

## CROSS DEEP SURGERY

# Detailed Privacy Information

You have the right to be informed about the collection and use of your personal data. This is a key transparency requirement under the GDPR.

The following provides detailed information about the many data processing activities that Cross Deep Surgery Performed.

### ***General information sharing for Direct Medical Care***

- [Routine](#)
- [Emergencies](#)
- Specific referrals
  - [Healthier You](#) (Prediabetes)
  - [DESMOND](#) (Diabetes dietary advice)
  - [Diabetic Retinopathy Screening](#)

### ***Access to your GP record***

- [Community & other clinical staff](#)
- [Extended Hours Hub Surgeries & Urgent Care Centre](#)

### ***NHS Data Sharing databases***

- [The National Summary Care Record \(SCR\) - Core/Basic](#)
- [The National Summary Care Record \(SCR\) - Enriched](#)
- [East Berkshire Primary Care](#) (EBPCOOH GP out of hours)

### ***Statutory Disclosures of information***

- [CQC](#)
- [The Courts](#)
- [DVLA](#)
- [GMC](#)
- [Health Service Ombudsman](#)
- [HMRC](#)
- [NHS Counter Fraud](#)
- NHS Digital
  - [The National Diabetes Audit](#) (NDA)
  - [Individual GP level data](#) (IGPLD)
  - [Female Genital Mutilation data](#) (FGM)
- [Police](#)
- [Public Health](#)
- Safeguarding
  - [Childrens Services](#)
  - [s47](#)
  - [s45 Adult SAB](#)

Date: May 2018  
Review Date: May 2021

***Permissive Disclosures***

- [Police](#)
- [Safeguarding s17](#)
- [Other third parties](#)

***Data Processors***

- [InPracticeSystems](#) (our electronic GP records database)
- [Docman Ltd](#)

***Pharmacies***

- [Electronic Prescription Service](#) (EPS)
- [Pharmacy collection of FP10 prescriptions](#)

***Accessing your information on other databases***

- [Open Exeter](#)
- [Surrey Pathology Services - ICE](#)

***Research (explicitly consented)***

***Patient Online***

***Communicating with our patients***

- [SMS/Text messages](#)
- [Email \(medical purposes\)](#)
- [Email \(non-medical purposes\)](#)

*The "Right to Object" and Article 6(1)(e)*  
*The "Right to Access" and the "Right to Rectification"*

Date: May 2018  
Review Date: May 2021

In common with all GP surgeries, Cross Deep Surgery relies upon Article 6(1)(e) “Official Authority” to process personal data. That “official authority” is NHS England’s powers to commission health services under [the NHS Act 2006](#) or to delegate such powers to CCGs. The “supervisory authority” mentioned in all of the above is the Information Commissioner. For independent advice about data protection, privacy, and data sharing issues, or if you wish to express your right to lodge a complaint, then her details are as follows:

The Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF  
Phone: 08456 30 60 60  
Website: [www.ico.gov.uk](http://www.ico.gov.uk)

Our detailed privacy notice (which refers to all these types of data processing) can be seen in surgery or viewed/downloaded from our website – <http://www.crossdeepsurgery.co.uk/info.aspx?p=2>

If you would like any further information about primary or secondary uses of your GP record, opting out, the NHS Databases, access to your medical record, confidentiality, or about any other aspect of NHS data sharing or your medical records, then please do contact the surgery’s Caldicott Guardian / Information Governance lead:

**Lacy van der Sloot**  
**Dr Sylwia Ferguson**

**Practice Manager**  
**Senior Partner**

**Caldicott Guardian**  
**Information Governance Lead**

### Routine Information Sharing - Direct Medical care

See individual <b>Direct Care Privacy Notice</b>	<a href="http://www.crossdeepsurgery.co.uk/info.aspx?p=2">http://www.crossdeepsurgery.co.uk/info.aspx?p=2</a>
	On the surgery notice board
	A copy can be obtained from Reception

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### Emergency information sharing - Direct Medical Care

See individual <b>Direct Care Emergencies Privacy Notice</b>	<a href="http://www.crossdeepsurgery.co.uk/info.aspx?p=2">http://www.crossdeepsurgery.co.uk/info.aspx?p=2</a>
	On the surgery notice board
	A copy can be obtained from Reception
<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<i>Data Controller</i>	Cross Deep Surgery
<i>Data Protection Officer</i>	Dr Sylwia Ferguson

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### Healthier You (Prediabetes)

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - "s251")</li> <li>• "overriding public interest" (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> <li>•</li> </ul>	<p><b>Consent (explicit)</b></p> <p>This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.</p>
<i>Purpose of the processing and the lawful basis for the processing</i>	<p>To enable patients diagnosed with prediabetes mellitus to be invited to the NHS Diabetes Prevention Programme.</p> <p>Demographic and relevant clinical details about the data subject's prediabetic condition are extracted and uploaded.</p> <p>Lawful bases: <b>Article 6(1)(e) – Official Authority</b></p>

	Article 9(2)(h) – Provision of health
<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• <b>Extraction of information from your GP record</b></li> <li>• <b>Access to data held about you by another data controller</b></li> </ul>	Extraction of information from the GP record
<i>The recipient(s), or categories of recipients, of your personal data</i>	ICS Health & Wellbeing, provider of the service
<i>Retention period of the data (or criteria used to determine the retention period)</i>	Data retained by ICS Health & Wellbeing in line with the NHS data retention policy for clinical records
<i>The existence of each of your rights</i>	Article 6(1)(e) gives the data subject the right to object. The source of the information shared in this way is your electronic GP record, and you have rights directly related to that (see In Practice Systems – Vision).
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	<p>Details of the NHS Diabetes Prevention Programme:</p> <p><a href="https://preventing-diabetes.co.uk/">https://preventing-diabetes.co.uk/</a></p> <p><a href="https://preventing-diabetes.co.uk/privacy-policy/">https://preventing-diabetes.co.uk/privacy-policy/</a></p> <p><a href="https://preventing-diabetes.co.uk/uploads/content/files/ICS_HW_TC%20and%20Consent.pdf">https://preventing-diabetes.co.uk/uploads/content/files/ICS_HW_TC%20and%20Consent.pdf</a></p>

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**Type 2 DM Structured Education (DESMOND)**

<p><i>Identity and contact details of the data controller and the data protection officer</i></p>	<p>Cross Deep Surgery</p>
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><b>Consent (explicit)</b></p> <p>This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.</p>
<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>To permit patients newly diagnosed with Type 2 diabetes to be invited for a structured education programme about the condition. Demographic data as well as relevant clinical parameters are sent. Lawful bases: <b>Article 6(1)(e) – Official Authority</b> <b>Article 9(2)(h) – Provision of health</b></p>
<p><i>Is this:</i> <b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	<p>Extraction of information from the GP record</p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>Teddington Memorial Hospital, Diabetes Team</p>
<p><i>Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>Data retained by Teddington Memorial Hospital in line with the NHS data retention policy for clinical records</p>
<p><i>The existence of each of your rights</i></p>	<p>Article 6(1)(e) gives the data subject the right to object. The source of the information shared in this way is your electronic GP record, and you have rights directly related to that (see In Practice Systems – Vision).</p>
<p><i>The right to lodge a complaint with a supervisory authority</i></p>	<p>Yes: The Information Commissioner</p>
<p><i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i></p>	<p>No</p>

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**Diabetic Retinopathy Screening (DRS)**

<p><i>Identity and contact details of the data controller and the data protection officer</i></p>	<p>Cross Deep Surgery</p>
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent       <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><b>Consent (explicit)</b></p> <p>This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.</p>
<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>To enable patients diagnosed with diabetes mellitus to receive invitations for diabetic eye screening on a regular basis        Demographic and relevant clinical details about the data subject’s diabetic condition are extracted and uploaded        Lawful bases:  <b>Article 6(1)(e) – Official Authority</b>  <b>Article 9(2)(h) – Provision of health</b></p>
<p><i>Is this:</i>  <b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	<p>Extraction of information from the GP record</p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>South West London Diabetic Eye Screening Programme</p>
<p><i>Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>As per South West London Diabetic Eye Screening Programme policy  <a href="https://www.emiscare.com/patients/diabetic-eye-screening/south-west-london/">https://www.emiscare.com/patients/diabetic-eye-screening/south-west-london/</a></p>
<p><i>The existence of each of your rights</i></p>	<p>Article 6(1)(e) gives the data subject the right to object.        The source of the information shared in this way is your electronic GP record, and you have rights directly related to that (see In Practice System – Vision).</p>
<p><i>The right to lodge a complaint with a supervisory authority</i></p>	<p>Yes: The Information Commissioner</p>

<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
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**GP Records Access - Community/Other Clinical Staff**

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ <i>Implied (e.g. direct care)</i></li> <li>○ <i>Explicit (e.g. 2<sup>o</sup> uses)</i></li> </ul> </li> <li>• <i>COPI Regulations 2002 (e.g. Reg 5 - "s251")</i></li> <li>• <i>"overriding public interest" (to safeguard you or another person)</i></li> <li>• <i>legal obligation (e.g. court order)</i></li> </ul>	<p><b>Consent (implied)</b> This means that it would be reasonable to infer that you agree to the use of the information as long as:</p> <ul style="list-style-type: none"> <li>• We are accessing the information to provide or support your direct care, or are satisfied that the person we are sharing the information with is accessing or receiving it for this purpose</li> <li>• Information is readily available to you, explaining how your information will be used and that you have the right to object</li> <li>• We have no reason to believe that you have objected</li> <li>• We are satisfied that anyone we disclose personal information to understands that we are giving it to them in confidence, which they must respect</li> </ul>
<i>Purpose of the processing and the lawful basis for the processing</i>	<p>To enable full access to GP records by healthcare professionals not employed by <b>Cross Deep Surgery</b>, but working within <b>Cross Deep Surgery</b>. This includes District Nurses and Nurse Practitioners.</p> <p>No data is extracted or uploaded out of the GP record</p> <p>This is a <b>Direct Care</b> purpose Special category of data (health) Lawful bases: <b>Article 6(1)(e) – Official Authority</b> <b>Article 9(2)(h) – Provision of health</b></p>
<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• <i>Extraction of information from your GP record</i></li> <li>• <i>Access to data held about you by another data controller</i></li> </ul>	<b>Access to the GP record</b>

