



## St. Luke's Health Centre patient privacy notice

This privacy notice explains what information we collect about you, how we store this information, how we share this information and how we keep it safe and confidential. We want you to be confident that your information is kept safe, secure and for you to understand how and why we use it to support your care. To find out more please click on the relevant hyperlink below:

<a href="#">Definitions</a>
<a href="#">Who we are</a>
<a href="#">Our Data Protection Officer &amp; who you can contact</a>
<a href="#">What are your rights</a>
<a href="#">How to request a copy of your data &amp; make a data protection complaint</a>
<a href="#">Why we collect personal information about you</a>
<a href="#">Our legal basis for processing your personal information</a>
<a href="#">The information we collect and how it is obtained</a>
<a href="#">How we use and share your information</a>
<a href="#">Who we share your information with</a>
<a href="#">Covid-19</a>
<a href="#">National Data Opt Out - how to opt out of your data being shared</a>
<a href="#">Your summary care record</a>
<a href="#">How we keep your information secure</a>
<a href="#">How long do we store your information</a>
<a href="#">Social Media &amp; how we use your information when you visit our Practice website</a>
<a href="#">Contract end provisions</a>
<a href="#">Changes to this Privacy Notice</a>





## 1. Definitions

The following legislation will both be referred as, UK Data Protection Laws:

- **EU 2016/679 UK GDPR:** United Kingdom General Data Protection Regulation
- **DPA 18,** Data Protection Act 2018

**Personal data:** Any information relating to an identifiable individual such as your name, NHS number, contact details. It can also be location data or an online identifier.

**Special categories of personal data are defined as:** Racial or ethnic origin, politics, religious or philosophical beliefs, trade union membership, genetics, biometrics (where used for identification) information concerning your health, sex life or sexual orientation.

## 2. Who are we?

**St. Luke's Health Centre** services are provided by HCRGCSL on behalf of NHS England. As your registered GP Practice, we are the controller for any personal information we hold about you.

For further information please visit our [website](#):

HCRGCSL is a limited company registered in England and Wales, number 07557877. Registered office: HCRGCSL, Progressive House, The Heath Business & Technical Park, Runcorn, Cheshire, WA7 4QX. Part of the HCRG Care Group of companies.

## 3. Who can you contact regarding your personal information we hold?

If you have any questions or concerns about the information we hold about you, please do not hesitate to ask at the surgery reception or contact:

- **Practice Lead**  
Service Manager  
St Luke's Health Centre  
Pantile Avenue  
Southend on Sea  
Essex  
SS2 4BD  
0333 321 0918

**care.think.do.**  
WE CHANGE LIVES BY TRANSFORMING HEALTH AND CARE.

- **Data Protection Officer (DPO)**

Head of Information Governance  
HCRG Care Group Ltd  
Progressive House  
The Heath Business Park  
Runcorn  
Cheshire  
WA7 4QX  
Telephone: 01925 302 514

Email: [information.governance@hcrjcaregroup.com](mailto:information.governance@hcrjcaregroup.com)

You have the right to lodge a complaint with a supervisory authority. In the UK, this is the Information Commissioners Office (ICO).

- **Information Commissioner's Office**

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
0303 123 1113

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

[How to make a complaint to the ICO](#)

#### **4. What are your rights?**

If we need to use your personal information for any reasons beyond those stated above, we will discuss this with you and ask for your explicit consent. Under the UK Data Protection Laws, you have the following rights. If you have any queries around your rights, please contact the Data Protection Officer details in section 3, or use a link to our privacy portal in section 5.

