**Cowdenbeath Medical Practice**

**Data Protection Notice**

1. **About Cowdenbeath Medical Practice**

We are a public organisation under Section 2C of the National Health Service (Scotland) Act 1978 (the **1978 Act**), contracted by NHS Fife.

1. **About the personal information we use**

We use personal information on different groups of individuals including:

* Patients
* Staff
* Contractors
* Suppliers
* Complainants, enquirers
* Survey respondents
* Professional experts and consultants

The personal information we use includes information that identifies you such as your name, address, date of birth and postcode.

We may also use more sensitive personal information, including information about racial or ethnic origin; religious or philosophical beliefs; trade union membership; genetic data, health; sex life or sexual orientation.

The information we use can relate to personal and family details; education, training and employment details; financial details; lifestyle and social circumstances; goods and services; visual images; details held in the patient record; responses to surveys.

1. **Our purposes for using personal information**

We have the contractual responsibility to provide healthcare, health improvement and health protection services. We are given these tasks so that we can help to promote the improvement of the physical and mental health of the people of Fife.

We use personal information to enable us to provide healthcare services for patients, data matching under the national fraud initiative; research; supporting and managing our employees; maintaining our accounts and records.

1. **Our legal basis for using personal information**

Cowdenbeath Medical Practice, as data controller, is required to have a legal basis when using personal information. We consider that performance of our tasks and functions are part of our official functions under the 1978 Act, therefore when using personal information our legal basis is Public Task; necessary for the performance of a task carried out in the public interest, or in the exercise of official authority vested in us.

In some situations we may rely on a different legal basis; for example, when we are using personal information to pay a supplier, our legal basis is that its use is necessary for the purposes of a Contract obligation.

When we are using more sensitive types of personal information, including health information, our legal basis is usually that the use is necessary for one of the following reasons/purposes:

* for the provision of health or social care or treatment or the management of health or social care systems and services; or
* for reasons of public interest in the area of public health; or
* for reasons of substantial public interest for aims that are proportionate and respect people’s rights, for example research; or
* in order to protect the vital interests of an individual; or
* for the establishment, exercise or defence of legal claims or in the case of a court order.

On rare occasions we may rely on your explicit consent as our legal basis for using your personal information. When we do this we will explain what it means and the rights that are available to you.

1. **Who provides the personal information**

When you do not provide information directly to us, we receive it from other individuals and organisations involved in the delivery of health and care services in Scotland. These include NHS Boards and other primary care contractors such as dentists, pharmacists and opticians; other public bodies e.g. Local Authorities and suppliers of goods and services.

1. **Sharing personal information with others**

Depending on the situation, where necessary we will share appropriate, relevant and proportionate personal information in compliance with the law, with the following:

* Our patients and their chosen representatives or carers
* Staff
* Current, past and potential employers
* Healthcare social and welfare organisations
* Suppliers, service providers, legal representatives
* Auditors and audit bodies
* Educators and examining bodies
* Research organisations
* People making an enquiry or complaint
* Financial organisations
* Professional bodies
* Trade Unions
* Business associates
* Police forces.
* Security organisations.
* Central and local government.
* Voluntary and charitable organisations.

1. **Transferring personal information abroad**

It is sometimes necessary to transfer personal health information overseas, for example if you require urgent medical treatment abroad. In these situations the information may be transferred to countries or territories around the world. Any transfers made will be in full compliance with NHSScotland Information Security Policy.

1. **Retention periods of the information we hold**

Within Cowdenbeath Medical Practice we keep your personal information as set out in the Scottish Governments [Good Practice Guidelines for GP electronic patient records](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/215680/dh_125350.pdf). Your paper medical records are forwarded onto your new Practice upon your request / registration.

We also follow NHS Fife’s [Management, Retention, Storage and Destruction of all Business and Administrative Information and Records](https://www.nhsfife.org/nhs/index.cfm?fuseaction=nhs.policyDisplay&p2sid=D632EB98-D96A-DFE3-251ED058963B133A&themeid=E44C37C3-5056-8C6F-C003CD63C15D8FF0&objectid=45183079-EE51-B328-5EFB3A81B8C70073).

