer you the service. Please note to ensure that those practices comply with the law and to protect the use of your information, we have very robust data sharing agreements and other clear arrangements in place to ensure your data is always protected and used for those purposes only.  
The key **Hub** practices are as follows: The Lodge Surgery, St Albans; Midway Surgery, Chiswell Green and Harvey House Surgery, St Albans.
- H. **Data Extraction by the Clinical Commissioning Group** – the clinical commissioning group at times extracts medical information about you, but the information we pass to them via our computer systems **cannot identify you to them**. This information only refers to you by way of a code that only your practice can identify (it is pseudo-anonymised). This therefore protects you from anyone who may have access to this information at the Clinical Commissioning Group from **ever** identifying you as a result of seeing the medical information and we will **never** give them the information that would enable them to do this.

There are good reasons why the Clinical commissioning Group may require this pseudo-anonymised information, these are as follows:

To review healthcare activity in practice and verify payments for services.

To identify gaps in provision of services across the CCG

To check compliance against latest medical guidance

- I. **Data Extraction by QSurveillance** – NHS Digital on behalf of Public Health England extracts monthly medical information about infectious diseases, immunisation uptake and emerging public health problems such as heatwaves via QSurveillance, (<https://qsurveillance.org/>). Extracted information it is aggregated by sex and **cannot identify you to them**.

QSurveillance forms a critical part of the UK emergency response to pandemic flu, natural and chemical disasters.

- J. **Data Extraction by CQRS** – NHS Digital on behalf of the National Health Service for England requests medical information about you on a monthly basis, but the information we pass to them via our computer cannot **identify you to them**. This information is aggregated and reported numerically to protect you from anyone who may have access to this information at NHSE from **ever** identifying you as a result of seeing the medical information and we will **never** give them the information that would enable them to do this. Computer based extractions are via CQRS- Calculating Quality Reporting Systems (<https://digital.nhs.uk/services/calculating-quality-reporting-service>).

NHSE require this aggregated information to verify payments for services.

- K. **Data Extraction by NHSE** – the National Health Service for England requests medical information about you on a quarterly basis, but the information we pass to them via our computer cannot **identify you to them**. This information is aggregated and reported numerically to protect you from anyone who may have access to this information at NHSE from **ever** identifying you as a result of seeing the medical information and we will **never** give them the information that would enable them to do this. Paper based returns are via excel spreadsheet sent using outlook on a secure nhs.net N3 connection.

NHSE require this aggregated information to verify payments for services.

- L. **Data Extraction by GPES** – NHS Digital on behalf of the National Health Service for England on occasions requests medical information about you and the practice. Information is collected via General Practice Extraction Service (<https://digital.nhs.uk/services/general-practice-extraction-service>). The information due to be requested during 2018/19:

**Dementia Data:** This data extract is designed to collect detailed information from GP practices on the patients who are, or may be, at risk of dementia. It will also collect data about patients diagnosed as living with dementia and the care they receive, and information about patients with dementia who are prescribed anti-psychotic drugs. The information collected via this extraction cannot **identify you to them**. The data is used for planning purposes.

**Patient Objections Management:** This data extract is designed to collect detailed information from GP practices on the patients who have opted not to share their medical information outside of the practice. 'You have the right to request that your confidential information is not used beyond your own care and treatment and to have your objections considered'. Data collected includes the patient's NHS number and the date that their decision to dissent was added to their medical records. This data is used to ensure any patient who dissents is not included in National Data Sharing programmes.

**Learning Disabilities Observatory:** This data extract is designed to provide a more detailed understanding of the health of people with learning disabilities in each part of the country, the care they get and how this compares to the health and care of people who do not have learning disabilities. The information collected via this extraction cannot **identify you to them**. The data is used for planning purposes.

**GP Workload Collection:** This data extract is designed to provide detailed information on appointments, electronic prescriptions and compliance of GP computer systems with national directives. The information collected via this extraction cannot **identify you to them**. The data is used for planning purposes.

**GP Appointment Data Collection In Support Of Winter Pressures:** This collection of anonymised appointment level data improves the understanding of capacity and utilisation in General Practice. It also provides a forward look of appointments scheduled to inform more effective planning and management of capacity. It aids the understanding of seasonal pressures at national level, informing the wider strategy on the provision of services across primary and secondary care, improving patient access to general practice. The information collected via this extraction cannot **identify you to them**. The data is used for planning purposes.

**Friend and Family Test:** This data extract provides patient feedback on providers of NHS funded services. NHS England publishes the results each month. The information collected via this extraction cannot **identify you to them**. The data is used for monitoring purposes.

