

Patient Privacy Notice: Exmoor Medical Centre

This Privacy Notice explains what information we collect about you, how we store this information, how long we retain it and with whom and for which legal purpose we may share it.

The Organisation also publishes a number of specific notices, which are available at the bottom of this page.

To find out more about our Privacy Notice, please select the relevant hyperlink below:

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This Privacy Notice was last reviewed in July 2020.

<p>Who we are?</p>	<p>About Us - Symphony Healthcare Services was formed in April 2016, as a wholly owned subsidiary of Yeovil District Hospital NHS Foundation Trust. SHS is an NHS organisation, not a privatised company. It was created to support primary care to continue to provide high quality, sustainable, healthcare services in Somerset with a focus on patient care and joining up the healthcare system.</p> <p>We now have ten GP surgeries who have joined us, with a patient population of approximately 82,000.</p>
<p>Why we collect personal information about you?</p>	<p>Personal data is information about a living, identifiable individual. Therefore, your personal data is any information that can be attributed to you personally, including your name, weight, height, date of birth, health conditions and treatments you receive. So long as you can be identified from that information, it becomes your personal data.</p> <p>Organisations that use personal data must do so in line with the provisions of the General Data Protection Regulations and the Data Protection Act 2018. The Act applies to personal data held in both electronic and physical media.</p> <p>The staff caring for you need to collect and maintain information about you, your health, and your treatment and care, so that you can be given the safest and highest quality care. This personal information can be held in a variety of formats, including paper records, electronically on computer systems, in video and audio files.</p> <p>To note: The surgery will be piloting the use of askmyGP (the Service) as a messaging service for you to contact your GP Practice. Your GP may recommend the Service to you if he/she believes it will help you. The decision to use the Service will be yours. If you decide to register with the Service, it should be through your informed consent.</p> <p>askmyGP act as a Processor of the information you provide to your GP and for which we act as Controller.</p> <p>Your GP will share your basic data including; name, address, contact details and identification numbers (e.g. NHS number). You will be responsible for any data you share with your GP while using the Service.</p> <p>We recommend you read the Service End User Licence agreement and Privacy Statement on the askmyGP website when you register. These documents advise you how your data will be used.</p> <p>https://askmygp.uk/?s=end+user</p> <p>https://askmygp.uk/privacy-policy-gdpr/</p>

What is our legal basis for processing personal information about you?

When you consent to treatment we do not rely on that same consent to use your information as a 'legal basis for processing'. We rely on specific provisions under Article 6 and 9 of the General Data Protection Regulation, such as '...a task carried out in the public interest or in the exercise of official authority vested in the controller.'

In particular the Organisation has a legal duty under the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 to maintain securely an accurate, complete and contemporaneous record in respect of each service user, including a record of the care and treatment provided to the service user and of decisions taken in relation to the care and treatment provided. Because of this there are limitations on your rights to object to the keeping of records or to ask for them to be deleted. For more information see the section on ['What are your rights'](#).

This means we can use your personal information to provide you with your care without seeking your consent. Other legal duties may require us to use your information for processing a complaint, for assessing, monitoring and improving the quality and safety of the services we provide, to seek feedback on the quality of services, or for the general management of the NHS.

The NHS is supported by a complex network of statutory duties and powers. We have provided here an overview of the main provisions applying to the Trust. If you require specific information about the particular duty or power supporting any activity please contact the [Data Protection Officer](#).

What personal information do we need to collect about you and how do we obtain it?

Personal information about you is collected in a number of ways, including referral details from another health providers, or personal details directly from you or your authorised representative.

The data we hold includes basic personal information about you such as your name, address (including correspondence), telephone numbers, date of birth, next of kin contacts and your GP details. We may also hold your email address, marital status, occupation, overseas status, place of birth and preferred name or maiden name.

