

71-75 Shelton Street, London, WC2H 9JQ | www.generalpracticesolutions.net
020 8865 1942 | enquiries@generalpracticesolutions.net

PUBLIC PRIVACY NOTICE

INTRODUCTION

General Practice Solution (GPS) Ltd formally registered as a consultancy provider for NHS organisations on 24th October 2022.

GPS is committed to protecting and respecting your privacy.

GPS has various roles and responsibilities, but a major part of our work involves making sure that:

- Assisting primary care providers as per our client brief
- Establish systems which may result in our Specialists looking at records.
- Ensuring that primary care provides offer high quality care and value for money.

This is called a consultancy service and is explained in more detail on our website.

Accurate, timely and relevant information is essential for our work to help us to design and plan current and future health and care services for our clients.

As GPS, our purpose is not to provide direct care and so we do not routinely hold or receive information about service users in relation to care. However, should one of our client primary care providers require locum assistance (this is reserve staff in the instance of skeletal staffing arrangements incurred through illness, statutory leave entitlements or other) our GPSAs will enter a usual confidentiality agreement and declare any potential conflicts of interest.

CONTROL OF PATIENT INFORMATION REGULATIONS (COPI) - CORONA VIRUS UPDATE

Secretary of State for Health & Social Care had given Notice under Regulation 3(4) of the Health Service Control of Patient Information Regulations 2002 that the NHS organisations are required to process and share necessary health and social care data. This is for the purposes set out in Regulation 3 (1) Health Service Control of Patient Information Regulations 2002 and for the 'COVID-19 Purpose' as set out in the Secretary of States Notice. This Notice allowed the NHS organisations to process confidential patient information and dissemination of information to a person or organisation permitted to process confidential patient information under Regulation 3(3) of COPI. The first COPI Notice was applied on 20 March 2020 and the final extension of the notice expired on 30 June 2022.

As of 1 July 2022, processing of personal data must continue to be compliant with the UK Data law such as UK General Data Protection Regulations (UK GDPR) and Data Protection Act 2018 (DPA 2018).

WHAT IS A PRIVACY NOTICE?

We respect your right with regards to data privacy and data protection when you communicate (online or offline) with us through our various websites, offline programs and events.

WHAT INFORMATION DO WE COLLECT?

Find out what information we collect about you, what types of personal data we handle and what we do with that information.

YOUR RIGHTS

UK data protection laws give you several rights in relation to the information that GPS holds about you.

SECTION 1: WHAT IS A PRIVACY NOTICE

A Privacy Notice is a statement that describes how GPS collects, uses, retains, and discloses personal information. Different organisations sometimes use different terms, and it can be referred to as a privacy statement, a fair processing notice or a privacy policy.

To ensure that we process your personal data fairly and lawfully we are required to inform you:

- Why we need your data.
- How it will be used.
- Who it will be shared with.

This information also explains what rights you have to control how we use your information.

The law determines how organisations can use personal information. The key laws are: The Data Protection Act 2018 (DPA), the Human Rights Act 1998 (HRA), and the Common Law Duty of Confidentiality, along with health specific legislation such as the Health and Social Care Act 2012.

Within these pages we describe instances where GPS is the "Data Controller", for the purposes of the Data Protection Act 2018, and where we direct or commission the processing of service user data to help deliver better healthcare, or to assist the management of our client's healthcare services.

GPS recognises the importance of protecting personal and confidential information in all that we do, all we direct or commission, and takes care to meet its legal duties.

The following outlines the management of the notice, contact details for GPS and access to the relevant legislation.

COMPLAINTS ABOUT HOW WE PROCESS YOUR PERSONAL INFORMATION

In the first instance, you should contact the:

General Practice Solutions
71 – 75 Shelton Street
London
WC2H 9JQ

Telephone: 020 8865 1942
enquiries@generalpracticesolutions.net

If, however, you are not satisfied that your complaint has been resolved, you have the right to contact the Information Commissioner to request an independent investigation of your complaint:

Information Commissioner's Office Wycliffe
House
Water Lane Wilmslow
SK9 5AF ico.org.uk
Telephone: 0303 123 1113

CHANGES TO OUR PRIVACY NOTICE

We keep our privacy notice under regular review, and we will place any updates on this web page. This notice was last updated in **October 2022**.

DATA PROTECTION NOTIFICATION

We have notified the Information Commissioner that we process personal data and the details are publicly available from their office as detailed above.

