**PRIVACY NOTICE: DATA SHARING WITH GP SERVICES**

The Courtyard Clinic is moving to using St George’s University Hospitals NHS Foundation Trust Electronic Medical Records.

If you are happy for us to send letters to your GP, this DOES NOT affect your care.

If you DO NOT CONSENT for us to send letters to your GP and would like to continue to decline letters to the GP, this will block all hospital correspondence between St George’s Hospital and your GP.

This leaflet explains in detail how we keep your records confidential, the law around keeping data confidential, and if you choose to decline GP letters, what this may mean for your care and what your options are for data sharing.

# What changes are we making to our service and how will this affect me?

All outpatient clinics at St George’s University Hospitals NHS Foundation Trust (“the Trust”) are moving from paper notes to electronic medical records. The Courtyard Clinic will also be using the Trust Electronic Medical Records. Previously, the Courtyard Clinic kept paper and electronic notes separate. If your GP is within South-West London, blood results and letters are also automatically shared with your General Practitioner (GP) through an electronic medical record portal, called the Health Information Exchange Portal (HIE portal). Within the hospital, all electronic medical records are restricted so that only people who are directly involved in your medical care may access them. The same is true of the HIE portal where access is restricted so that only people in your GP practice are allowed access to your private and confidential information in your health record on a need-to-know basis.

This privacy notice is issued by the Trust as your healthcare provider and covers information regarding sharing clinical information between the Trust and your GP. It describes how we collect, use, retain and share personal information which we hold.

# What information may be held in electronic hospital records?

* Name, NHS number, address, telephone, email, date of birth and next of kin
* Any contact we have had with you through appointments, attendances, and home visits
* Details and records of treatment and care, notes, and reports about your health, including medications, allergies, or health conditions
* Results of x-rays, scans, blood tests, etc.
* Other relevant information from people who care for you and know you well, such as health professionals, relatives, and carers.

# Who has access to my electronic hospital records?

Only individuals directly involved in your medical care have access to your hospital records and this is on a need-to-know basis. We do not share any medical information with any other individuals or services without your expressed consent.

*Everyone working for the NHS is subject to the Common Law Duty of Confidentiality.* This means that any information that you provide to us in confidence will *only* be used in connection with the purpose for which it was provided, *unless* we have specific consent from you or there are other special circumstances covered by law.

Under the Data Protection Act 2018, strict principles govern our use of information and our duty to ensure it is kept safe and secure.

Under the NHS Confidentiality Code of Conduct, all our staff are required to protect information, inform you of how your information will be used, and allow you to decide if and how your information can be shared.

# Can my GP see my hospital records?

Blood results and letters are automatically shared through an electronic health record called the Health Information Portal which is shared with your GP service if your GP is within Southwest London. They cannot see your complete hospital records and are only able to see blood results and letters from St George’s Hospital.

As with our records, access is restricted so that *only* those individuals in your GP practice who have a need to know this information and have permission can gain access.

# What are my options if I don’t want the GP to see my hospital records?

We encourage all patients to allow us to share their medical information with the GP to give the best possible and safest care as this can make a big difference to your health.

You may request a Subject Access Request at any time to see who has been accessing your information from the hospital or GP practice.If you understand the implication of blocking sharing between the Trust and the GP may have a negative impact on your health, you may opt out of sharing information with your GP. We will explain what these implications are in the next section.

You may at any time change your mind and allow electronic sharing of records between the Trust and your GP.

# If I block my GP from seeing my hospital records, what does this mean for me?

If the Trust restrict sharing for the Health Information Portal, this means GP letters will *not* be sent to your GP and the GP will *not* be able to see any blood tests or letters. This will affect *all* departments in the Trust and not just the Courtyard Clinic.

For example, if you visit any other department in the hospital, the letter and information from this appointment or inpatient stay will also be blocked from being shared with the GP.

This will affect your GP from being able to make the right decisions about your care and follow up and to make sure your treatment is safe and effective.

It also prevents any health care professional within St George’s Hospital from accessing information from your GP service, such as your vaccination record, or your recent medications, which may also affect us from being able to make the right decisions are made about your care and to make sure any treatment is safe and effective.

