

PRIVACY NOTICE

Executive summary

- As Custodian of personal information relating to our care and treatment, OfficeGP must only use that information in accordance with all applicable law and guidance. This Privacy Notice provides you with a detailed overview of how OfficeGP will manage your data from the point at which it is gathered and onwards and how that complies with the law. We will use your personal information for a variety of purposes including, but not limited to providing you with care, sharing it with other medical professionals and clinical audit programmes.
- In addition, you have several rights as a data subject. You can, for instance, seek access to the information we hold about you, request rectification of any information which is inaccurate or deletion of information which is no longer required (subject to certain exceptions). This Privacy Notice also sets out your rights in respect of your personal information, and how to exercise them.
- For ease of reference, this Notice is broken into separate sections below with headings which will help you to navigate through the document.
- We depend on the patient to inform us about any changes they require to their personal information and handling and management of it. Unless we are informed otherwise, we will continue with the current methods.

Introduction

This Privacy Notice sets out details of the information that OfficeGP, which is responsible for providing you with medical services may collect from you and how that information may be used. Please read this Privacy Notice carefully.

About Us

In this Privacy Notice we will use “we” or “us” or “our” to refer to OfficeGP who is using your personal information.

If you have any queries, comments, or concerns in respect of the way we have used or potentially will use your personal information then you should contact us directly and we would be happy to discuss further. Please contact our data officer directly by:

a Telephone: 020 7763 9148

b Email: info@officegp.co.uk

c Post: Data Protection Officer, OfficeGP Ltd., Chelsea Consulting Rooms, 2 Lower Sloane Street, London SW1W 8BJ.

Your Personal Data

As a patient of OfficeGP, we are the Data Controller in respect of your personal information, which we hold about you. This will mainly relate to your care and treatment but will be likely to also include other information such as financial billing. We promise to protect your privacy in compliance with the

data protection legislation and relevant guidance when handling your personal information. Your personal data may include any results obtained in relation to your care which must not only be managed in accordance with the law, this Privacy Notice but also applicable professional standards including guidance from the GMC and the BMA.

We will provide your medical care. It may be necessary for other independent healthcare providers to also process your personal data. We will do so in accordance with the law, the principles of this Privacy Notice and to the extent that it is necessary to do so. This could be where we need to arrange other healthcare services as part of your treatment plan, such as referring you on to other health professionals for specialist treatments. In that case we the OfficeGP will become joint Data Controller in respect of your personal information and you will be provided with a copy of their Privacy Notice which sets out how they will manage that information.

Your personal information will be handled in accordance with the principles set out within this Privacy Notice. This means that whenever we use your personal data, we will only do so as set out in this Privacy Notice.

What Personal information do we collect and use from patients?

- We will use “special categories of personal information” (previously known as sensitive data) about you such as information relating to your personal health.
- If you provide personal information to us about other individuals (including medical or financial information) you should inform the individual about the contents of this Privacy Notice.
- In addition, you should note that in the event you amend data we already hold about you (for example by amending a pre-populated form) then we will update our system to reflect the amendments. Our system will continue to store historical data.

Personal information

As one of our patients the personal information we hold about you may include the following:

- Name
- Contact details, such as postal address, email address, and telephone number (including mobile number)
- Financial information and insurance policy details
- Emergency contact details including next of kin
- Background referral details

Special Categories Personal information

As one of our patients, we will hold information relating to your care which is known as a special category of personal data under the law meaning that it must be handled even more sensitively. This may include the following:

- Details of your current and former physical health, including information about any type of care you have received from other healthcare providers such as GP’s, Consultants, Hospitals, Physiotherapists, (private & NHS) which may include details of clinic and hospital visits, as well as medicines administered. We will provide further details below on the way we handle such information.

- Details of services you have received from us.

The confidentiality of your medical information is important to us and we make every effort to prevent unauthorised access to and use of information relating to your current or former physical mental health (or any of your information more generally) In doing so we will comply with UK Data Protection Law, including DATA Protection Act 2018 and all applicable medical confidentiality guidelines issued by professional bodies including but not limited to The Health Professional Council, BMA and GMC.

How do we collect your information?

We may collect your personal information from a number of different sources, including, but not limited to:

- GP's
- Consultants and their medical secretaries
- Other hospitals both private and NHS
- Physiotherapists

Directly from you

Information may be collected directly from you when:

- Enter into a contract with us directly or for the provision of our services.
- You use those services
- You complete enquiry forms on our website
- You submit a query to us including by email or social media

From other healthcare organisations

Our patients will usually receive healthcare from other organisations, and so in order to provide you with the best treatment possible we may have to collect personal information about you from them. These may include:

- Medical records from a previous GP
- Medical records from other clinicians including their secretaries
- Medical records from any private healthcare organisation or NHS.