**Diabetic Eye Screening Services:** This data extract fulfils our duty to ensure all patients with diabetes are invited to attend an eye screening appointment. Data extracted is identifiable and the following information is extracted where we hold it on record:

- your name
- date of birth
- contact details
- NHS number
- details of your GP
- information to help establish your preferred language and contact method
- whether you might need large print documents
- whether you have been diagnosed with Type 1 or Type 2 diabetes

The program might also hold information that allows your invitation to be based on clinical need. This includes your ethnicity and the date you were identified as having diabetes.

More information at <https://www.gov.uk/government/publications/diabetic-eye-screening-use-and-transfer-of-patient-information/diabetic-eye-screening-use-of-personal-information>

If you do not wish your data to be sent to the national program please contact the surgery: [e82077.manager@nhs.net](mailto:e82077.manager@nhs.net) or tel: 01582 463007

This data is used for direct patient care.

- M. **Data Extraction by CPRD** – the Clinical Practice Research Datalink (<https://www.cprd.com/home/>) at times extracts medical information about you, but the information we pass to them via our computer systems **cannot identify you to them**. This therefore protects you from anyone who may have access to this information from **ever** identifying you as a result of seeing the medical information and we will **never** give them the information that would enable them to do this.

The data is used to support medical research to improve patient and public health.

- N. **Research projects NIHR** – Dr Thenuwara supports research in primary care approved by the National Institute for Health Research. (<https://www.nihr.ac.uk/patients-and-public/learn-about-research/>) All projects are all fully approved by the NIHR's ethics committee and managed in house. Any patient identified as suitable for inclusion on a research study is contacted by the practice and is asked to explicitly opt in – identifiable medical information is **never** shared with any research study personnel unless explicit patient consent is recorded. Patients can request to be excluded from all research projects by contacting: [e82077.manager@nhs.net](mailto:e82077.manager@nhs.net) or Tel: 01582 463007.

The data is used to support medical research to improve patient and public health.

- O. **Data Quality audits third parties:** from time to time the surgery will review the quality of its data recording. In 2018/19 the surgery will contract Interface Clinical Services (<https://www.interface-cs.co.uk/#home>) to review the accuracy of disease coding to increase prevalence and enhance patient care. A third party pharmacist who is bound by the ethics and standards of the General Pharmaceutical Council will undertake this work alongside a practice GP and admin staff. Patients can request to be excluded from all research projects by contacting: [e82077.manager@nhs.net@nhs.net](mailto:e82077.manager@nhs.net@nhs.net) or Tel: 01582 463007.

This audit will:

improve identification of patients in key disease areas;  
improve care of patients through regular monitoring of their condition.

- P. **Data Quality audits CCG:** from time to time the surgery will review the quality of its prescribing. A CCG employed pharmacist and /or practice based pharmacist who is bound by the ethics and standards of the General Pharmaceutical Council will undertake this work alongside a practice GP. Patients can request to be excluded from all data quality audits by contacting: [e82077.manager@nhs.net](mailto:e82077.manager@nhs.net) or Tel: 01582 463007.

This audit will:

Identify patients on certain drug therapies;  
Improve the care of patients by swapping them to newer alternatives as per national guidance;  
Enable the practice to prescribe more cost effectively in line with local CCG guidance.

- Q. **iPlato and AccuRx Chain- texting and video consultation services:** the practice offers a text reminder service via a third party provider- iPlato and AccuRx. This service requires the sharing of personal data: your name, NHS number and relevant contact details as well as information about your booked GP appointments and surgery services that maybe relevant to your care. If you do not wish to share this data, you can opt out of the service by contacting [e82077.manager@nhs.net](mailto:e82077.manager@nhs.net) or Telephone: 01582 463007.

The Practice is using AccuRx to carry out video consultations. The consultation is not stored or recorded within the AccuRx system, the clinical staff member is required to record observations and outcomes of the consultation directly into patient records in the same way as a face to face consultation.



- R. **Prescription Pricing Authority (PPA)** : when we dispense medications and injections directly to a patient, for example travel vaccinations; B12 injections; contraceptive implants; anesthetics for minor operations we share the name of the item dispensed, your name, address, date of birth and NHS number with the Prescription Pricing Authority. The PPA require this information to verify payments for services and inform service planning, monitor medicines safety and check for fraud.
- S. **Imail**: the practice uses imail to post letters directly to patients. The system uses 256-bit SSL security as standard. The password-protected system assigns a user name and password to each individual staff user. All documents are securely encrypted before being sent from the surgery PC to the imail print centre for fulfilment, complying with security and data protection regulations
- T. **Third Party Providers**: In order to deliver the best possible service, the practice will share data (where required) with carefully selected third party service providers. When we use a third party service provider to process data on our behalf then 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 appropriately. Examples of functions that may be carried out by third parties include:  
Companies 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 appointment bookings or electronic prescription services; document management services etc.  
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 service such as travel vaccinations).  
Further details regarding specific third party processors can be supplied on request.