<i>The recipient(s), or categories of recipients, of your personal data</i>	
<i>Retention period of the data (or criteria used to determine the retention period)</i>	N/A
<i>The existence of each of your rights</i>	Article 6(1)(e) gives the data subject the right to object. The source of the information shared in this way is your electronic GP record, and you have rights directly related to that (see In Practice Systems – Vision).
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	Nurse Practitioners are self-employed - They see patients in the surgery but most commonly visit them in their homes.  District Nurses are employed by HRCH who are based at Thames House and other community sites across Richmond they visit patients in their homes <a href="http://www.hrch.nhs.uk/">http://www.hrch.nhs.uk/</a>

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### **GP Records Access – Hub & Urgent Care Consultations**

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<i>How does this comply with the Common Law Duty of Confidentiality?</i>  <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<b>Consent (explicit)</b>  This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.

<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>To allow read/write access to the full GP electronic record when a data subject attends a Hub GP appointment at an allocated Hub Surgery or at The Urgent Care Centre at West Middlesex Hospital Lawful basis: <b>Article 6(1)(e) – Official Authority</b> <b>Article 9(2)(h) – Provision of health</b></p>
<p><i>Is this:</i> <b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• <b>Extraction of information from your GP record</b></li> <li>• <b>Access to data held about you by another data controller</b></li> </ul>	<p><b>Access to the GP record</b></p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>No data is extracted or uploaded from the GP record Healthcare professionals due to see, or seeing the data subject in the appointment, can access the full GP electronic record in real time</p>
<p><i>Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>The GP record is available to be accessed from the time the appointment is booked up to a maximum of 28 days after the consultation</p>
<p><i>The existence of each of your rights</i></p>	<p>Article 6(1)(e) gives the data subject the right to object. The source of the information shared in this way is your electronic GP record, and you have rights directly related to that (see In Practice Systems – Vision).</p>
<p><i>The right to lodge a complaint with a supervisory authority</i></p>	<p>Yes: The Information Commissioner</p>
<p><i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i></p>	<p>No</p>
<p><i>Further information</i></p>	<p>Details about this type of data sharing (Remote Consultations) To be determined at a later date</p>

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**The National Summary Care Record – Core/Basic**

<p><i>Identity and contact details of the data controller and the data protection officer</i></p>	<p>Cross Deep Surgery</p>
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup>uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p>Consent (implied)</p> <p>This means that it would be reasonable to infer that you agree to the use of the information as long as:</p> <ul style="list-style-type: none"> <li>• We are accessing the information to provide or support your direct care, or are satisfied that the person we are sharing the information with is accessing or receiving it for this purpose</li> <li>• Information is readily available to you, explaining how your information will be used and that you have the right to object</li> <li>• We have no reason to believe that you have objected</li> <li>• We are satisfied that anyone we disclose personal information to understands that we are giving it to them in confidence, which they must respect</li> </ul>
<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>To enable healthcare professionals, authorised with an NHS smartcard, to view relevant information extracted from the GP record, limited to allergies and medication</p> <p>This is a <b>Direct Care</b> purpose</p> <p>Special category of data (health)</p> <p>Lawful bases:</p> <p><b>Article 6(1)(e) – Official Authority</b></p> <p><b>Article 9(2)(h) – Provision of health</b></p>
<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	<p>Extraction of information from the GP record</p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>NHS Digital (who becomes the data controller for the uploaded information)</p> <p>Healthcare Professionals providing direct medical care to the data subject, with a legitimate relationship to the patients, and with contemporaneous explicit consent</p> <p>This is a transfer of data from one data controller (CDS) to another (NHS Digital)</p>

<i>Retention period of the data (or criteria used to determine the retention period)</i>	Data retained in line with NHS Digital policies on storing identifiable data <a href="https://digital.nhs.uk/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information">https://digital.nhs.uk/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information</a>
<i>The existence of each of your rights</i>	Article 6(1)(e) gives the data subject the right to object. The source of the information shared in this way is your electronic GP record, and you have rights directly related to that (see In Practice Systems – Vision).
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	There are <b>no</b> secondary uses of information uploaded to the SCR.  No information uploaded to the SCR is or will be further passed on, or streamed, to any other local care record scheme.  Whilst the right to object exists under Article 6(1)(e), there is already a straightforward mechanism available for patients to opt-out of this type of data sharing (see our Privacy Information Leaflet linked below).

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### **The National Summary Care Record – Enriched**

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<i>How does this comply with the Common Law Duty of Confidentiality?</i>  <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<b>Consent (explicit)</b>  This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.

<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>To enable healthcare professionals, authorised with an NHS smartcard, to view relevant information extracted from the GP record, beyond that of allergies and medication (i.e. over and above the “core” SCR) This is a <b>Direct Care</b> purpose Special category of data (health) Lawful bases: <b>Article 6(1)(e) – Official Authority</b> <b>Article 9(2)(h) – Provision of health</b></p>
<p><i>Is this:</i> <b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• <b>Extraction of information from your GP record</b></li> <li>• <b>Access to data held about you by another data controller</b></li> </ul>	<p>Extraction of information from the GP record</p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>NHS Digital (who becomes the data controller for the uploaded information) Healthcare Professionals providing direct medical care to the data subject, with a legitimate relationship to the patients, and with contemporaneous explicit consent This is a transfer of data from one data controller (CDS) to another (NHS Digital)</p>
<p><i>Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>Data retained in line with NHS Digital policies on storing identifiable data <a href="https://digital.nhs.uk/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information">https://digital.nhs.uk/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information</a></p>
<p><i>The existence of each of your rights</i></p>	<p>Article 6(1)(e) gives the data subject the right to object. The source of the information shared in this way is your electronic GP record, and you have rights directly related to that (see In Practice Systems – Vision).</p>
<p><i>The right to lodge a complaint with a supervisory authority</i></p>	<p>Yes: The Information Commissioner</p>
<p><i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i></p>	<p>No</p>
<p><i>Further information</i></p>	<p>Whilst the right to object exists under Article 6(1)(e), there is already a straightforward mechanism available for patients to opt-out of this type of data sharing (see our Leaflet linked below), and revert back to a “core” SCR or opt-out of the SCR completely.</p>

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**East Berkshire Primary Care (out of hours)**

<p><i>Identity and contact details of the data controller and the data protection officer</i></p>	<p>Cross Deep Surgery</p>
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup>uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><b>Consent (explicit)</b></p> <p>This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.</p>
<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>To enable healthcare professionals in East Berkshire Primary Care to view relevant clinical information about the data subject. The content of the information is determined by the subject’s GP, in consultation with the data subject</p> <p>This is a <b>Direct Care</b> purpose Special category of data (health) Lawful bases: <b>Article 6(1)(e) – Official Authority</b> <b>Article 9(2)(h) – Provision of health</b></p>
<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	<p>Extraction of information from the GP record</p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>Healthcare Professionals working for East Berkshire, providing direct medical care to the data subject</p>
<p><i>Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>The uploaded record exists for as long as clinically required by the GP. It can be disabled or deleted when such information is no longer necessary to be made available</p>
<p><i>The existence of each of your rights</i></p>	<p>Article 6(1)(e) gives the data subject the right to object. The source of the information shared in this way is your electronic GP record, and you have rights</p>

	directly related to that (see In Practice Systems – Vision).
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	Locally, East Berkshire Primary Care out of hours (GP out of hours provider) <a href="https://ebpcooh.org.uk/privacy-notice/">https://ebpcooh.org.uk/privacy-notice/</a>

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### **The Care Quality Commission (CQC)**

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ <i>Implied (e.g. direct care)</i></li> <li>○ <i>Explicit (e.g. 2<sup>o</sup> uses)</i></li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><b>Legal obligation</b></p> <p>This means that we are compelled by law to share your data in this way</p>
<i>Purpose of the processing and the lawful basis for the processing</i>	<p>To enable The CQC access to a patient’s medical records for the purposes of their assessment or investigation.</p> <p>Sensitive data (health)</p> <p>Lawful bases: <b>Article 6(1)(c) – Legal Obligation</b> <b>Article 9(2)(h) – Provision of Health</b></p>
<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• <i>Extraction of information from your GP record</i></li> <li>• <i>Access to data held about you by another data controller</i></li> </ul>	<p>Extraction of information from the GP record</p> <p>and/or</p> <p>Access to the GP record</p>
<i>The recipient(s), or categories of recipients, of your personal data</i>	The CQC