If you decide to block your GP from seeing your hospital records, we will ask for your written consent to do this.

# What are my rights?

We would like to stress that, at all times:

* You have the right to know how we will use your personal information
* You have the right to see your health record (your medical notes). This is known as a Right of Data Subject Access
* You have the right to object to us making use of your information
* You can ask us to change or restrict how we use your information, and we will agree if possible.
* You have the right to ask for your information to be changed if it is incorrect, and erased, under certain conditions.

This means you have the right to prevent your GP from seeing your information on the Health Information Portal

# What laws are there to protect my data?

We recognise the importance of protecting personal and confidential information in all that we do, and take care to meet our legal and other duties, including compliance with the following:

* Data Protection Act 2018
* UK General Data Protection Regulations
* Human Rights Act 1998
* Access to Health Records Act 1990
* Freedom of Information Act 2000
* Health and Social Care Act 2012, 2015
* Public Records Act 1958
* UK Policy Framework for Health and Social Care Research
* Copyright Design and Patents Act 1988
* Re-Use of Public Sector Information Regs 2004
* Computer Misuse Act 1990
* Common Law Duty of Confidentiality
* NHS Care Records Guarantee for England
* Social Care Records Guarantee for England
* International information Security Standards
* Information Security Code of Practice
* Records Management Code of Practice
* Accessible Information Standards

The lawful basis for the Trust as a public authority for processing information for your individual care under the Data Protection Legislation, UK General Data Protection Regulation and Data Protection Act 2018 are as follows:

As a public authority, the collection and use of your personal data is necessary for the provision of quality care and is in the public interest and exercising our official authority as a healthcare provider.  This is known as our “legal basis” for the collection and processing of personal data under current data protection regulations Article 6(1) (e) of the UK GPDR.

Special category data such as health data is personal data which the UK GDPR deems more sensitive, and therefore requires additional. In addition to the above, the following are the lawful basis relied upon in the processing of special category data.

For the processing of special category data for medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services, the legal basis we rely on in this circumstance can be found under UK GDPR Article 9(2) (h).

In the protection of vulnerable people from harm, the lawful basis relied on can be found in Article 9(2)(b) ‘…is necessary for the purposes of carrying out the obligations and exercising the specific rights of the controller or of the data subject in the field of …social protection law in so far as it is authorised by Union or Member State law.’

There is also other legislation in place that determines our functions, and which may allow us to process data outside of the provisions identified above.

# How do I access to my information and health records?

If you would like copies of your letters or any recent blood results, please ask your health care professional. If you would like to see your complete medical records, this may be requested. Please ask for a Health Record Application form to complete, which you can return with proof of your identity to:

**Medico-Legal & Access Team**
St George’s University NHS Foundation Trust

Blackshaw Road London. SW17 0QT

# How can I make a complaint?

You have the right to make a complaint if you feel unhappy about how we hold, use, or share your information. We would recommend contacting our Information Governance team through email at information.governance@stgeorges.nhs.uk initially to talk through any concerns that you have.

It may also be possible to resolve your concerns through a discussion with our Patient Advice and Liaison Service (PALS) before (or without the need to start) a more formal process:

**Complaints and Improvements Department**

St George’s University NHS Foundation Trust

Blackshaw Road London SW17 0QT

Email: pals@stgeorges.nhs.uk

Phone: 020 8725 2453

Web: <https://www.stgeorges.nhs.uk/patients-and-visitors/help/>

Alternatively, you can contact the trust’s Head of Patient Experience who investigates complaints from patients and their relatives:

**Head of Patient Experience**

St George’s University NHS Foundation Trust

Blackshaw Road London SW17 0QT

Email: complaints.compliments@stgeorges.nhs.uk

Phone: 020 8672 1255

If you remain dissatisfied following the outcome of your complaint, you may then wish to contact the Information Commissioner’s Office (ICO)

**Information Commissioner’s Office**

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Phone: 0303 123 1113

Web: <https://ico.org.uk/make-a-complaint/>

You can also find details of our registration with the Information Commissioner online here <https://ico.org.uk/esdwebpages/search> Our ICO registration number is **Z6900098.**