YOUR RIGHTS	FURTHER INFORMATION ABOUT YOUR RIGHTS
<b>The right to be informed</b>	As a controller, we are obliged to provide understandable and transparent information about the way we process your data (this is provided within this privacy notice)
<b>The right of access</b>	You are entitled to request a copy of the personal data we hold about you. (see the section below, how to request a copy of your record)
<b>The right to rectification</b>	Request the correction of inaccurate or incomplete information in your health record, subject to certain safeguards.
<b>The right to erasure</b>	Where no overriding legal basis or legitimate reason continues to exist for processing personal data, you may request that we delete the personal data.
<b>The right to restrict processing</b>	Under certain circumstances, you may ask us to stop processing your personal data. We will hold the data, but will not process it any further.
<b>The right to data portability</b>	Subject to certain conditions, you may request a copy of your personal data to be transferred to another organisation.
<b>The right to object to processing</b>	<p>You have the right to object to our processing of your data where</p> <ul style="list-style-type: none"> <li>▪ Processing is based on legitimate interest.</li> <li>▪ Processing involves automated decision-making and profiling.</li> <li>▪ Processing would be for a purpose beyond your care and treatment, e.g. direct marketing and scientific or historic research; you can opt-out to the sharing of this information under the National Data Opt-Out. Further information can be found on the following website: <a href="https://digital.nhs.uk/services/national-data-opt-out">https://digital.nhs.uk/services/national-data-opt-out</a></li> </ul>

Please note that the above rights may not apply in all circumstances.



### **Text message opt out.**

From time to time you may receive text messages from the surgery. You will only receive these texts if you opted in to this service at registration. At any stage if you change your mind and you no longer want to receive text messages, you have the right to opt out of this form of communication. Please inform our reception team of your choice. You will find our contact details in section 3 of this notice.

### **Keep us updated of any changes**

Please let us know if you change your address or contact details etc. so that we can keep your information accurate and up to date.

## **5. How to request a copy of your record or submit a data protection complaint?**

You can request a copy of your records or submit a data protection complaint via our: **St. Luke's Health Centre** Data Subject Rights Portal. Please click on the following link to request your record.

[Data Subject Rights Portal](#)

Our portal supports the management of requests with regards to records and/or alterations/concerns. Your request will be directed to our Privacy Team who will ensure that the correct service receives your request promptly.

To progress the request, you will need proof of identity as follows:

- Driving licence or Passport or Work ID badge or Bus Pass or a witness to your signature by someone who is over 18 and is not a relative, (preferably by your doctor/solicitor on their headed business paper) as proof of identity and
- Bank statement or Pay slip or Utility bill or a Letter on headed paper from a local authority or similar as proof of residence.

If you are a Representative acting on a data subject's behalf you will need proof of your identity as well as proof that the data subject is freely giving consent to the request, or you have the appropriate legal authority.

## **6. Why do we collect personal information about you?**

The staff caring for you need to collect and maintain information about your health, treatment and care, so that:

- Accurate and up to date information is available in order to provide the best possible care and treatment for you.
- The information is available should you need another form of care, for example a referral to another service.
- We can review the type and quality of care you received and make the necessary changes in order to provide the best care available.

**care.think.do.**  
WE CHANGE LIVES BY TRANSFORMING HEALTH AND CARE.

- Your concerns can be properly looked into if you have a complaint.
- Statistics and management information for Commissioners.

This personal information can be held in a variety of formats including paper records, electronically on computer systems and in video and audio files.

## 7. What information we collect and how do we obtain it?

Personal information about you is collected in a number of ways. This can be from referral details from our staff, other 3rd parties or hospitals, directly from you or your authorised representative. This information is held in written form and/or in digital form.

We will collect basic **'personal data'** about you once you register with us such as:

- Your name, address, date of birth, NHS number, preferred name or maiden name, gender
- Your contact details, next of kin, carer details, Power of Attorney or other representative you have appointed.
- We might also hold your marital status and occupation.
- Details of any complaints or incidents.

In addition to the above we may also hold more sensitive personal data, called **'special category data'** which could include:

- Ethnicity, disability, religion
- Sexual history including partners, sexual orientation where relevant
- Details of appointments and visits.
- Notes and reports about your health, treatment and care including prescriptions
- Results of investigations, such as x-rays and laboratory tests
- Images and recordings
- Information provided by other health or social care professionals.
- Future care you may need
- Smoking status
- Whether or not you are subject to any protection orders regarding your health, wellbeing and human rights (safeguarding status)
- School information and information about your family health or social history
- Any special needs or preferences for receiving information

If you don't provide this information, your care will be compromised.