## 9. **ANONYMISED INFORMATION**

Sometimes we may provide information about you in an anonymised form. If we do so, then none of the information we provide to any other party will identify you as an individual and cannot be traced back to you.

## 10. **CCTV**

CCTV is in place both waiting rooms and the car park of our practice: there are signs in the practice telling you that CCTV is operating.

It has been installed solely for the safety and security of our patients and staff, to prevent and deter crime. The CCTV only records images and does not record audio.

Images are recorded 24 hours a day and stored on the hard drive of a recording device which is situated in a secure area. Authorised staff, the practice business manager and those delivering technical support services have access to the system.

All CCTV recordings are stored on our recording devices for approximately 2 months before being deleted.

We will only ever share information with the relevant authorities in connection with the safety and security of patients and staff and will not share with any other third parties.

Visitors to the practice have the right to request to see images of themselves on CCTV as part of a request made under the privacy legislation. Like all subject access requests, it must be made in writing. There may be a charge made for this service.

## **11. YOUR RIGHTS AS A PATIENT**

The Law gives you certain rights to your personal and healthcare information that we hold, as set out below:

### **A. Access and Subject Access Requests**

You have the right to see what information we hold about you and to request a copy of this information.

If you would like a copy of the information we hold about you please email our Data Protection Officer. We will provide this information free of charge however, we may in some **limited and exceptional** circumstances have to make an administrative charge for any extra copies if the information requested is excessive, complex or repetitive.

We have one month to reply to you and give you the information that you require. We would ask, therefore, that any requests you make are in writing and it is made clear to us what and how much information you require.

### **B. Online Access**

You may ask us if you wish to have online access to your medical record. However, there will be certain protocols that we have to follow in order to give you online access, including written consent and production of documents that prove your identity.

Please note that when we give you online access, the responsibility is yours to make sure that you keep your information safe and secure if you do not wish any third party to gain access.

### **C. Correction**

We want to make sure that your personal information is accurate and up to date. You may ask us to correct any information you think is inaccurate. It is very important that you make sure you tell us if your contact details including your mobile phone number has changed.

### **D. Removal**

You have the right to ask for your information to be removed however, if we require this information to assist us in providing you with appropriate medical services and diagnosis for your healthcare, then removal may not be possible.

### **E. Objection**

We cannot share your information with anyone else for a purpose that is not directly related to your health, e.g. medical research, educational purposes, etc. We would ask you for your consent in order to do this however, you have the right to request that your personal and healthcare information is not shared by the Surgery in this way. Please note the Anonymised Information section in this Privacy Notice.

## F. Transfer

You have the right to request that your personal and/or healthcare information is transferred, in an electronic form (or other form), to another organisation, but we will require your clear consent to be able to do this.

## **12. THIRD PARTIES MENTIONED ON YOUR MEDICAL RECORD**

Sometimes we record information about third parties mentioned by you to us during any consultation. We are under an obligation to make sure we also protect that third party's rights as an individual and to ensure that references to them which may breach their rights to confidentiality, are removed before we send any information to any other party including yourself. Third parties can include: spouses, partners, and other family members.

## **13. HOW WE USE THE INFORMATION ABOUT YOU**

We use your personal and healthcare information in the following ways:

- A. when we need to speak to, or contact other doctors, consultants, nurses or any other medical/healthcare professional or organisation during the course of your diagnosis or treatment or on going healthcare;
- B. when we are required by Law to hand over your information to any other organisation, such as the police, by court order, solicitors, or immigration enforcement.

***We will never pass on your personal information to anyone else who does not need it, or has no right to it, unless you give us clear consent to do so.***

## **14. LEGAL JUSTIFICATION FOR COLLECTING AND USING YOUR INFORMATION**

The Law says we need a **legal basis** to handle your personal and healthcare information.

**CONTRACT:** We have a contract with NHS England to deliver healthcare services to you. This contract provides that we are under a legal obligation to ensure that we deliver medical and healthcare services to the public.

**CONSENT:** Sometimes we also rely on the fact that you give us consent to use your personal and healthcare information so that we can take care of your healthcare needs.