In addition to the above, we may hold healthcare information about including:

- Health notes and reports, including details of treatment and care, Physical and Mental Health conditions, results of investigations and what future care you may require
- Personal information from people who are carers such as relatives, or health or social care professionals
- Other personal information such as smoking status, any learning disabilities, and your family, lifestyle and social circumstances
- Details of your religion and racial or ethnic origin

	<ul style="list-style-type: none"> ▪ Whether or not you are subject to any protection orders (safeguarding status), Offences, Criminal proceedings Outcomes and sentences. <p>It is important for us to have a complete picture of you because:</p> <ul style="list-style-type: none"> ▪ Accurate and up to date information assists us in providing patients with the right care ▪ Full information will be readily available in the event you need to see another doctor, or are referred to a specialist or another part of the NHS ▪ Accurate and up to date information assists us in providing staff with the information and training required to carry out their role in the Organisation ▪ It helps the NHS prepare statistics on its performance and audits of its services, and enables better monitoring of public spending and planning and management of the health service. ▪ It improves the Training of NHS healthcare professionals and employees, and assists the NHS in conducting its Research and Development activities
<p>What website information do we collect?</p>	<p>Information about your computer hardware and software is automatically collected. This information can include your IP address, browser type, domain names, access times and referring website addresses. This information is used for the operation of the service, to maintain the quality and provide general statistics regarding use of the SHS websites.</p> <p>The Organisation or practice websites will disclose your personal information without notice, only if required to do so by law or in the good faith belief that such action is necessary to: (a) conform to the edicts of the law or comply with legal process served on Symphony Healthcare Services or the sites; (b) protect and defend the rights or property of Symphony Healthcare Services; and, (c) act under exigent circumstances to protect the personal safety of users of Symphony Healthcare Services, or the public.</p> <p>Please keep in mind that if you directly disclose personally identifiable information or personally sensitive data through the Organisation’s public message boards, this information may be collected and used by others. Note: the Organisation does not read any of your private online communications.</p> <p>Links to other websites: The Organisation encourages you to review the privacy statements of websites you choose to link to from our site so that you can understand how those websites collect, use and share your information. The Organisation is not responsible for the privacy statements or other content on websites outside The Organisation’s family of websites. Therefore we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites</p>

Collecting personal information on E forms: The Organisation websites do use electronic forms, and these forms enable you to give us feedback about the web site, to give feedback about specific activity; to give feedback as part of a formal consultation; to take part in fundraising activities or giving; to register for an event or activity; to register interest as a member or volunteer.

Where we are asking for personal information we will always ask you to acknowledge acceptance and understanding of this Fair Collection/Privacy Notice, before the electronic form can be submitted.

Direct Marketing: The Organisation may also use your personally identifiable information to inform you of other products or services available from Symphony Healthcare Services and its affiliates. The Organisation may also contact you via surveys to conduct research about your opinion of current services or of potential new services that may be offered. The Organisation keeps track of the websites and pages our patients visit in order to determine which of our services are the most popular. This data is used to deliver customised content and advertising within to customers whose behavior indicates that they are interested in a particular subject area. You have the right to refuse /withdraw consent to direct marketing at any time.

Use of Cookies: The Organisation website uses "cookies" to help you personalise your online experience. A cookie is a text file that is placed on your hard disk by a web page server. Cookies cannot be used to run programs or deliver viruses to your computer. Cookies are uniquely assigned to you, and can only be read by a web server in the domain that issued the cookie to you.

One of the primary purposes of cookies is to provide a convenience feature to save you time. The purpose of a cookie is to tell the Web server that you have returned to a specific page. For example, if you personalise pages, or register with Symphony Healthcare Services site or services, a cookie helps to recall your specific information on subsequent visits. This simplifies the process of recording your personal information, such as billing addresses, shipping addresses, and so on. When you return to the same Symphony Healthcare Services Web site, the information you previously provided can be retrieved, so you can easily use the features that you customised.

You have the ability to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. If you choose to decline cookies, you may not be able to fully experience the interactive features of the Organisation's services or websites you visit.

You can read more about the cookies used by the Organisation's web sites by clicking on the Privacy & Usage link at the bottom of the web page. For more details visit Symphony Healthcare Services website's [Privacy & Cookies Policy - Symphony Healthcare Services](#) and our [Terms of use policy - Symphony Healthcare Services](#). Each practice will have their own privacy & usage link on their webpages.

What do we do
with your
personal
information?

Your records are used to directly, manage and deliver healthcare to you to ensure that:

- Staff involved in your care have accurate and up to date information to assess and advise on the most appropriate care for you.
- Staff have information they need to be able to assess and improve the quality and type of care you receive.
- Appropriate information is available, should you see another healthcare professional, or are referred to a specialist or another part of the NHS, social care or health provider.