## 8. What is our legal basis for processing your information?

In order for the **St. Luke's Health Centre** to legally process your information a 'lawful basis' needs to be identified. Data protection law recognises the difference between personal data and that of a more sensitive nature known as special categories of data; such as racial or ethnic origin, political opinions, religious beliefs, trade union activities and physical or mental health.

**Our legal basis for processing your personal information** falls under one of the following legal bases:

- Performance of a task carried out in the public interest or in the exercise of official authority
- Necessary for a legal obligation such as responding to a request from a coroner
- Necessary for reasons in the area of public health such as in the event of an outbreak of a disease.
- Consent for Marketing purposes. We provide newsletter and other information to a wide range of groups within our services including individual involved with our Citizen's Panel, Carers Groups and volunteer networks. All our communication will also provide options for changing preferences and how to opt out at any time, should you change your mind.

**Our legal basis for processing special category data** falls under one of the following legal bases:

- The provision of health or social care
- Social protection law for safeguarding purposes.
- Where it is necessary to protect your vital interests when you are physically or legally incapable of providing consent.

Therefore, **St. Luke's Health Centre** does not require your consent to process your personal data. However, you do have the right to say "no" to our use of your information, but this could have an impact on our ability to provide you with care. [Click this link for more information regarding opting out of us using your information.](#)

## 9. How we do use and share your information?

Your records are used:

- By healthcare professionals to make care decisions with and about you.
- To make sure your care is safe and effective.
- To support working with others who provide your care.

We may also use, or share, your information for the following purposes:

- If it is in your best interests.
- Looking after the health of the general public.
- To ensure that our services can meet patient needs in the future.
- Preparing statistics on NHS performance and activity.
- Investigating concerns, complaints, or legal claims.
- Helping colleagues review the care they provide to make sure it is of the highest standards.
- Training and educating staff.
- For research purposes. (we will always ask your consent for this)

- Recommendations for special arrangements at home.
- To manage incidents that you have been involved in.
- Requests for information from official authorities or your representative.
- Your records if the service is transferring to us under contract or if you are moving out of the area.
- The prevention and detection of crime.
- Funding requests or payments.
- Integrated care initiatives.
- Legal advice or proceedings.
- Responding to legal requests and court orders.
- Public health notifications.

In some circumstances we may anonymise your information (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

We support approved research projects where identifiable information is used, and you may be asked if you would be willing to take part, but you do not have to agree if you do not want to.

## 10. Who do we share your information with?

We may need to share relevant personal information with other NHS organisations for healthcare purposes along with information from your health records with other non-NHS organisations from which you are also receiving care, such as Social Services or private care homes. However, we will not disclose any health information to third parties without your explicit consent unless there are circumstances, such as when the health or safety of others is at risk or current legislation permits or requires it. Below is a list of recipients we may share your information with:

- NHS England (NHSE), NHS Digital (NHSX) & NHSX User experience.
- NHS Trusts
- Primary Care Services, Urgent care organisations, minor injury units or out of hours' services.
- Primary Care Network (PCN)
- Integrated Care Board (ICBs)
- Commissioning Support Unit (CSUs)
- Local Authorities - Social Care
- Child & Adolescent Mental Health Service (CAMHS) & Mental Health Trusts
- Prison service relating to prison healthcare.
- Local Safeguarding Boards (MASH)
- Care Quality Commission (CQC) Regulators.
- We may use trusted providers to host our IT, archiving, email and texting services and survey
- Community Services such as district nurses and rehabilitation services.
- Child health services that undertake routine treatment or health screening.
- Community and palliative care hospitals.
- Care Home.
- Dentists, opticians, pharmacists.
- Private Sector Providers.
- Voluntary Sector Providers.





- Ambulance Trusts.
- Education Services.
- Police or other law enforcement agencies.
- HCRG Care Group Support teams.