<i>Retention period of the data (or criteria used to determine the retention period)</i>	If data provided to the CQC, then retained in line with CQC policies on storing identifiable data (see CQC Code of Practice)
<i>The existence of each of your rights</i>	N/A
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	<p>The Care Quality Commission (CQC) is the independent regulator of health care and adult social care services in England. CQC also protects the interests of people whose rights are restricted under the Mental Health Act.</p> <p>Under the Health and Social Care Act 2008, the CQC has the power to request access to a patient’s medical records for the purposes of an investigation into, or assessment of, an organisation. Requests for information should be proportionate and the minimum necessary.</p> <p>Relevant legislation: <a href="#">The Health and Social Care Act 2008, s64</a></p> <p>CQC Code of practice on confidential personal information 2016 <a href="http://www.cqc.org.uk/sites/default/files/20160906%20Code%20of%20practice%20on%20CPI%202016%20FINAL.pdf">http://www.cqc.org.uk/sites/default/files/20160906%20Code%20of%20practice%20on%20CPI%202016%20FINAL.pdf</a></p>

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### **The Courts**

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ <i>Implied (e.g. direct care)</i></li> <li>○ <i>Explicit (e.g. 2<sup>o</sup> uses)</i></li> </ul> </li> <li>• <i>COPI Regulations 2002 (e.g. Reg 5 - “s251”)</i></li> </ul>	<p><a href="#">Legal obligation</a></p> <p>This means that we are compelled by law to share your data in this way</p>

<ul style="list-style-type: none"> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	
<i>Purpose of the processing and the lawful basis for the processing</i>	To enable healthcare professionals working in CDS to provide all necessary information about individuals to the courts, when instructed (“court order”). Sensitive data (health) Lawful bases: <b>Article 6(1)(c)– Legal Obligation</b> <b>Article 9(2)(h) – Management of Health</b>
<i>Is this:</i> <b>Access to your GP record</b> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	Extraction of information from the GP record
<i>The recipient(s), or categories of recipients, of your personal data</i>	The Courts
<i>Retention period of the data (or criteria used to determine the retention period)</i>	Data retained in line with judiciary policies on storing identifiable data
<i>The existence of each of your rights</i>	N/A
<i>The right to lodge a complaint with a supervisory authority</i>	Yes:The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	The courts, both civil and criminal, have powers to order disclosure of information in various circumstances. We are required to disclose information if ordered to do so by a judge or presiding officer of a court.

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#### **Driver & Vehicle Licensing Agency (DVLA)**

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<i>How does this comply with the Common Law Duty of Confidentiality?</i>	Overriding public interest

<ul style="list-style-type: none"> <li>• <b>Consent</b> <ul style="list-style-type: none"> <li>○ <i>Implied (e.g. direct care)</i></li> <li>○ <i>Explicit (e.g. 2<sup>o</sup> uses)</i></li> </ul> </li> <li>• <b>COPI Regulations 2002</b> (e.g. Reg 5 - “s251”)</li> <li>• <b>“overriding public interest”</b> (to safeguard you or another person)</li> <li>• <b>legal obligation (e.g. court order)</b></li> </ul>	<p>Where we can your data, without your consent, to save your life or that of others</p>
<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>Data disclosed is personal data. Under some circumstances, this might also include special category data Lawful bases: <b>Article 6(1)(d) – Vital Interests</b> <b>Article 9(2)(h) – Official Authority</b></p>
<p><i>Is this:</i> <b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• <i>Extraction of information from your GP record</i></li> <li>• <i>Access to data held about you by another data controller</i></li> </ul>	<p>Extraction of information from the GP record</p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>Healthcare Professionals providing direct medical care to the patient</p>
<p><i>Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>Data retained in line with DVLA policies on storing identifiable data <a href="https://www.gov.uk/government/organisations/driver-and-vehicle-licensing-agency/about/personal-information-charter">https://www.gov.uk/government/organisations/driver-and-vehicle-licensing-agency/about/personal-information-charter</a></p>
<p><i>The existence of each of your rights</i></p>	<p>N/A</p>
<p><i>The right to lodge a complaint with a supervisory authority</i></p>	<p>Yes: The Information Commissioner</p>
<p><i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i></p>	<p>No</p>
<p><i>Further information</i></p>	<p>Applicants and licence holders have a legal duty to notify the DVLA of any injury or illness that would have a likely impact on safe driving ability.</p> <p>GPs are obliged to notify the DVLA when fitness to drive requires <i>notification but an individual cannot or will not notify the DVLA themselves, and</i> if there is concern for road safety, which</p>

	would be for both the individual and the wider public.
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### **The General Medical Council (GMC)**

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - "s251")</li> <li>• "overriding public interest" (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><b>Legal obligation</b></p> <p>This means that we are compelled by law to share your data in this way</p>
<i>Purpose of the processing and the lawful basis for the processing</i>	<p>To enable The GMC access to a patient's medical records for the purposes of an investigation into a doctor's fitness to practise. Sensitive data (health) Lawful bases: <b>Article 6(1)(c) – Legal Obligation</b> <b>Article 9(2)(h) – Provision of Health</b></p>
<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	Extraction of information from the GP record
<i>The recipient(s), or categories of recipients, of your personal data</i>	<p>Data retained in line with GMC policies on storing identifiable data <a href="https://www.gmc-uk.org/privacy_policy.asp">https://www.gmc-uk.org/privacy_policy.asp</a></p>
<i>Retention period of the data (or criteria used to determine the retention period)</i>	N/A
<i>The existence of each of your rights</i>	N/A
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making,</i>	No

<p><i>including profiling and information about how decisions are made, the significance and the consequences</i></p>	
<p><i>Further information</i></p>	<p>Disclosures to the GMC – investigation of a doctor’s fitness to practise</p> <p>Under the Medical Act 1983, the GMC has the power to request access to a patient’s medical records for the purposes of an investigation into a doctor’s fitness to practise.</p> <p>Relevant legislation: <a href="#">The Medical Act 1983</a></p>

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### **The Health Service Ombudsman (HSO)**

<p><i>Identity and contact details of the data controller and the data protection officer</i></p>	<p>Cross Deep Surgery</p>
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ <i>Implied (e.g. direct care)</i></li> <li>○ <i>Explicit (e.g. 2<sup>o</sup>uses)</i></li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><a href="#">Legal obligation</a></p> <p>This means that we are compelled by law to share your data in this way</p>
<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>To enable the HSO to receive information concerning a patient for the purposes of an investigation. Sensitive data (health) Lawful bases: <b>Article 6(1)(c) – Legal Obligation</b> <b>Article 9(2)(h) – Provision of health</b></p>
<p><i>Is this:</i> <b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• <i>Extraction of information from your GP record</i></li> <li>• <i>Access to data held about you by another data controller</i></li> </ul>	<p><a href="#">Extraction of information from the GP record</a></p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>Data retained in line with HSO policies on storing identifiable data</p>

<i>Retention period of the data (or criteria used to determine the retention period)</i>	N/A
<i>The existence of each of your rights</i>	N/A
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	The HSO has the power to request access to a patient's medical records for the purposes of an investigation. Relevant legislation: <a href="#">The Health Services Commissioners Act 1993,s12</a>

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### **HM Revenue & Customs (HMRC)**

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<i>How does this comply with the Common Law Duty of Confidentiality?</i>  <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ <i>Implied (e.g. direct care)</i></li> <li>○ <i>Explicit (e.g. 2<sup>o</sup>uses)</i></li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - "s251")</li> <li>• "overriding public interest" (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<a href="#">Legal obligation</a>  This means that we are compelled by law to share your data in this way
<i>Purpose of the processing and the lawful basis for the processing</i>	To provide HMRC with information from the GP record, or documents, for the purpose of checking the tax position of another person whose identity is known to the investigating officer ("the taxpayer"). Sensitive data (health) Lawful bases: <b>Article 6(1)(c) – Legal Obligation</b> <b>Article 9(2)(b) – Employment &amp; Social Security</b>
<i>Is this:</i> <b>Access to your GP record</b> <ul style="list-style-type: none"> <li>• <a href="#">Extraction of information</a></li> </ul>	<a href="#">Extraction of information from the GP record</a>

<p><i>from your GP record</i></p> <ul style="list-style-type: none"> <li>• <i>Access to data held about you by another data controller</i></li> </ul>	
<i>The recipient(s), or categories of recipients, of your personal data</i>	HMRC
<i>Retention period of the data (or criteria used to determine the retention period)</i>	Data retained in line with HMRC policies on storing identifiable data <a href="https://www.gov.uk/government/publications/data-protection-act-dpa-information-hm-revenue-and-customs-hold-about-you/data-protection-act-dpa-information-hm-revenue-and-customs-hold-about-you">https://www.gov.uk/government/publications/data-protection-act-dpa-information-hm-revenue-and-customs-hold-about-you/data-protection-act-dpa-information-hm-revenue-and-customs-hold-about-you</a>
<i>The existence of each of your rights</i>	N/A
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	HMRC has the power to request access to a patient's medical records for the purposes of an investigation into an individual's tax affairs.  Relevant legislation: <a href="#">Schedule 36, Part 1 of the Finance Act 2008</a>

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### **NHS Counter Fraud**

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• <i>Consent</i> <ul style="list-style-type: none"> <li>○ <i>Implied (e.g. direct care)</i></li> <li>○ <i>Explicit (e.g. 2<sup>o</sup> uses)</i></li> </ul> </li> <li>• <i>COPI Regulations 2002 (e.g. Reg 5 - "s251")</i></li> <li>• <i>"overriding public interest" (to safeguard you or another person)</i></li> <li>• <i>legal obligation (e.g. court order)</i></li> </ul>	<p><a href="#">Legal obligation</a></p> <p>This means that we are compelled by law to share your data in this way</p>