Medical records include information about your diagnosis, clinic, hospital visits and medicines administered.

From third parties

As detailed in the previous section, it is often necessary to seek information from other healthcare organisations. We may also collect information about you from third parties when:

- We liaise with your current or former health professional or other treatment or benefit provider
- We liaise with your family
- We liaise with your insurance policy provider
- We deal with medical consultants and other service providers about services you have received or are receiving from us.

- We deal with NHS about services you have or are receiving from us
- We liaise with government agencies including the Ministry of Defence, the Home Office and HMRC.

How will we communicate with you?

We may communicate with you in a range of ways, including by telephone, SMS, email and Post. If we contact you using the telephone number(s) which you have provided by landline or mobile and you are not available which results in the call being directed to voicemail and or answering service, we may leave a voice message on your voice mail or answering service as appropriate, and including only sufficient basic details to enable you to identify who the call is from, very limited details as to the reason for the call and how to call us back.

However

- To ensure that we provide you with timely updates and reminders in relation to your healthcare including basic administration information and appointment information, (including reminders) we may communicate with you by SMS and or email (where you have provided us with your SMS or email address)
- To provide you with medical information including test results and other clinical updates, and or invoice information, we may communicate with you by email which will be encrypted where you have provided us with your email address and have expressed preference in the patient registration form to be contacted by email. The first time we send you any important encrypted email that we are not also sending by post or which requires action to be taken, we will endeavour to contact you separately to ensure that you are able to access the encrypted email you are sent.

Please note that although providing your mobile number and email address and stating a preference to be communicated by a method will be taken as an affirmative confirmation that you are happy for us to contact you in that manner, we are not relying on your consent to process your personal data to correspond with you about your treatment. As set out further below, processing your personal data for those purposes is justified on the basis that it is necessary to provide you with our services. Please inform us if you no longer want us to hold your personal information.

Surveys

We may contact you to request for a review regarding your care or treatment at the Sloane Street Surgery. This will largely be sent by SMS, or email or post. This is not a form of marketing and we will not try to sell you any further products services. It is solely to gather your experience at the surgery, for purposes of improving the quality and care of our services we offer and to improve these wherever possible. Participation in these is purely voluntary. You may decide not to give a review.

What are the purposes for which your information is used

We may process your information for several different purposes, which essentially the language used by law to mean using your data. Each time we use your data we must have legal justification to do so.

The justification will depend on the purpose of the proposed use of your data. When the information that we process is classed as special category of personal information we must have a specific additional legal justification to use it as proposed. Generally, we will rely on the following legal justifications or grounds:

- Taking steps at your request so that you can enter into a contract with us or receive medical services from us.
- For the purposes of providing you with the healthcare pursuant to a contract between you and us. We will rely on this for activities such as supporting your care and other benefits, care or other healthcare professional and providing other services to you.
- We have an appropriate business need to process your personal information and such business does not cause harm to you. We will rely on activities such as quality assurance, maintaining our business records, monitoring outcomes and responding to any complaints.
- We have a legal or regulatory obligation to use such personal information.
- We need to use such personal information to establish exercise or defend our legal rights.
- You have provided your consent to our use of your personal information.

Note, that failure to provide your information further to a contractual requirement with us may mean that we are unable to set you up as a patient or facilitate the provision of your healthcare. We provide further detail on these grounds below.

Appropriate business needs

One legal ground for processing personal data is where we do so in pursuit of legitimate interests and those interests are not overridden by your privacy rights. Where we refer to use for my appropriate business needs we are relying on this legal ground.

The right to object to other uses of your personal data

You have a range of rights with respect to your personal data as set out earlier. This includes the right to object to us using your personal information in a way (such as sharing your information with third parties) and we must stop using it in that way unless specific exceptions apply. This includes, for example, if it is necessary to defend a legal claim brought against us or it is otherwise necessary for the purpose of your ongoing treatment.

You will find details of our legal grounds for each of our processing purposes below. We have set out individually those purposes for which we will use your personal information and under each one we set out the legal ground, as well as an additional legal ground for special categories of personal information. This is because we must demonstrate additional legal grounds where using information which relates to a person's healthcare, as we will be the majority of times when we use your personal information.