The following provides you with an overview of the types of sharing:

### **Local Information Sharing to support your direct care**

Your GP electronic patient record is held securely and confidentially on an electronic system managed by your registered GP Practice. However, if you require attention from a health professional such as an Emergency Department, Minor Injury Unit or Out Of Hours service, the professionals treating you are better able to give you safe and effective care if relevant information from your GP record is available to them.

Your permission will be asked before the information is accessed, other than in exceptional circumstances (e.g. emergencies) if the healthcare professional is unable to ask you and this is deemed to be in your best interests (which will then be recorded in your record).

Under the legislation; Health and Social Care Act 2015, NHS Digital can request personal confidential data from GP Practices without seeking patient consent for a number of specific purposes, which are set out in law. These purposes are explained below.

### **Cardiovascular Disease Audit**

NHS England has directed NHS Digital to collect and analyse data in connection with Cardiovascular Disease Prevention Audit, CVDPREVENT Audit.

CVDPREVENT is a national primary care audit to support professionally led quality improvement in the diagnosis and management of six high-risk conditions that cause stroke, heart attack and dementia: atrial fibrillation (AF), high blood pressure, high cholesterol, diabetes, non-diabetic hyperglycaemia, and chronic kidney disease.

The audit data will support practices and Primary Care Networks (PCNs) to identify gaps, inequalities, and opportunities for improvement in clinical care. It will provide the core data to assist General Practices and PCNs to meet the requirements of the PCN Directed Enhanced Service for CVD prevention, (scheduled for April 2021), as well as local improvement schemes. For further information, click on the following link: [CVDPREVENT Audit](#)

### **Clinical audit**

Information will be used by the Integrated Care Board (ICB) for clinical audit to monitor the quality of the service provided to patients with long terms conditions. When required, information will be held centrally and used for statistical purposes (e.g. the National Diabetes Audit). When this happens, strict measures are taken to ensure that individual patients cannot be identified from the data.



## **Clinical Research**

If we receive requests from organisations to use health information for research purposes - we will always ask your permission before releasing any information for this purpose.

## **Improving Diabetes Care**

Information that does not identify individual patients is used to enable focussed discussions to take place at practice-led local diabetes review meetings between health care professionals. This enables the professionals to improve the management and support of these patients.

## **Individual Funding Request**

An 'Individual Funding Request' is a request made on your behalf, with your consent, by a clinician, for funding of specialised healthcare which falls outside the range of services and treatments that the ICB has agreed to commission for the local population.

## **National Registries**

National Registries (such as the Learning Disabilities Register) have statutory permission under Section 251 of the NHS Act 2006, to collect and hold service user identifiable information without the need to seek informed consent from each individual service user.

## **Risk Stratification**

'Risk stratification for case finding' is a process for identifying and managing patients who have or may be at-risk of health conditions (such as diabetes) or who are most likely to need healthcare services (such as people with frailty). Risk stratification tools used in the NHS help determine a person's risk of suffering a particular condition and enable us to focus on preventing ill health before it develops.

Information about you is collected from a number of sources including NHS Trusts, GP Federations and your GP Practice. A risk score is then arrived at through an analysis of your de-identified information. This can help us identify and offer you additional services to improve your health.

Risk-stratification data may also be used to improve local services and commission new services, where there is an identified need. In this area, risk stratification may be commissioned by the. Section 251 of the NHS Act 2006 provides a statutory legal basis to process data for risk stratification purposes. Further information about risk stratification is available from: <https://www.england.nhs.uk/ig/risk-stratification/>

## **Safeguarding**

To ensure that adult and children's safeguarding matters are managed appropriately, access to identifiable information will be shared in circumstances where it's legally required for the safety of the individuals concerned.

## **Supporting Medicines Management**

ICBs operate pharmacist and prescribing advice services to support local GP Practices with prescribing queries, which may require identifiable information to be shared. These pharmacists work with your usual GP to provide advice on medicines and prescribing queries, and review prescribing of medicines to ensure that it is appropriate for your needs, safe and cost-effective. Where specialist prescribing support is required, the ICB medicines optimisation team may order medications on behalf of your GP Practice to support your care.