<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>Under the NHS Act 2006, investigations into fraud in the NHS may require access to confidential patient information.          Sensitive data (health)          Lawful bases:  <b>Article 6(1)(c) – Legal Obligation</b>  <b>Article 9(2)(h) – Provision of Health</b></p>
<p><i>Is this:</i>  <b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• <i>Extraction of information from your GP record</i></li> <li>• <i>Access to data held about you by another data controller</i></li> </ul>	<p>Extraction of information from the GP record</p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>NHS Counter Fraud authorities</p>
<p><i>Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>Data retained in line with NHS Counter Fraud policies on storing identifiable data  <a href="https://cfa.nhs.uk/privacy">https://cfa.nhs.uk/privacy</a></p>
<p><i>The existence of each of your rights</i></p>	<p>N/A</p>
<p><i>The right to lodge a complaint with a supervisory authority</i></p>	<p>Yes: The Information Commissioner</p>
<p><i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i></p>	<p>No</p>
<p><i>Further information</i></p>	<p>The investigators have the power to require the disclosure of the relevant parts of a patient’s record, should they believe that this is important to the investigation.</p> <p>Relevant legislation:  <a href="#">s10 NHS Act 2006</a></p>

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### **NHS Digital – The National Diabetes Audit (NDA)**

<p><i>Identity and contact details of the data controller and the data protection officer</i></p>	<p>Cross Deep Surgery</p>
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><b>Legal obligation</b></p> <p>This means that we are compelled by law to share your data in this way</p>
<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>A national monitoring system, auditing the care of patients with diabetes (see notes below) Data extracted includes NHS number, date of birth and postcode, as well as clinical parameters related to diabetes The National Diabetes Audit (NDA) is a mandatory data extraction under s254 of the HSCA 2012 Lawful bases: <b>Article 6(1)(c) – Legal Obligation</b> <b>Article 9(2)(h) – Provision of Health</b></p>
<p><i>Is this:</i> <b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	<p>Extraction of information from the GP record</p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>NHS Digital</p>
<p><i>Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>Data retained in line with NHS Digital policies on storing identifiable data <a href="https://digital.nhs.uk/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information">https://digital.nhs.uk/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information</a></p>
<p><i>The existence of each of your rights</i></p>	<p>Whilst there is no right to object under 6(1)(c), NHS Digital respects Type 1 objections (9Nu0) present in the GP record and no data will be extracted and uploaded if so.</p>

<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	<p>The National Diabetes Audit (NDA) is a mandatory data extraction under <a href="#">s254 of the HSCA 2012</a></p> <p>Patient Leaflet: <a href="http://content.digital.nhs.uk/media/15870/Leaflet---Information-for-People-With-Diabetes/pdf/Patinfo_CoreAudit_leaflet_FINAL3.pdf">http://content.digital.nhs.uk/media/15870/Leaflet---Information-for-People-With-Diabetes/pdf/Patinfo_CoreAudit_leaflet_FINAL3.pdf</a></p> <p>Data protection leaflet: <a href="http://content.digital.nhs.uk/media/23985/NDA-fact-sheet/pdf/NDA_fact_sheet_v0.3.pdf">http://content.digital.nhs.uk/media/23985/NDA-fact-sheet/pdf/NDA_fact_sheet_v0.3.pdf</a></p>

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### **NHS Digital – Individual GP Level Data (IGPLD)**

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ <i>Implied (e.g. direct care)</i></li> <li>○ <i>Explicit (e.g. 2<sup>o</sup> uses)</i></li> </ul> </li> <li>• <i>COPI Regulations 2002 (e.g. Reg 5 - “s251”)</i></li> <li>• <i>“overriding public interest” (to safeguard you or another person)</i></li> <li>• <i>legal obligation (e.g. court order)</i></li> </ul>	<p><a href="#">Legal obligation</a></p> <p>This means that we are compelled by law to share your data in this way</p>
<i>Purpose of the processing and the lawful basis for the processing</i>	<p>A national monitoring system to enable NHS Digital to provide GPs with clinical information on the care provision for their patients</p> <p>This is a mandatory data extraction under s254 of the HSCA 2012</p> <p>The data extracted includes the NHS number</p> <p>This is personal data only</p> <p>Lawful basis: <b>Article 6(1)(c)– Legal Obligation</b></p>

<p><i>Is this:</i> <b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• <i>Extraction of information from your GP record</i></li> <li>• <i>Access to data held about you by another data controller</i></li> </ul>	<p>Extraction of information from the GP record</p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>NHS Digital</p>
<p><i>Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>Data retained in line with NHS Digital policies on storing identifiable data <a href="https://digital.nhs.uk/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information">https://digital.nhs.uk/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information</a></p>
<p><i>The existence of each of your rights</i></p>	<p>Whilst there is no right to object under 6(1)(c), NHS Digital respects Type 1 objections (9Nu0) present in the GP record and no data will be extracted and uploaded if so.</p>
<p><i>The right to lodge a complaint with a supervisory authority</i></p>	<p>Yes: The Information Commissioner</p>
<p><i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i></p>	<p>No</p>
<p><i>Further information</i></p>	<p>This is a mandatory data extraction under <a href="#">s254 of the HSCA 2012</a></p> <p>NHS Digital privacy notice: <a href="http://content.digital.nhs.uk/article/7754/Privacy-Notice---individual-GP-level-data">http://content.digital.nhs.uk/article/7754/Privacy-Notice---individual-GP-level-data</a></p>

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**NHS Digital – FGM Enhanced Dataset**

<p><i>Identity and contact details of the data controller and the data protection officer</i></p>	<p>Cross Deep Surgery</p>
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent       <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><b>Legal obligation</b></p> <p>This means that we are compelled by law to share your data in this way</p>
<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>NHS Digital collects data on Female Genital Mutilation (FGM) within the NHS in England on behalf of the Department of Health (DH). The data collected is used to produce information that helps to:</p> <ul style="list-style-type: none"> <li>• improve how the NHS supports women and girls who have had or who are at risk of FGM</li> <li>• plan the local NHS services needed both now and in the future</li> <li>• help other organisations e.g. local authorities to develop plans to stop FGM happening in local communities</li> </ul> <p>The FGM Enhanced Dataset is a mandatory data extraction under s254 of the HSCA 2012          Lawful bases:  <b>Article 6(1)(c) – Legal Obligation</b>  <b>Article 9(2)(h) – Provision of Health</b></p>
<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	<p>Extraction of information from the GP record</p>

<i>The recipient(s), or categories of recipients, of your personal data</i>	NHS Digital
<i>Retention period of the data (or criteria used to determine the retention period)</i>	Data retained in line with NHS Digital policies on storing identifiable data <a href="https://digital.nhs.uk/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information">https://digital.nhs.uk/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information</a>
<i>The existence of each of your rights</i>	Whilst there is no right to object under 6(1)(c), NHS Digital respects Type 1 objections (9Nu0) present in the GP record and no data will be extracted and uploaded if so.
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	This is a mandatory data extraction under <a href="#">s254 of the HSCA 2012</a>  Patient Information: <a href="http://content.digital.nhs.uk/article/7524/Patients--your-FGM-information-and-how-we-use-it">http://content.digital.nhs.uk/article/7524/Patients--your-FGM-information-and-how-we-use-it</a>  <a href="https://www.nhs.uk/Conditions/female-genital-mutilation/Documents/2905942-DH-FGM-Leaflet-English.pdf">https://www.nhs.uk/Conditions/female-genital-mutilation/Documents/2905942-DH-FGM-Leaflet-English.pdf</a>  NHS Digital Directions: <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/427336/fgm.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/427336/fgm.pdf</a>

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### Statutory Disclosures to the Police

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - "s251")</li> <li>• "overriding public interest" (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p>Legal obligation</p> <p>This means that we are compelled by law to share your data in this way</p> <p>and</p> <p>Overriding public interest</p> <p>Where we can your data, without your consent, to save your life or that of others</p>
<i>Purpose of the processing and the lawful basis for the processing</i>	<p>Data disclosed is personal data. Under some circumstances, this might also include special category data</p> <p>Lawful bases:</p> <p><b>Article 6(1)(c) – Legal Obligation</b> <b>Article 9(2)(g) – Public Interest</b></p>
<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	Extraction of information from the GP record
<i>The recipient(s), or categories of recipients, of your personal data</i>	The police (or other judicial authorities)
<i>Retention period of the data (or criteria used to determine the retention period)</i>	<p>Data retained in line with police policies</p> <p>For example:</p> <p><a href="https://www.met.police.uk/fair-processing-notice/">https://www.met.police.uk/fair-processing-notice/</a></p>
<i>The existence of each of your rights</i>	N/A
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	As with any disclosures to the police, there must be:

	<ul style="list-style-type: none"><li>• a legal duty to disclose, or</li><li>• a sufficiently important reason to disclose AND a legal basis for doing so</li></ul> <p><b>Prevention of Terrorism Act (1989) and Terrorism Act (2000)</b> An obligation to inform the Police if you have information (including personal information) that may assist them in preventing an act of terrorism, or help in apprehending or prosecuting a terrorist.</p> <p><b>The Road Traffic Act (1988)</b> A statutory duty to inform the Police, when asked, of any information that might identify any driver who is alleged to have committed an offence under the Act. We are not required to disclose clinical or other confidential information.</p> <p><b>The Female Genital Mutilation Act (2003)</b> A statutory duty to report to the police under Section 5B of this Act where it appears that a girl under the age of 18 has been subject to genital mutilation.</p>
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## Public Health