Please note that you have the right to withdraw consent at any time if you no longer wish to receive services from us.

**NECESSARY CARE:** Providing you with the appropriate healthcare, where necessary. The Law refers to this as 'protecting your vital interests' where you may be in a position not to be able to consent.

**LAW:** Sometimes the Law obliges us to provide your information to an organisation (see above).

## **15. SPECIAL CATEGORIES**

The Law states that personal information about your health falls into a special category of information because it is very sensitive. Reasons that may entitle us to use and process your information may be as follows:

**PUBLIC INTEREST:** Where we may need to handle your personal information when it is considered to be in the public interest. For example, when there is an outbreak of a specific disease and we need to contact you for treatment, or we need to pass your information to relevant organisations to ensure you receive advice and/or treatment;

**CONSENT:** When you have given us consent;

**VITAL INTEREST:** If you are incapable of giving consent, and we have to use your information to protect your vital interests (e.g. if you have had an accident and you need emergency treatment);

**DEFENDING A CLAIM:** If we need your information to defend a legal claim against us by you, or by another party;

**PROVIDING YOU WITH MEDICAL CARE:** Where we need your information to provide you with medical and healthcare services

## **16. HOW LONG WE KEEP YOUR PERSONAL INFORMATION**

We carefully consider any personal information that we store about you, and we will not keep your information for longer than is necessary for the purposes as set out in this Privacy Notice.

## **17. UNDER 16s**

There is a separate privacy notice for patients under the age of 16, a copy of which may be obtained on request.

## **18. IF ENGLISH IS NOT YOUR FIRST LANGUAGE**

If English is not your first language you can request a translation of this Privacy Notice. Please contact our Data Protection Officer.

## **19. COMPLAINTS**

If you have a concern about the way we handle your personal data or you have a complaint about what we are doing, or how we have used or handled your personal and/or healthcare information, then please contact our Data Protection Officer.

However, you have a right to raise any concern or complaint with the UK information regulator, at the Information Commissioner's Office: <https://ico.org.uk/>.

## **20. OUR WEBSITE**

The only website this Privacy Notice applies to is the Surgery's website. If you use a link to any other website from the Surgery's website then you will need to read their respective privacy notice. We take no responsibility (legal or otherwise) for the content of other websites.

We are committed to protecting your privacy. You can access our website without giving us any information about yourself. But sometimes we do need information to provide services that you request, and this statement of privacy explains data collection and use in those situations.

In general, you can visit our web site without telling us who you are and without revealing any information about yourself. However there may be occasions when you choose to give us personal information, for example, when you choose to contact us or request information from us. We will ask you when we need information that personally identifies you or allows us to contact you.

We collect the personal data that you may volunteer while using our services. We do not collect information about our website from other sources, such as public records or bodies, or private organisations. We do not collect or use personal data obtained via our website for any purpose other than that indicated below:

- To send you confirmation of requests that you have made to us
- To send you information when you request it.

We intend to protect the quality and integrity of your personally identifiable information given via our website and we have implemented appropriate technical and organisational measures to do so. We ensure that personal data provided by you via our website will not be disclosed to State institutions and authorities except if required by law or other regulation.

Our website may contain links to other websites of interest. However, once you have used these links to leave our site, you should be aware that we do not have any control over the other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting these sites.

## **21. COOKIES**

We do not use cookies on our website therefore you will not see a message asking you to choose to accept or decline cookies.

## **22. SECURITY**

We take the security of your information very seriously and we do everything we can to ensure that your information is always protected and secure. We regularly update our processes and systems and we also ensure that our staff are properly trained. We also carry out assessments and audits of the information that we hold about you and make sure that if we provide any other services, we carry out proper assessments and security reviews.

## **23. CONTACTING YOU**

Because we are obliged to protect any confidential information we hold about you and we take this very seriously, it is imperative that you let us know immediately if you change any of your contact details including permanent home address, landline, mobile number and email address.

We may contact you using either SMS texting to your mobile phone or via email in the event that we need to notify you about appointments and other services that we provide to you involving your direct care, therefore you must ensure that we have your up to date details. This is to ensure we are sure we are actually contacting you and not another person.

**24. WHERE TO FIND OUR PRIVACY NOTICE**

You may find a copy of this Privacy Notice in the Surgery's reception, on our website, or a copy may be provided on request.

**25. CHANGES TO OUR PRIVACY NOTICE**

We regularly review and update our Privacy Notice. This Privacy Notice was last updated on 22<sup>nd</sup> April 2020