## Supporting Locally Commissioned Services

ICBs support GP Practices by auditing anonymised data to monitor locally commissioned services, measure prevalence and support data quality. The data does not include identifiable information and is used to support patient care and ensure providers are correctly paid for the services they provide.

## Invoice Validation

Invoice validation enables us to identify which ICB is responsible for paying for your treatment. Section 251 of the NHS Act 2006 provides a statutory legal basis to process data for invoice validation purposes and uses your NHS number to validate payment. We can also use your NHS number to check whether your care has been funded through specialist commissioning, which NHS England will pay for. The process makes sure that the organisations providing your care are paid correctly.

[NHS Digital - how we use your information for invoice validation](#)

## The Friends and Family Test (FFT)

NHS organisations including HCRG Care Group are required to use the Friends & Family Test (FFT) to capture feedback and submit response data to NHS England each month.

We collect feedback from a number of channels, including SMS text messaging, online – via our HCRG Care Group website and paper questionnaires/feedback forms. The data collected is anonymised and sent to the supplier, IQVIA.

The only personal data stored is your mobile phone number. Your mobile number is securely deleted from HCRG Care Group systems upon 24 hours of receipt.

[Friends & Family Test Feedback link](#)

We are required by law to report certain information to appropriate authorities. We will only breach confidentiality after careful consideration and our reasons and actions will be documented fully.

Examples of this are:

- Notification of infectious diseases which may endanger the safety of others
- When a court order instructs us to do so
- To protect children or vulnerable adults.

## Private Sector Providers

You may decide to register with a third-party private sector provider such as Doctorlink; Their online triage enables health providers to efficiently manage demand by directing you to the most appropriate care pathway, including self-help, pharmacy, and urgent care. Doctorlink provides you with 24/7 access to trusted medical advice & GP services.

The two main health technology components of Online Triage are:

1. Symptom Assessment

It assesses your symptoms online by asking a series of medical questions based on an algorithm built by doctors and tech innovators.

2. Health Service Finder

It recommends the best healthcare pathway solution based on the symptom assessment results.

Please [click](#) here For more information regarding how Doctorlink processes your information.

## 11. Covid - 19 - Shielded Patient List & Privacy Notice

The Department of Health and Social Care has directed NHS Digital to collect this data for the purpose of direct care in response to the spread of the COVID-19 virus (also known as coronavirus).

The objective of this collection is, on an ongoing basis, to identify who may be clinically extremely vulnerable if they contract COVID-19.

The data collected will be analysed and linked with other data NHS Digital holds to identify a list of clinically extremely vulnerable patients who will be advised to take shielding measures to protect themselves.

Patient level data including name, address, NHS Number and GP practice will be collected for identified patients. For further information please click on this link [Covid-19 Primary Care: At Risk Patients](#).

## 12. National Data Opt Out - How do you opt-out of sharing?

The national data opt-out was introduced on 25 May 2018, enabling patients to opt out from the use of their data for research or planning purposes, in line with the recommendations of the National Data Guardian in her [Review of Data Security, Consent and Opt-Outs](#).

Patients can view or change their national data opt-out choice at any time by using the online service at [www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters) or by calling 0300 3035678.

If you are happy with this use of information you do not need to do anything. If you do choose to opt-out your confidential patient information will still be used to support your individual care.

### **Type 1 opt-out: medical records held at your GP Practice**

You can tell your GP Practice if you do not want your confidential patient information held in your GP medical record to be used for purposes other than your individual care. This is commonly called a type 1 opt-out. This opt-out request can only be recorded by your GP surgery.

### 13. Your Summary Care Record (SCR)

Your Summary Care Record is a short summary of your GP medical records. It tells other health and care staff who care for you about the medicines you take and your allergies. This means they can give you better care if you need health care away from your usual doctor's surgery:

- In an emergency.
- When you're on holiday.
- When your surgery is closed.
- At out-patient clinics.
- When you visit a pharmacy.