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p>Legal obligation</p> <p>This means that we are compelled by law to share your data in this way</p> <p>or</p> <p>Regulation 3 of COPI 2002</p> <p>Where an application of law exists that allows sharing of your data without your consent</p>
<i>Purpose of the processing and the lawful basis for the processing</i>	<p>To enable healthcare professionals working in CDS to provide all necessary information about individuals to Public Health England, when medically required.</p> <p>Sensitive data (health)</p> <p>Lawful bases:</p> <p><b>Article 6(1)(c)– Legal Obligation</b></p> <p><b>Article 9(2)(i) – Public interest – Public health</b></p>
<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	Extraction of information from the GP record
<i>The recipient(s), or categories of recipients, of your personal data</i>	Public Health England
<i>Retention period of the data (or criteria used to determine the retention period)</i>	<p>Data retained in line with PHE policies on storing identifiable data</p> <p><a href="https://www.gov.uk/government/organisations/public-health-england/about/personal-information-charter">https://www.gov.uk/government/organisations/public-health-england/about/personal-information-charter</a></p>
<i>The existence of each of your rights</i>	N/A
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No

<p><i>Further information</i></p>	<p>There are circumstances when personal sensitive data is required – on a mandatory basis – to be provided by CDS to PHE.</p> <p>Examples include notification of certain diseases and the provision of information, in the public interest, in cases such as epidemics, pandemics and other public health emergencies.</p> <p>Relevant legislation includes:</p> <ul style="list-style-type: none"> <li>• <a href="#">the Health Protection (Notification) Regulations 2010 (SI 2010/659)</a></li> <li>• <a href="#">the Health Protection (Local Authority Powers) Regulations 2010 (SI 2010/657)</a></li> <li>• <a href="#">the Health Protection (Part 2A Orders) Regulations 2010 (SI 2010/658)</a></li> <li>• <a href="#">Public Health (Control of Disease) Act 1984</a></li> <li>• <a href="#">Public Health (Infectious Diseases) Regulations 1988</a></li> <li>• <a href="#">The Health Service (Control of Patient Information) Regulations 2002</a></li> </ul>
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### **Child Protection – disclosures to Local Authority**

<p><i>Identity and contact details of the data controller and the data protection officer</i></p>	<p>Cross Deep Surgery</p>
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ <i>Implied (e.g. direct care)</i></li> <li>○ <i>Explicit (e.g. 2<sup>o</sup> uses)</i></li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><a href="#">Legal obligation</a></p> <p>This means that we are compelled by law to share your data in this way</p> <p>and</p> <p><a href="#">Overriding public interest</a></p> <p>Where we can your data, without your consent, to save your life or that of others</p>
<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>The provision of information from GP records when there is any reasonable concern that children or young people are at risk of abuse or neglect, when that is in a child’s best interests or necessary to protect other children or young people.</p> <p>The information provided will be both personal</p>

	and sensitive data. Lawful bases: <b>Article 6(1)(c) – Legal Obligation</b> <b>Article 9(2)(b) - Social Protection Law</b>
<i>Is this:</i> <b>Access to your GP record</b> <ul style="list-style-type: none"> <li>• <b>Extraction of information from your GP record</b></li> <li>• <b>Access to data held about you by another data controller</b></li> </ul>	Extraction of information from the GP record
<i>The recipient(s), or categories of recipients, of your personal data</i>	Children’s Services– local authority (e.g. London Borough of Richmond upon Thames) Health Visitors (e.g. Central London Community Healthcare)
<i>Retention period of the data (or criteria used to determine the retention period)</i>	Data retained in line with local authority policies on storing identifiable data <a href="http://www.richmond.gov.uk/council/open_richmond/data_protection">http://www.richmond.gov.uk/council/open_richmond/data_protection</a>
<i>The existence of each of your rights</i>	N/A
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	This relates to any healthcare professional within CDS who may need to disclose information to Children’s Services following a safeguarding concern.  Relevant legislation: s29 of DPA (prevention of crime) <a href="https://www.legislation.gov.uk/ukpga/1998/29/section/29">https://www.legislation.gov.uk/ukpga/1998/29/section/29</a>

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### s47 Disclosures to Children's Services

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - "s251")</li> <li>• "overriding public interest" (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><b>Legal obligation</b></p> <p>This means that we are compelled by law to share your data in this way</p>
<i>Purpose of the processing and the lawful basis for the processing</i>	<p>The provision of information from GP records concerning children and families where a child is taken into Police Protection, is the subject of an Emergency Protection Order or there are reasonable grounds to suspect that a child is suffering or is likely to suffer Significant Harm This is a mandatory provision of information under Section 47 of the Children Act 1989 The information provided will be both personal and sensitive data</p> <p>Lawful bases: <b>Article 6(1)(c) – Legal Obligation</b> <b>Article 9(2)(b) - Social Protection Law</b></p>
<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	Extraction of information from the GP record
<i>The recipient(s), or categories of recipients, of your personal data</i>	Children's Services – local authority (e.g. London Borough of Richmond upon Thames)
<i>Retention period of the data (or criteria used to determine the retention period)</i>	<p>Data retained in line with local authority policies on storing identifiable data</p> <p><a href="http://www.richmond.gov.uk/council/open_richmond/data_protection">http://www.richmond.gov.uk/council/open_richmond/data_protection</a></p>
<i>The existence of each of your rights</i>	N/A
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making,</i>	No

<p><i>including profiling and information about how decisions are made, the significance and the consequences</i></p>	
<p><i>Further information</i></p>	<p>Relevant Legislation: s47 of The Children Act 1989 : <a href="https://www.legislation.gov.uk/ukpga/1989/41/section/47">https://www.legislation.gov.uk/ukpga/1989/41/section/47</a></p>

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#### **s45 Disclosures to SAB – Local Authority**

<p><i>Identity and contact details of the data controller and the data protection officer</i></p>	<p>Cross Deep Surgery</p>
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• <i>Consent</i> <ul style="list-style-type: none"> <li>○ <i>Implied (e.g. direct care)</i></li> <li>○ <i>Explicit (e.g. 2<sup>o</sup>uses)</i></li> </ul> </li> <li>• <i>COPI Regulations 2002 (e.g. Reg 5 - “s251”)</i></li> <li>• <i>“overriding public interest” (to safeguard you or another person)</i></li> <li>• <i>legal obligation (e.g. court order)</i></li> </ul>	<p><b>Legal obligation</b></p> <p>This means that we are compelled by law to share your data in this way</p> <p>and</p> <p><b>Overriding public interest</b></p> <p>Where we can your data, without your consent, to save your life or that of others</p>
<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>The provision of information from GP records about adults who may be at risk of harm (abuse or neglect)</p> <p>This is a mandatory provision of information under Section 45 of the Care Act 2014</p> <p>The information provided will be both personal and sensitive data</p> <p>Lawful bases: <b>Article 6(1)(c) – Legal Obligation</b> <b>Article 9(2)(b) - Social Protection Law</b></p>
<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• <i>Extraction of information from your GP record</i></li> <li>• <i>Access to data held about you by another data controller</i></li> </ul>	<p><b>Extraction of information from the GP record</b></p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>Safeguarding Adults Board– local authority (e.g. London Borough of Richmond upon Thames)</p>

<i>Retention period of the data (or criteria used to determine the retention period)</i>	Data retained in line with local authority policies on storing identifiable data <a href="http://www.richmond.gov.uk/council/open_richmond/data_protection">http://www.richmond.gov.uk/council/open_richmond/data_protection</a>
<i>The existence of each of your rights</i>	N/A
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	Relevant legislation: s45 of the Care Act 2014 <a href="http://www.legislation.gov.uk/ukpga/2014/23/section/45/enacted">http://www.legislation.gov.uk/ukpga/2014/23/section/45/enacted</a>

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### **Other disclosures to the Police**

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ <i>Implied (e.g. direct care)</i></li> <li>○ <i>Explicit (e.g. 2<sup>o</sup> uses)</i></li> </ul> </li> <li>• <i>COPI Regulations 2002 (e.g. Reg 5 - "s251")</i></li> <li>• <i>"overriding public interest" (to safeguard you or another person)</i></li> <li>• <i>legal obligation (e.g. court order)</i></li> </ul>	<p><b>Consent (explicit)</b></p> <p>This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.</p> <p>Or</p> <p><b>Overriding public interest</b></p> <p>Where we can your data, without your consent, to save your life or that of others</p>
<i>Purpose of the processing and the lawful basis for the processing</i>	Data disclosed is personal data. Under some circumstances, this might also include special category data Lawful bases: <b>Article 6(1)(e) – Official Authority</b> <b>Article 9(2)(g) – Public Interest</b>
<i>Is this:</i> <b>Access to your GP record</b>	

<ul style="list-style-type: none"> <li>• <i>Extraction of information from your GP record</i></li> <li>• <i>Access to data held about you by another data controller</i></li> </ul>	<p>Extraction of information from the GP record</p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>The police (or other judicial authorities)</p>
<p><i>Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>Data retained in line with police policies on storing identifiable data          Data retained in line with police policies          For example:  <a href="https://www.met.police.uk/fair-processing-notice/">https://www.met.police.uk/fair-processing-notice/</a></p>
<p><i>The existence of each of your rights</i></p>	<p>Article 6(1)(e) gives the data subject the right to object.</p>
<p><i>The right to lodge a complaint with a supervisory authority</i></p>	<p>Yes: The Information Commissioner</p>
<p><i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i></p>	<p>No</p>
<p><i>Further information</i></p>	<p>As with any disclosures to the police, there must be:</p> <ul style="list-style-type: none"> <li>• a legal duty to disclose, or</li> <li>• a sufficiently important reason to disclose AND a legal basis for doing so</li> </ul> <p>Permissive disclosures to the police can be made under:</p> <ul style="list-style-type: none"> <li>• s29(3) of the DPA  <a href="https://ico.org.uk/media/for-organisations/documents/1594/section-29.pdf">https://ico.org.uk/media/for-organisations/documents/1594/section-29.pdf</a></li> <li>• <a href="#">Police and Criminal Evidence Act 1984</a></li> <li>• <a href="#">Crime and Disorder Act 1988</a></li> </ul> <p>Section 29 does not provide a duty to disclose information, nor does it override the requirements of the common law duty of confidentiality which must be met prior to disclosure being lawful – it does no more than relax the DPA requirements that need to be met.</p> <p>We will need to have your consent, or determine that in the absence of your consent, the disclosure would nonetheless be in the public interest “if the benefits to an individual or to society outweigh both the public and the</p>

	patient's interest in keeping the information confidential”.
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### **s17 Disclosures to Children’s Services**