Purpose A to set you up as our patient

As it is common with most businesses, we need to use your personal information to set you up as a patient and to provide you with the appropriate type of appointment.

- Legal ground: taking the necessary steps so you can enter into a contract with us for the delivery of healthcare.
- Additional legal ground for special categories of personal information: the use is necessary for reasons of substantial public interest and it is also in our legitimate interest to do so.

To provide you with healthcare and related services

Clearly the reason you come to us is to provide you with health services and so we have to use your personal information for that purpose.

- Legal grounds: providing you with healthcare and related services
- Fulfilling our contract with you for the delivery of healthcare

Additional legal grounds for special categories of personal information

- We need the data to provide healthcare services to you
- The use is necessary to protect your vital interests where you are physically or legally incapable of giving consent.

For account settlement purposes

We will use your personal information to ensure that your account and billing is fully accurate and up to date where applicable.

- Legal grounds: providing your healthcare and other related services
- Fulfilling our contract with you for the delivery of healthcare
- Having an appropriate business need to use your information which does not overly prejudice you.
- Your consent

Additional legal grounds for special categories of personal information

- We need to use the data to provide healthcare services to you
- The use is necessary for us to establish, exercise or defend our legal rights
- Your consent

For audit purposes

We may process your personal data for audit purposes of local clinic audit – i.e. an audit carried out by the team for purposes of assessing outcomes for patients and identifying improvements which could be made in the future. We can do so on the basis our legitimate interest and the public interest in statistical and scientific research, and with appropriate safeguards in place. You are, however,

entitled to object to our using your personal data for this purpose, and as a result for which we would need to stop doing so. If you would like to raise such an objection, then please contact us using the details provided above.

Communicating with you and resolving any complaints or queries you have

From time to time, patients may raise queries or even complaints with us and we take those communications very seriously. It is important that we can resolve such matters fully and properly and so we will need to use your personal information in order to do so.

Legal Grounds: providing you with healthcare and other related services

- Having an appropriate business need to use your information which does not overly prejudice you.

Additional legal grounds for special categories of personal information

- The use is necessary for the provision of healthcare or treatment pursuant to a contract with a health professional
- The use is necessary in order for us to establish, exercise or defend our legal rights.

Purpose and communicating with any other individual that you ask us to update about your care and updating other healthcare professionals about your care.

In addition, other healthcare professionals or organisations may need to know about your treatment for them to provide you with safe and effective care and so we may need to share your personal information with them. Further details on the third parties who may need access to your information is set out further below.

Legal grounds: providing you with healthcare and other related services

- We have a legitimate interest in ensuring that other healthcare professionals who are routinely involved in your care have a full picture of your treatment.

Additional legal ground for special categories of personal information.

- We need to use the data to provide best healthcare service to you
- The use is necessary for reason of substantial public interest under UK law
- The use is necessary for us to establish exercise or defend legal rights

Complying with our legal or regulatory obligations and defending or exercising our legal rights

As a provider of healthcare services, we are subject to a wide range of legal and regulatory responsibilities which is not possible to list fully here. We may be required by law or by regulators to provide personal information and in which case we will have a legal responsibility to do so. From time to time clinicians are unfortunately also the subject of legal actions or complaints. To fully investigate and respond to those transactions, it is necessary to access your personal information (although only

to the context that it is necessary and relevant to the subject matter).

Legal grounds: the use is necessary for us to comply with our legal obligations

Additional legal ground for special categories of personal information

- we need to use the data for others to provide informed healthcare services to you
- the use is necessary for reasons of the provision of healthcare or treatment or the management of health or social care systems
- the use is necessary for establishing, exercising or defending legal claims

We are also required by law to conduct audits of health records, including medical information, for quality assurance purposes. Your personal and medical information will be treated in accordance with guidelines issued by the Care Quality Commission England, Health Inspectorate Wales and Healthcare Improvement Scotland.

Disclosures to third parties

- A doctor, nurse, carer, or any other healthcare professional involved in your treatment
- Other members of support staff involved in the delivery of your care like receptionists
- Anyone that you ask me to communicate with or provide as an emergency contact, for example, your next of kin, or carer
- Other private sector healthcare providers
- Your Consultants
- Other clinicians including their secretaries
- Third parties who assist in the administration of your healthcare such as insurance companies
- National and other professional research and audit programmes and registries as detailed earlier
- Government bodies including the Ministry of Defence and the Home Office and HMRC
- Other regulators like the Care Quality Commission, Health and Care Professions Council
- The police and other third parties where reasonably necessary for the prevention or detection of crime
- Other insurers
- Our third-party services providers such as IT suppliers, auditors document management providers.