Our Registration number with the ICO is: **KH3678214**

HOW TO CONTACT US

Data Protection Officer (DPO): Mr Shaun Chadwick – Managing Director

General Practice Solutions
71 – 75 Shelton Street
London
WC2H 9JQ

Telephone: 020 8865 1942
enquiries@generalpracticesolutions.net

SECTION 2: WHAT INFORMATION DO WE COLLECT

- What information do we collect about you
- How will we use information about you
- Sharing your information Retaining information Security of your information

WHAT INFORMATION DO WE COLLECT ABOUT YOU?

We only collect and use your information for the lawful purposes of administering the business of GPS.

We process personal information to enable us to support the provision of healthcare services to service users, maintain our own accounts and records, promote our services, and to support and manage our clients' services. To do so effectively we are often required to process personal data, that which identifies a living individual.

We also process special category data. This is personal data which the Data Protection Act 2018 (DPA 2018) says is more sensitive, and so needs more protection:

- Racial and ethnic origin.
- Offences (including alleged offences), criminal proceedings, outcomes and sentences.
- Trade union membership.
- Religious or similar beliefs.
- Employment tribunal applications, complaints, accidents, and incident details.

This information will generally relate to our associates, covered by the Privacy Notice for workers. In terms of service user information, the special category data we process includes:

- Physical or mental health details.

- Racial and ethnic origin.
- Sexual orientation.

HOW THE NHS AND CARE SERVICES USE YOUR INFORMATION AND YOUR CHOICES

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.

The information collected about you when you use these services can also be provided to other approved organisations, where there is a legal basis, to help with planning services, improving care provided on behalf of our client providers, research into developing new treatments and preventing illness. All this help to provide better health and care for you, your family and future generations. Confidential personal information about your health and care is only used in this way, where allowed by law and would never be used for insurance or marketing purposes without your explicit consent.

You have a choice about whether you want your confidential information to be used in this way.

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, visit www.nhs.uk/my-data-choice. If you do choose to 'opt out,' you can still consent to your data being used for specific purposes.

If you are happy with this use of information, you do not need to do anything. However, you can change your choice at any time.

THE NATIONAL FRAUD INITIATIVE

GPS is required to assist client providers to help manage the public funds it administers. It may share information provided to it with other bodies responsible for auditing, or administering public funds, or where, undertaking a public function, to prevent and detect fraud.

The Cabinet Office is responsible for carrying out data matching exercises. Data matching involves comparing computer records held by one body against other computer records held by the same or another body to see how far they match. This is usually personal information. Computerised data matching allows potentially fraudulent claims and payments to be identified. Where a match is found it may indicate that there is an inconsistency which requires further investigation. No assumption can be made as to whether there is fraud, error or other explanation until an investigation is carried out.

We assist our client providers with the Cabinet Office's National Fraud Initiative : a data matching exercise to assist in the prevention and detection of fraud. We are required to provide sets of data subject to client provider consent, to the Minister for the Cabinet Office for matching for each exercise.

The use of data by the Cabinet Office in a data matching exercise is carried out with statutory authority under Part 6 of the Local Audit and Accountability Act 2014.

Data matching by the Cabinet Office is subject to a Code of Practice. Should you wish to know more information on this Fair Processing Notice please see the more detailed full text. View further information on the Cabinet Office's legal powers and the reasons why it matches particular information. For further information on data matching at this authority contact the Data Protection Officer, Stephen Jones at dpo@cabinetoffice.gov.uk.

LEGAL BASIS FOR PROCESSING

For UK GDPR purposes the GPS's lawful basis for processing is Article 6(1)(e) – '...exercise of official authority...', or where there is a legal obligation to share information Article 6(1)(c) – processing is necessary for compliance with a legal obligation to which the controller is subject.

AUTOMATED DECISION MAKING

GPS does not use automated individual decision-making (making a decision solely by automated means without any human involvement).

RETAINING INFORMATION

Information held by GPS or its clients is held for a specific length of time depending on the type of information it is. The length of time we retain your information for is defined by the NHS retention schedule which can be viewed online here: [NHSx Records Management Code of Practice 2021](#).

Once information has been reviewed and is no longer required to be kept by a retention period, the information will be securely destroyed.

Paper records are destroyed via a contract with 'shred it' services and electronic records are deleted by individuals in line with the information governance policy and the national records management code of practice.

SECURITY OF YOUR INFORMATION

GPS and its client providers take its duty to protect your personal information and confidentiality seriously. We are committed to taking all reasonable measures to ensure the confidentiality and security of personal data for which we are responsible, whether computerised or on paper.