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup>uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><b>Consent (explicit)</b> (Obtained by local authority)</p> <p>This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.</p>
<i>Purpose of the processing and the lawful basis for the processing</i>	<p>The provision of information from GP records concerning children and families in order to safeguard and promote the welfare of who are “in need”</p> <p>The information provided will be both personal and sensitive data</p> <p>Lawful bases: <b>Article 6(1)(e) – Official Authority</b> <b>Article 9(2)(b) - Social Protection Law</b></p>
<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	Extraction of information from the GP record
<i>The recipient(s), or categories of recipients, of your personal data</i>	Children’s Services – local authority (e.g. London Borough of Richmond upon Thames)
<i>Retention period of the data (or criteria used to determine the retention period)</i>	<p>Data retained in line with local authority policies on storing identifiable data</p> <p><a href="https://www.met.police.uk/fair-processing-notice/">https://www.met.police.uk/fair-processing-notice/</a></p>
<i>The existence of each of your rights</i>	Article 6(1)(e) gives the data subject the right to object.
<i>The right to lodge a complaint with a supervisory</i>	Yes: The Information Commissioner

<i>authority</i>	
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	<p>Relevant legislation: s17 Childrens Act 1989 <a href="https://www.legislation.gov.uk/ukpga/1989/41/section/17">https://www.legislation.gov.uk/ukpga/1989/41/section/17</a></p> <p>Explicit consent from parents is required before disclosure of information under s17 can be made to social services.</p>

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**Other Third Parties**  
**(solicitors, employers, insurance companies etc)**

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• <i>Consent</i> <ul style="list-style-type: none"> <li>○ <i>Implied (e.g. direct care)</i></li> <li>○ <i>Explicit (e.g. 2<sup>o</sup> uses)</i></li> </ul> </li> <li>• <i>COPI Regulations 2002 (e.g. Reg 5 - "s251")</i></li> <li>• <i>"overriding public interest" (to safeguard you or another person)</i></li> <li>• <i>legal obligation (e.g. court order)</i></li> </ul>	<p><b>Consent (explicit)</b></p> <p>This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.</p>
<i>Purpose of the processing and the lawful basis for the processing</i>	<p>To enable healthcare professionals working in CDS to provide information to other third parties such as solicitors, insurance companies etc.</p> <p>Sensitive data (health)</p> <p>Lawful bases: <b>Article 6(1)(a) – Consent</b> <b>Article 9(2)(a) – Explicit Consent</b></p>
<p><i>Is this:</i></p> <ul style="list-style-type: none"> <li>• <i>Access to your GP record</i></li> <li>• <i>Extraction of information from your GP record</i></li> <li>• <i>Access to data held about you</i></li> </ul>	<p>Extraction of information from the GP record</p>

<i>by another data controller</i>	
<i>The recipient(s), or categories of recipients, of your personal data</i>	The requesting organisation
<i>Retention period of the data (or criteria used to determine the retention period)</i>	Data retained in line with the third party organisation's policies on storing identifiable data
<i>The existence of each of your rights</i>	N/A
<i>The right to withdraw consent at any time, where relevant</i>	Yes – at any time
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	<p>This covers information provided to third party organisations such as solicitors (e.g. personal injury claims), insurance companies (e.g. life assurance), employers, etc.</p> <p>The explicit consent of patients must be obtained and demonstrable before the release of any such information.</p>

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**In Practice Systems – Vision**

<p><i>Identity and contact details of the data controller and the data protection officer</i></p>	<p>Cross Deep Surgery</p>
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><b>Consent (implied)</b></p> <p>This means that it would be reasonable to infer that you agree to the use of the information as long as:</p> <ul style="list-style-type: none"> <li>• We are accessing the information to provide or support your direct care, or are satisfied that the person we are sharing the information with is accessing or receiving it for this purpose</li> <li>• Information is readily available to you, explaining how your information will be used and that you have the right to object</li> <li>• We have no reason to believe that you have objected</li> <li>• We are satisfied that anyone we disclose personal information to understands that we are giving it to them in confidence, which they must respect</li> </ul>
<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>To record all relevant information about our patients (the data subjects) within their GP electronic record</p> <p>This is a <b>Direct Care</b> purpose Special category of data (health) Lawful bases: <b>Article 6(1)(e) – Official Authority</b> <b>Article 9(2)(h) – Provision of health</b></p>
<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	<p><b>Access to the GP record</b></p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>All information about patients, both clinical and demographic, are recorded in their GP electronic record. That information is then available to others with a legitimate relationship to the patient (see multiple other privacy notices)</p> <p>In Practice Systems Ltd acts as the data processor for this, hosting the patient records database at their secure servers in Heathrow.</p>

<p><i>Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>Standard NHS data retention policy:</p> <p><i>“GP records should be retained until 10 years after the patient's death or after the patient has permanently left the country, unless they remain in the European Union.</i></p> <p><i>Electronic patient records must not be destroyed or deleted for the foreseeable future.”</i></p> <p><a href="https://www.nhs.uk/chq/Pages/1889.aspx?CategoryID=68">https://www.nhs.uk/chq/Pages/1889.aspx?CategoryID=68</a></p> <p><a href="https://digital.nhs.uk/media/1159/Retention-schedules-Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016/xls/RMCOP-retention-schedules">https://digital.nhs.uk/media/1159/Retention-schedules-Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016/xls/RMCOP-retention-schedules</a></p> <p><a href="https://digital.nhs.uk/media/1158/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016/pdf/Records-management-COP-HSC-2016">https://digital.nhs.uk/media/1158/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016/pdf/Records-management-COP-HSC-2016</a></p>
<p><i>The existence of each of your rights</i></p>	<p>The patient can express an objection to the storing of certain data within their record. Article 6(1)(e) gives the data subject the right to object.</p> <p>The right to rectification.</p> <p>The right of access.</p>
<p><i>The right to lodge a complaint with a supervisory authority</i></p>	<p>Yes: The Information Commissioner</p>
<p><i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i></p>	<p>No</p>
<p><i>Further information</i></p>	<p>This privacy notice covers the collection and recording of information within the patient GP electronic record.</p> <p>The majority of information recorded arises from consultations (face to face, telephone, email, etc.) with the patient.</p> <p>It includes data added to the record directly (typed), added electronically (e.g. results), as well as letters and other documents that are scanned, or photographs that are taken, and subsequently added to the record.</p> <p>CDS records such information in line with Article</p>

	<p>5 of the GDPR:</p> <ul style="list-style-type: none"> <li>• <i>“adequate, relevant and limited to what is necessary”</i></li> <li>• <i>“accurate and, where necessary, kept up to date”</i></li> <li>• <i>“processed in a manner that ensures appropriate security of the personal data”</i></li> </ul> <p>Information is stored within our Vision database, as hosted by In Practice Systems Ltd (who are acting as the data processor). The database servers are located in Heathrow.</p> <p>The <i>“right to erasure”</i> does <b>not</b> apply to the keeping of electronic GP records in this way as:</p> <ul style="list-style-type: none"> <li>• processing is necessary in the exercise of official authority Article 6(1)(e)</li> <li>• processing is necessary for the provision of health or social care Article 9(2)(h)</li> </ul>
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**Docman 10**

<p><i>Identity and contact details of the data controller and the data protection officer</i></p>	<p>Cross Deep Surgery</p>
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• <i>Consent</i> <ul style="list-style-type: none"> <li>○ <i>Implied (e.g. direct care)</i></li> <li>○ <i>Explicit (e.g. 2<sup>o</sup> uses)</i></li> </ul> </li> <li>• <i>COPI Regulations 2002 (e.g. Reg 5 - “s251”)</i></li> <li>• <i>“overriding public interest” (to safeguard you or another person)</i></li> <li>• <i>legal obligation (e.g. court order)</i></li> </ul>	<p><b>Consent (implied)</b></p> <p>This means that it would be reasonable to infer that you agree to the use of the information as long as:</p> <ul style="list-style-type: none"> <li>• We are accessing the information to provide or support your direct care, or are satisfied that the person we are sharing the information with is accessing or receiving it for this purpose</li> <li>• Information is readily available to you, explaining how your information will be used and that you have the right to object</li> <li>• We have no reason to believe that you have objected</li> <li>• We are satisfied that anyone we disclose personal information to understands that we are giving it to them in confidence, which they must respect</li> </ul>