We may communicate with these third parties in a variety of ways including but not limited to email post or fax and telephone.

Automated decision making

An automated decision is a decision made by computer without any human input and there will be no automated decision making in relation to your care or other decisions which will produce legal or similar significant effects.

How long do we keep your information for?

We will only keep your personal information for as long as reasonably necessary to fulfil the relevant purposes set out in this Privacy Notice and in order to comply with our legal and regulatory

obligations.

International Data transfers

We or third parties acting on our behalf may store or process information that we collect about you in countries outside of the European Economic Area. Where we make a transfer of your personal information outside of the EEA we will take the required steps to ensure that your personal information is protected.

Your rights

Under Data Protection Law you have certain rights in relation to the personal information that we hold about you and how it is used. You may exercise these rights at any time by contacting us using the details provide above.

- There will not usually be a charge for handling a request to exercise your rights
- If we cannot comply with your request to exercise your rights, we will usually tell you why
- There are some special rules about how these rights apply to health information as set out in legislation including the Data Protection Act (current and future). The General Data Protection Regulation as well as any secondary legislation which regulates the use of personal information.
- If you make many request or it is not reasonable for us to comply with a request, then we do not have to respond. Alternatively, we can charge for responding.

Your rights include

The right to access your personal information

- You are usually entitled to a copy of the personal information we hold about you and details about how we use it
- Your information will usually be provided to you in writing, unless otherwise requested. If you have made the request electronically (e.g. by email) the information will be provided to you by electronic means where possible.
- Please note that in some cases we may not be able to fully comply with your request, for example if your request involves the personal data or another person and it would not be fair to that person to provide it to you.

You are entitled to the following under data protection law:

Under article 15(1) of the GDPR we must usually confirm whether we have personal information about you. If we do hold personal information about you, we usually need to explain to you:

- The purposes for which we use your personal information
- The types of personal information we hold about you
- Who your personal information has been or will be shared with including organisations based outside of the EEA.
- If your personal information leaves the EU how we will make sure that it is protected.
- Where possible, the length of time we expect to hold your personal information. If that is not

possible, the criteria we use to determine how long we hold your information for

- If the personal data, we hold about you was not provided by you, details for the source of the information
- Whether we make any decisions about you solely by computer and if so details of how those decisions are made and the impact they may have on you
- Your right to ask us to amend or delete your personal information
- Your right to ask us to restrict how your personal information is used or to object to our use of your personal information
- Your right to complain to the Commissioner's Office
- We also need to provide you with a copy of your personal data provided specific exceptions and exemptions do not apply.

The right to rectification

We take reasonable steps to ensure that the information we hold about you is accurate and complete. However, if you do not believe this is the case, you can ask us to update and amend it.

The right to erasure (also known as the right to be forgotten)

In some circumstances, you have the right to request that we delete the personal information we hold about you. However, there are exceptions to this right and in certain circumstances we can refuse to delete the information in question. For example, we do not have to comply with your request if it is necessary to keep your information to perform a task which is in the public interest including public health or for the purpose of establishing exercising or defending legal claims.

The right to restriction of processing

In some circumstances we must "pause" our use of your personal data if you ask us to do so, although we do not have to comply with all requests to restrict our use of your personal information. For example, we do not have to comply with your request if it is necessary to keep your information in order to perform tasks which are in the public interest including public health or for the purposes of establishing, exercise or defending legal claims.

The right to data portability

In some circumstances we must transfer personal information that you have provided to you or (if this is technically feasible) another individual /organisation of your choice. The information must be transferred in an electronic format.

The right to withdraw consent

In some cases, we may need your consent for our use of your personal information to comply with data protection legislation. Where we do this, you have the right to withdraw your consent to further use of your personal information. You can do this by contacting us using the details already provided.

The right to complain to the Information Commissioner's Office

You can complain to the Information Commissioner's Office if you are unhappy with the way that we have dealt with a request from you to exercise any of these rights or if you think we have not complied with our legal obligations. More information is available and can be found on the Information Commissioner's Office website: <https://ico.org.uk/>

Updates to this Privacy Notice

We may update this Privacy Notice from time to time to ensure that it remains accurate, and the most up to date version can always be found on our website. In the event that there are any material changes to the manner in which your personal information is to be used then we will provide you with an updated copy of this Privacy Notice.