#### Protecting your SCR information

Staff will ask your permission to look at your SCR (except in an emergency where you are unconscious, for example) and only staff with the right levels of security clearance can access the system, so your information is secure.

#### Opting out

SCRs improve care, but if you don't want to have one you can opt out. Tell your GP or fill in a [SCR Opt-out form](#) and give it to your GP Practice.

### 14. How do we keep your information secure?

We take the security of your personal data very seriously. We have operational policies and procedures in place to protect your information whether it is in hard copy or electronic format. We protect your information in the following ways:

**Training:** Staff are trained to understand their duty of confidentiality and their responsibilities regarding the security of patient data; this includes their mandatory annual training in data security and confidentiality to demonstrate they understand and are complying with Practice policies on confidentiality.

**Access Controls:** Any member of staff who has access to personal confidential data will have a username and unique password. This will reduce the risk of unauthorised access to your personal data and all access is auditable.

**Technical measures:** We complete due diligence and impose contractual obligations on our trusted providers and persons working under our instruction.

We have a duty to:

- Maintain full and accurate records of the care we provide to you.
- Keep records about you confidential and secure.
- Provide information in a format that is accessible to you.



We are committed to protecting your privacy and will only use information collected lawfully in accordance with:

- Data Protection Act 2018.
- General Data Protection Regulation 2016
- Human Rights Act 1998.
- Common Law Duty of Confidentiality.
- NHS Codes of Confidentiality and Information Security.
- Health and Social Care Act 2015.
- And all applicable legislation.

We maintain our duty of confidentiality to you at all times. We will only ever use or pass on information about you if we reasonably believe that others involved in your care have a genuine need for it.

We will not disclose your information to any third party without an appropriate legal basis and there are exceptional circumstances (such as a risk of serious harm to yourself or others) or where the law requires information to be passed on.

## 15. How long do we keep your information?

Your personal information is held in both paper and electronic forms for specified periods of time as the NHS Records Management Code of Practice for Health & Social Care 2021 and National Archives requires.

### GP Patient record retention:

- Deceased patients. Held until 10 years after death (exceptions apply)
- New provider. Record is transferred to the new provider to continue care.
- Patient does not come back to the practice, retain 100 years unless it is known they have emigrated, or 10 years after death.
- Emigration. Records reviewed and destroyed after 10 years.

Further details can be found in [The Records Management Code of Practice for Health and Social Care 2021](#). Please note that the independent inquiry into Child Sexual Abuse (IICSA) has requested that large parts of the health and social care sector to not destroy any records that are, or may fall into, the remit of the inquire. Therefore **HCRG Care Group is currently not destructing any children's records** until further notice (please consult the website [www.iicsa.org.uk](http://www.iicsa.org.uk) for more details).

## 16. Social Media and our Website

When you contact us through social media such as Facebook and Twitter, we hold your information and reason for contact in our social media management portal to enable us to easily access and manage our engagement with you. This may result in us sharing your information with other parties within the HCRG Care Group e.g. individuals involved in your care, managing your complaint etc.

When you visit our websites, we collect standard internet log information and details of visitor behaviours. This is statistical data only which we collect in order to find out the numbers of visitors to the site and the pages





visited. The information is collected in such a way that does not identify individuals and we do not make any attempts to identify visitors this way.

Where we do collect personal information on our website, this will be made obvious to you through the relevant pages. The following link will take you to our [Website Privacy Notice](#)

## **17. Contract end provisions**

In the event of the contract between **St. Luke's Health Centre** with HCRG Care Group coming to an end, all relevant documentation and records will be transferred to the new provider (s).

The transfer of records will be conducted in accordance with the current UK Data Protection Law.

## **18. Changes to our privacy notice**

We will update this privacy notice from time to time to reflect any changes to our ways of working. Please contact our Data Protection Officer if you would like more information.

**Date privacy notice last updated:** July 2022