<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>To enable CDS to digitise all correspondence, and receive digital information, about patients This is a <b>Direct Care</b> purpose Special category of data (health) Lawful bases: <b>Article 6(1)(e) – Official Authority</b> <b>Article 9(2)(h) – Provision of health</b></p>
<p><i>Is this:</i> <b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• <b>Extraction of information from your GP record</b></li> <li>• <b>Access to data held about you by another data controller</b></li> </ul>	<p><b>Access to the GP record</b></p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>Docman Ltd Acting as a data processor</p>
<p><i>Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>All data held by Docman on our behalf is retained in line with NHS data retention practices (See <i>In Practice Systems Ltd – Vision</i>)</p>
<p><i>The existence of each of your rights</i></p>	<p>Article 6(1)(e) gives the data subject the right to object. Right <i>related</i> to the processing of information via Docman include the right to access and the right to rectification, as all such information ultimately becomes part of the electronic GP record (see <i>In Practice Systems – Vision</i>)</p>
<p><i>The right to lodge a complaint with a supervisory authority</i></p>	<p>Yes: The Information Commissioner</p>
<p><i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i></p>	<p>No</p>
<p><i>Further information</i></p>	<p>Docman Ltd is acting as a data processor in this situation.</p> <p>Docman provides CDS with software and cloud-based storage for electronic documents regarding our patients.</p> <p>This includes letters that we receive, scan and upload to the patient record, as well as letters that we receive in an electronic format.</p> <p>Docman stores the letters in their servers and CDS workflow and access the correspondence as required.</p>

Date: May 2018  
Review Date: May 2021

	Docman Privacy Notice To be determined at a later date
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### **Electronic Prescription Service (EPS)**

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - "s251")</li> <li>• "overriding public interest" (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><b>Consent (explicit)</b> <i>Recorded either by the surgery or the pharmacist</i></p> <p>This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.</p>
<i>Purpose of the processing and the lawful basis for the processing</i>	<p>To enable the electronic transmission of prescriptions to community pharmacies This is a <b>Direct Care</b> purpose Special category of data (health) Lawful bases: <b>Article 6(1)(e) – Official Authority</b> <b>Article 9(2)(h) – Provision of health</b></p>
<p><i>Is this:</i> <b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information <b>from your GP record</b></li> <li>• Access to data held about you <b>by another data controller</b></li> </ul>	Extraction of information from the GP record
<i>The recipient(s), or categories of recipients, of your personal data</i>	Community pharmacists providing direct medical care to the data subject
<i>Retention period of the data (or criteria used to determine the retention period)</i>	N/A
<i>The existence of each of your rights</i>	<p>Article 6(1)(e) gives the data subject the right to object. The source of the information shared in this way is your electronic GP record, and you have rights directly related to that (see In Practice Systems – Vision).</p>
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No

<p><i>Further information</i></p>	<p>Consent to “nominate” a pharmacist to receive electronic prescriptions can be obtained by both a pharmacy and the surgery</p> <p>Where the prescription cannot be sent by EPS (e.g. a Controlled Drug), the nomination allows the pharmacist to collect the printed FP10 prescription from the surgery.</p> <p><a href="https://digital.nhs.uk/services/electronic-prescription-service">https://digital.nhs.uk/services/electronic-prescription-service</a></p>
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### **Pharmacy Collection of FP10s (Prescriptions)**

<p><i>Identity and contact details of the data controller and the data protection officer</i></p>	<p>Cross Deep Surgery</p>
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ <i>Implied (e.g. direct care)</i></li> <li>○ <i>Explicit (e.g. 2<sup>o</sup>uses)</i></li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><b>Consent (explicit)</b></p> <p>This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.</p>
<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>To enable community pharmacies to collect prescriptions (FP10s) from the surgery on behalf of patients where that patient has not chosen to enable EPS</p> <p>This is a <b>Direct Care</b> purpose Special category of data (health) Lawful bases: <b>Article 6(1)(e) – Official Authority</b> <b>Article 9(2)(h) – Provision of health</b></p>
<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• <i>Extraction of information from your GP record</i></li> <li>• <i>Access to data held about you by another data controller</i></li> </ul>	<p><i>Extraction of information from the GP record</i></p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>Community pharmacists providing direct medical care to the data subject</p>

<i>Retention period of the data (or criteria used to determine the retention period)</i>	N/A
<i>The existence of each of your rights</i>	Article 6(1)(e) gives the data subject the right to object. The source of the information shared in this way is your electronic GP record, and you have rights directly related to that (see In Practice Systems – Vision).
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	This privacy notice covers situations where a patient nominates a pharmacy (or service) to either: <ul style="list-style-type: none"> <li>• Collect the prescription directly from the surgery, or</li> <li>• For the surgery to post the prescription to the service/pharmacy (e.g. for appliances)</li> </ul> Not consenting to this processing (nominating a pharmacy to collect/be posted to, on their behalf) would then require the data subject to collect the prescription from the surgery in person.

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**Open Exeter**

<p><i>Identity and contact details of the data controller and the data protection officer</i></p>	<p>Cross Deep Surgery</p>
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup>uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><b>Consent (implied)</b></p> <p>This means that it would be reasonable to infer that you agree to the use of the information as long as:</p> <ul style="list-style-type: none"> <li>• We are accessing the information to provide or support your direct care, or are satisfied that the person we are sharing the information with is accessing or receiving it for this purpose</li> <li>• Information is readily available to you, explaining how your information will be used and that you have the right to object</li> <li>• We have no reason to believe that you have objected</li> <li>• We are satisfied that anyone we disclose personal information to understands that we are giving it to them in confidence, which they must respect</li> </ul>
<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>To enable healthcare professionals working for CDS to access the Open Exeter database (NHAIS), and in so providing CDS with relevant information about patients This is a <b>Direct Care</b> purpose Special category of data (health) Lawful bases: <b>Article 6(1)(e) – Official Authority</b> <b>Article 9(2)(h) – Provision of health</b></p>
<p><i>Is this:</i> <b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	<p><b>Access to data held by another data controller</b></p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>Healthcare Professionals and administrative staff from CDS</p>
<p><i>Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>Data is viewed on screen. If printed, it is destroyed when no longer required (usually within 24 hrs).</p>

<i>The existence of each of your rights</i>	Article 6(1)(e) gives the data subject the right to object.
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	<p>Information about Open Exeter:  <a href="https://digital.nhs.uk/NHAIS/open-exeter">https://digital.nhs.uk/NHAIS/open-exeter</a></p> <p>Access to Open Exeter is only possible on the N3 network, and via authorised logons/passwords provided by NHS Digital.</p> <p>The information available on Open Exeter, about data subjects:</p> <ul style="list-style-type: none"> <li>• Demographic data</li> <li>• Cervical Screening</li> <li>• Breast Screening</li> <li>• Bowel Screening</li> <li>• HPV Vaccination</li> <li>• Childhood immunisations</li> <li>• Pre-School Booster vaccinations</li> <li>• Organ Donor registration details</li> <li>• Blood Donor registration details</li> </ul>

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**Surrey Pathology Services – ICE System**

<p><i>Identity and contact details of the data controller and the data protection officer</i></p>	<p>Cross Deep Surgery</p>
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p>Consent (implied)</p> <p>This means that it would be reasonable to infer that you agree to the use of the information as long as:</p> <ul style="list-style-type: none"> <li>• We are accessing the information to provide or support your direct care, or are satisfied that the person we are sharing the information with is accessing or receiving it for this purpose</li> <li>• Information is readily available to you, explaining how your information will be used and that you have the right to object</li> <li>• We have no reason to believe that you have objected</li> <li>• We are satisfied that anyone we disclose personal information to understands that we are giving it to them in confidence, which they must respect</li> </ul>
<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>To enable healthcare professionals working for CDS to access Surrey Pathology Services ICE Database and in so providing CDS with relevant information about blood tests and other investigations requested by other clinicians working for Kingston Hospital. This is a <b>Direct Care</b> purpose Special category of data (health) Lawful bases: <b>Article 6(1)(e) – Official Authority</b> <b>Article 9(2)(h) – Provision of health</b></p>
<p><i>Is this:</i> <b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	<p>Access to data held by another data controller</p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>Healthcare Professionals and administrative staff from CDS</p>
<p><i>Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>Data is viewed on screen. Data can be downloaded directly into the GP record.</p>

<i>The existence of each of your rights</i>	Article 6(1)(e) gives the data subject the right to object.
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	Access to ICE System is directly through the patient's Vision GP record (i.e. N3 network)  On occasions, we download the results of such tests (e.g. blood results) into the GP record, where the test was requested by another healthcare professional and so would not routinely go into the electronic GP record.

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### **Research (Practice based – Explicitly consented)**

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - "s251")</li> <li>• "overriding public interest" (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><b>Consent (explicit)</b></p> <p>This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.</p>
<i>Purpose of the processing and the lawful basis for the processing</i>	<p>To enable healthcare professionals working in CDS to provide information, derived from GP records, about individuals to accredited research organisations</p> <p>Sensitive data (health)</p> <p>Lawful bases:</p> <p><b>Article 6(1)(e) – Official Authority</b> <b>Article 9(2)(j) – Research Purposes</b></p>

<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	<p>Extraction of information from the GP record</p> <p>and/or</p> <p>Access to the GP record</p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>Accredited research organisations</p>
<p><i>Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>Data retained in line with the research organisation's policies on storing identifiable data</p> <p>Retention periods will be defined in the research protocol</p>
<p><i>The existence of each of your rights</i></p>	<p>Article 6(1)(e) gives the data subject the right to object.</p> <p>The source of the information shared in this way is your electronic GP record, and you have rights directly related to that (see In Practice Systems – Vision).</p>
<p><i>The right to lodge a complaint with a supervisory authority</i></p>	<p>Yes: The Information Commissioner</p>
<p><i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i></p>	<p>No</p>
<p><i>Further information</i></p>	<p>This covers research situations where the data controller (CDS) is approached by research organisations, directly, to recruit patients for studies.</p> <p>Any research proposal will only be agreed with a clearly defined protocol, consent mechanisms, and relevant research ethics committee approval, and in line with the principles of Article 89(1) of the EU GDPR.</p> <p>Research organisations do not approach patients directly, rather CDS will invite appropriate patients directly seeking their wish to take part.</p> <p>This privacy notice does not cover situations where CDS has been approached by an organisation seeking personal sensitive data to</p>

	be disclosed in the absence of consent, i.e. via s251/HRA approval.
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### **Patient Online**