All GPS associates and client providers are required to undertake annual information governance training and are provided with policies and procedures to adhere to. This includes Information Governance Code of Conduct that GPSAs are required to read and comply with. The Information Governance Policy ensures that GPSAs and client providers, are aware of their information governance responsibilities and follow best practice guidelines ensuring the necessary safeguards and appropriate use of person-identifiable and confidential information.

Under the NHS Confidentiality Code of Conduct, our client providers are also required to protect your information and inform you of how your information will be used. This includes, in most circumstances, allowing you to decide if and how your information can be shared.

Everyone working for the NHS is subject to the common law duty of confidentiality. Information provided in confidence will only be used for the purposes advised and consented to by the service user unless it is required or permitted by the law.

SECTION 3: YOUR RIGHTS

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling
- The right to withdraw consent

THE RIGHT TO BE INFORMED

You have the right to be informed about the collection and use of your personal data. This privacy notice is one of the key methods for GPS to provide you with this information. In addition to this notice, we will provide you with more specific information at the time we collect personal data from you, such as when you apply for Continuing Healthcare or make a complaint to us.

THE RIGHT OF ACCESS

You have the right to ask us for confirmation of whether we process data about you and if we do, to have access to that data so you are aware and can verify the lawfulness of the processing.

You can make your own application to see the information we hold about you, or you can authorise

someone else to make an application on your behalf. A child's parent or guardian, a representative, or a person appointed by the Court may also apply. If you wish to ask us for confirmation of whether we process data about you or access your personal data, then please contact us.

THE RIGHT TO RECTIFICATION

You are entitled to have personal data that we hold about you rectified if it is inaccurate or incomplete. If we have passed the data concerned on to others, we will contact each recipient and inform them of the rectification - unless this proves impossible or involves disproportionate effort. If this is the case, we will explain to you why.

THE RIGHT TO ERASURE

You have the right to have personal data we hold about you erased and to prevent processing in specific circumstances:

- Where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed
- If you withdraw your consent for us to process your data (if this was the basis on which it was collected)
- The personal data was unlawfully processed (i.e. a breach of UK data protection laws)
- The personal data has to be erased in order to comply with a legal obligation.

However, if we have collected and are processing data about you to comply with a legal obligation for the performance of a public interest task or exercise of official authority, i.e., because we have a legal duty to do so in our functioning as GPS, then the right to erasure does not apply.

THE RIGHT TO RESTRICT PROCESSING

You have the right to 'block' or suppress processing of your personal data which means that if you exercise this right, we can still store your data but not to further process it and will retain just enough information about you to ensure that the restriction is respected in future.

You can ask us to restrict the processing of your personal data in the following circumstances:

- ✓ If you contest the accuracy of the data, we hold about you we will restrict the processing until the accuracy of the data has been verified.
- ✓ If we are processing your data as it is necessary for the performance of a public interest task and you have objected to the processing, we will restrict processing while we consider whether our legitimate grounds for processing are overriding. If the processing of your personal data is found to be unlawful but you oppose erasure and request restriction instead.
- ✓ If we no longer need the data we hold about you, but you require the data to establish, exercise or defend a legal claim.

If we have disclosed the personal data in question to others, we will contact each recipient and inform them of the restriction on the processing of the personal data - unless this proves impossible or involves disproportionate effort. If asked to, we must also inform you about these recipients.

We will inform you if we decide to lift a restriction on processing.

THE RIGHT TO DATA PORTABILITY

The right to data portability allows you to obtain and reuse your personal data for your own purposes across different services. It allows you to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without hindrance to usability although it only applies where we are processing your personal data based on your consent for us to do so or for the performance of a contract and where the processing is carried out by automated means. This means that currently, GPS does not hold any data which would be subject to the right to data portability.

THE RIGHT TO OBJECT

Where GPS processes personal data about you on the basis of being required to do so for the performance of a task in the public interest/exercise of official authority, you have a right to object to the processing.

You must have an objection on grounds relating to your particular situation. If you raise an objection, we will no longer process the personal data we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or the processing is for the establishment, exercise or defence of legal claims.

RIGHTS IN RELATION TO AUTOMATED DECISION MAKING AND PROFILING

As GPS does not make any decisions based solely on automated processing, individuals' rights in relation to personal data processed in this way are not applicable.

THE RIGHT TO WITHDRAW CONSENT

If GPS processes data about you on the basis that you have given your consent for us to do so, you have the right to withdraw that consent at any time. Where possible, we will make sure that you are able to withdraw your consent using the same method as when you gave it. If you withdraw your consent, we will stop the processing as soon as possible.

Consent can be withdrawn by contacting the **GPS Data Protection Officer**.

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LRD: October 2022