1. **How we protect personal information**

We take care to ensure your personal information is only accessible to authorised people. Our staff have a legal and contractual duty to keep personal health information secure and confidential. In addition, the following security measures are in place to protect personal information:

* All staff undertake mandatory training in Data Protection and IT Security
* Compliance with NHS Fife Information Security Policy
* Organisational policy and procedures on the safe handling of personal information
* Access controls and audits of electronic systems

1. **Your rights**

This section contains a description of your data protection rights within Cowdenbeath Medical Practice.

1. **The right to be informed**

Cowdenbeath Medical Practice must explain how we use your personal information. We use a number of ways to communicate how personal information is used, including:

* This Data Protection Notice
* Information leaflets
* Discussions with staff providing your care

1. **The right of access**

You have the right to access your own personal information.

This right includes making you aware of what information we hold along with the opportunity to satisfy you that we are using your information fairly and legally.

You have the right to obtain:

* Confirmation that your personal information is being held or used by us
* Access to your personal information
* Additional information about how we use your personal information

Although we must provide this information free of charge, if your request is considered unfounded or excessive, or if you request the same information more than once, we may charge a reasonable fee.

If you would like to access your personal information, you can do this by contacting:

Cowdenbeath Medical Practice

173 Stenhouse Street

Cowdenbeath

KY49DH

Telephone: 01383 518500

Email: [Fife.cmpfeedback@nhs.scot](mailto:Fife.cmpfeedback@nhs.scot)

Once we have all the information we need to process your request, which may include proof of your identity, we will respond to your request within 30 days. However, if your request is complex we may extend this timescale by up to two months. If we need to extend the timescale we will tell you and explain the reason for the delay.

1. **The right to rectification**

If the personal information we hold about you is inaccurate or incomplete you have the right to have this corrected.

If it is agreed that your personal information is inaccurate or incomplete we will aim to amend your records accordingly, normally within one month, or within two months where the request is complex. However, we will contact you as quickly as possible to explain this further if the need to extend our timescales applies to your request. Unless there is a risk to patient safety, we can restrict access to your records to ensure that the inaccurate or incomplete information is not used until amended.

If for any reason we have shared your information with anyone else, such as for a referral to another service, we will notify them of the changes required to ensure their records are accurate.

If on consideration of your request we do not consider the personal information to be inaccurate then we will add a comment to your record stating your concerns about the information. If this is the case we will contact you within one month to explain our reasons for this.

1. **The right to object**

When Cowdenbeath Medical Practice processes your personal information for the purpose of the performance of a task carried out in the public interest or in the exercise of official authority you have the right to object to the processing and also seek that further processing of your personal information is restricted. Provided we can demonstrate compelling legitimate grounds for processing your personal information, for instance; patient safety or for evidence to support legal claims, your right will not be upheld.

1. **Other rights**

There are other rights under current Data Protection Law however **these rights only apply in certain circumstances**. If you wish further information on these rights click [here](file:///S:\GDPR\GDPR%20Documentation%20Updated%20010121\Data%20Protection%20Notice%20-%20Other%20Rights.doc).

1. **The right to complain**

Cowdenbeath Medical Practice has a Data Protection Officer to check that we handle personal information in a way that meets data protection law. If you are unhappy with the way in which we use your personal information please tell our Data Protection Officer using the contact details below.

e-mail- [Fife.dataprotection@nhs.scot](mailto:Fife.dataprotection@nhs.scot)

Or write to:

Primary Care Data Protection Officer

NHS Fife

eHealth Department

The Annexe

Lynebank Hospital

Dunfermline

KY11 8JH

You also have the right to complain about how we use your personal information to the Information Commissioner’s Office (ICO). Details about this are on their website at [www.ico.org.uk](http://www.ico.org.uk).