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><b>Consent (explicit)</b></p> <p>This means that we actively seek and record your agreement to the use or disclosure of your information, before any such processing takes place.</p>
<i>Purpose of the processing and the lawful basis for the processing</i>	<p>To enable patients to securely access their GP record online and be able to book appointments, request repeat medication and view (read-only) their medical information.</p> <p>Sensitive data (health)</p> <p>Lawful bases: <b>Article 6(1)(e) - Official Authority</b> <b>Article 9(2)(h) – Provision of Health</b></p>
<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	<b>Access to the GP record</b>
<i>The recipient(s), or categories of recipients, of your personal data</i>	The data subject (you)
<i>Retention period of the data (or criteria used to determine the retention period)</i>	N/A
<i>The existence of each of your rights</i>	<p>Article 6(1)(e) gives the data subject the right to object.</p> <p>The source of the information shared in this way is your electronic GP record, and you have rights directly related to that (see In Practice Systems – Vision).</p>

<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No
<i>Further information</i>	Activation of patient online for any given patient is only performed with the consent of the patient (or their parent/guardian or representative).  Information can also be found at:  <a href="https://www.nhs.uk/nhsengland/aboutnhsservices/doctors/pages/gp-online-services.aspx">https://www.nhs.uk/nhsengland/aboutnhsservices/doctors/pages/gp-online-services.aspx</a>  <a href="https://www.patient-services.co.uk/web/ps/welcome">https://www.patient-services.co.uk/web/ps/welcome</a>

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### SMS Text Messages

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p>N/A</p> <p>The information is being shared directly with the data subject (you)</p>
<i>Purpose of the processing and the lawful basis for the processing</i>	<p>To enable staff at CDS to communicate with patients via text (SMS)</p> <p>This is a <b>Direct Care</b> purpose</p> <p>Personal data being processed includes the mobile number</p> <p>Special category of data (health)</p> <p>Lawful bases:</p> <p><b>Article 6(1)(e) – Official Authority</b></p> <p><b>Article 9(2)(h) – Provision of health</b></p>
<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	N/A
<i>The recipient(s), or categories of recipients, of your personal data</i>	The data subject (you)
<i>Retention period of the data (or criteria used to determine the retention period)</i>	N/A
<i>The existence of each of your rights</i>	Article 6(1)(e) gives the data subject the right to object.
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No

<p><i>Further information</i></p>	<p>Patients are free to provide CDS with their mobile phone number and consent will be recorded to allow CDS staff to use SMS if needed, or if preferred by the patient.</p> <p>The majority of SMS messages are automatically generated to remind patients of forthcoming surgery appointments that they have booked.</p> <p>Other uses include inviting eligible patients to attend for flu clinics or annual reviews (e.g. asthma, COPD) or in emergencies when surgeries have to be cancelled at short notice.</p> <p><b>We do not use SMS messages for any form of direct marketing.</b></p> <p><b>All text messages are for direct medical care purposes only.</b></p> <p>Patients have the right to provide CDS with their mobile number in order to enable an alternative number by which to contact them, <b>without</b> allowing SMS messages to be sent (i.e. “mobile phone calls only”).</p> <p>We will record and action any such objection accordingly, ensuring no SMS messages are sent to you.</p> <p>Further information about GP records and confidentiality can be found in our “Privacy Information Leaflet” available on Cross Deep Surgery website or from Reception</p>
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**Email Messages (Medical Purposes)**

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - “s251”)</li> <li>• “overriding public interest” (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p>N/A</p> <p>The information is being shared directly with the data subject (you)</p>
<i>Purpose of the processing and the lawful basis for the processing</i>	<p>To enable staff at CDS to communicate with patients via email</p> <p>This is a <b>Direct Care</b> purpose</p> <p>Personal data being processed includes the email address</p> <p>Special category of data (health)</p> <p>Lawful bases:</p> <p><b>Article 6(1)(e) – Official Authority</b></p> <p><b>Article 9(2)(h) – Provision of health</b></p>
<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	N/A
<i>The recipient(s), or categories of recipients, of your personal data</i>	The data subject (you)
<i>Retention period of the data (or criteria used to determine the retention period)</i>	N/A
<i>The existence of each of your rights</i>	Article 6(1)(e) gives the data subject the right to object.
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i>	No

<p><i>Further information</i></p>	<p>Patients are free to provide CDS with their email address.</p> <p>Email can be used to convey results, for example, or for appointment reminders.</p> <p>Other uses include inviting eligible patients to attend for flu clinics or annual reviews (e.g. asthma, COPD) or in emergencies when surgeries have to be cancelled at short notice.</p> <p><b>We will only use the email address that you provide for direct medical care purposes.</b></p> <p>At any time you can ask the surgery to remove your email address from your GP record. We will honour any such objection.</p> <p>Further information about GP records and confidentiality can be found in our “Privacy Information Leaflet” available on Cross Deep Surgery website or from Reception</p>
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**Email messages (non-medical purposes)**

<i>Identity and contact details of the data controller and the data protection officer</i>	Cross Deep Surgery
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> <li>• Consent <ul style="list-style-type: none"> <li>○ Implied (e.g. direct care)</li> <li>○ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - "s251")</li> <li>• "overriding public interest" (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p>N/A</p> <p>The information is being shared directly with the data subject (you)</p>
<i>Purpose of the processing and the lawful basis for the processing</i>	<p>To enable staff at CDS to communicate with patients via email for <b>non-medical purposes</b></p> <p>Personal data being processed is the email address (only)</p> <p>Lawful bases: <b>Article 6(1)(a) – Consent</b></p>
<p><i>Is this:</i></p> <p><b>Access to your GP record</b></p> <ul style="list-style-type: none"> <li>• Extraction of information from your GP record</li> <li>• Access to data held about you by another data controller</li> </ul>	N/A
<i>The recipient(s), or categories of recipients, of your personal data</i>	The data subject (you)
<i>Retention period of the data (or criteria used to determine the retention period)</i>	N/A
<i>The existence of each of your rights</i>	N/A
<i>The right to withdraw consent at any time, where relevant</i>	Yes – at any time
<i>The right to lodge a complaint with a supervisory authority</i>	Yes: The Information Commissioner
<i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the</i>	No

<i>consequences</i>	
<i>Further information</i>	<p>With the explicit consent of patients, Cross Deep Surgery may periodically email patients to provide useful information about the surgery, such as newsletters and minutes of patient participation group meetings.</p> <p>Such communication would be for non-medical purposes and as such falls under the <a href="#">PECR</a> (direct marketing) as well as the GDPR.</p> <p>Patients may choose not to provide consent for this purpose, or withdraw consent for this at any time, and so only permit email communication by the surgery for medical purposes.</p>

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### **The Right to Object**

Like all other healthcare organisations, Cross Deep Surgery relies upon Article 6(1)(e) – Official Authority - of the GDPR as the most common legal basis by which to process personal data.

Accordingly, patients (the data subjects) have the right to express a “right to object” to the processing of information that relies upon that Article as the legal basis.

In many cases – such as the Summary Care Record – a simple and straightforward mechanism already exists by which patients can object to, i.e. prohibit, the processing of their data in this way. These existing “opt-outs” are detailed in our “Privacy Information Leaflet”, on our website or from Reception.

For many data processing purposes, whilst we rely upon Article 6(1)(e), we nevertheless ask for, and record, your explicit consent before we share or access your data in this way. If you do not consent, we do not process your data in that way.

At anytime after, however, you have the right to object and request that we cease processing your data in that way.

Individuals must have an objection on “grounds relating to his or her particular situation”.

We will always look carefully at any such “right to object” request, and if we can accommodate it, we will. In some cases, however, we will not be able to – for example, we cannot realistically uphold a right to object to the electronic storage of your GP record, or the conversion of any paper records to electronic records and the receipt of electronic communication from hospital trusts. To do so would put the surgery in a position where it could not safely provide you with medical care.

If you do wish to express the right to object to a particular data processing function, then please do contact the surgery, explaining what data processing you are objecting to and the grounds relating to your particular situation.

### **The Right to Access and the Right to Rectification**

You have the right to access your personal data – that is, your electronic GP record. We have separate guidance on:

- Secure Online Records Access (Patient Online)
- Making a Subject Access Request

Please see our website for details, or read about it in our “Privacy Information Leaflet” available on Reception.

The GDPR includes a right for individuals to have inaccurate personal data rectified, or completed if it is incomplete. This applies to your electronic GP record (which you may have accessed as above).

The Data Protection Act states that personal data is inaccurate if it is incorrect or misleading as to any matter of fact. If you believe that entries within your GP record are inaccurate, incorrect or misleading then please do let us know. You can make a request for rectification verbally or in writing. You may wish to discuss the relevant entry with your GP first, but you do not have to. We will assess your concerns and respond to your request within one calendar month. It may be the case that we cannot “delete” the relevant record or entry, because it is important that the entry, assessment or medical opinion be retained so that there is an understanding and explanation of subsequent events (such as how you were treated, or what further tests were organised) in your medical history. Where we are not able to “delete” information, we can add a note to the disputed entry explaining your remaining concerns and we can offer you the option of adding an addendum of your own.

Please be aware that an alteration to an electronic record, or deletion of an entry in it, is always preserved (together with the original entry) as part of the electronic audit trail.

If you remain dissatisfied with the outcome of your request then you can follow our standard NHS complaints procedure, or approach the Information Commissioner’s Office directly.