The personal information we collect about you may also be used to:

- Remind you about your appointments and send you relevant correspondence.
- Review the care we provide to ensure it is of the highest standard and quality through audits or service improvements.
- Support funding of your care with commissioning organisations.
- Preparing NHS performance statistics required by The Department of Health or other regulatory bodies.
- Assist in training and education of healthcare professionals.
- Report and investigate complaints, claims and untoward incidents, report events to the appropriate authorities when required to do so by law.
- Review your suitability for research studies or clinical trials.
- Contact you with regards to patient satisfaction surveys relating to services you have used within The Organisation, so as to further improve our services to patients in future

Where possible, we will always look to minimize and anonymise/pseudonymise your personal information so as to protect patient confidentiality, unless there is a legal basis to act otherwise.

Sharing Patient Feedback

The [Friends and Family Test results](#) and other feedback, such as that from askmyGP, provided about the service may be used by the practice and organisation anonymously. Publishing free text comments can be a useful way to improve morale and share examples of success. You can opt out of having your anonymised feedback published by contacting SHS.AdminTeam@YDH.NHS.UK

Who do we
share your
information with
and why?

The Organisation may share your information for health purposes with other NHS organisations, e.g. health authorities, NHS Organisations, NHS Trusts, general practitioners (GPs), ambulance services, NHS England, Public Health England and other NHS common services agencies such as primary care agencies. We will also share information with other parts of the NHS and those contracted to provide services to the NHS in order to support your healthcare needs. Examples include:

- **NHS Digital**, on behalf of NHS England assess the effectiveness of the care provided by publicly-funded services - we have to share information from your patient record such as referrals, assessments, diagnoses, activities (e.g. taking a blood pressure test) and in some cases, your answers to questionnaires on a regular basis to meet our NHS contract obligations and our legal duty under s259 Health and Social Care Act 2012. For further information about how NHS Digital looks after your data [follow this link](#).
- **Clinical Commissioning Groups** Information may be shared with a Clinical Commissioning Group where it is necessary for them to comply with their legal duties. Please also see the [Somerset Clinical Commissioning Group's Privacy Notice](#).

For your benefit, we may also need to share information from your health records with non-NHS organisations, from which you are also receiving care, such as social services or private healthcare organisations. However, we will not disclose any health information to third parties without your explicit consent, unless there are exceptional circumstances, such as when the health or safety of others is at risk or where the law requires it.

A new service called SIDeR (Somerset Integrated Digital electronic Record) is being rolled out across Somerset over the next few years to allow GP practices, hospitals and Social Care to securely view your health and care information. SIDeR will help us to link up our existing IT systems that record and securely store your information, so that medical and care staff can view your information to help them deliver better and safer care for you. For example, they will be able to see what medications you're taking, what allergies you have and what appointments you have coming up. If you have a care plan in place, they will also be able to see this to understand what your exact needs are.

We may also be asked to share basic information about you, such as your name and address, which does not include sensitive information from your health records. Generally, we would do this to assist them to carry out their statutory duties. In these circumstances, where it is not practical to obtain your explicit consent, we are informing you through this notice, which is referred to as a Fair Processing Notice, under the Data Protection Act.

Where patient information is shared with or processed by other non-NHS organisations, an information sharing agreement is drawn up to ensure information is managed in a way that complies with relevant legislation. These non-NHS organisations may include, but are not restricted to: social services, education services, local authorities, the Police, voluntary sector providers and private sector providers.

Symphony Healthcare Services does not sell, rent or lease its customer lists to third parties. From time to time we may contact you on behalf of external business partners about a particular offering that may be of interest to you. In those cases, your unique personally identifiable information (e-mail, name, address, telephone number) is not transferred to the third party. In addition, Symphony Healthcare Services may share data with organisational partners to help us perform statistical analysis, send you email or postal mail, provide customer support, or arrange for deliveries. All such third parties are prohibited from using your personal information except to provide these services to Symphony Healthcare Services, and they are required to maintain the confidentiality of your information under data processing agreements. Information may sometimes be shared with system suppliers for the purposes of maintenance.

There are occasions where the Organisation is required by law to share information provided to us with other bodies responsible for auditing or administering public funds, in order to prevent and detect fraud. There may also be situations where we are under a duty to share your information, due to a legal requirement. This includes, but is not limited to, disclosure under a court order, sharing with the Care Quality Commission for inspection purposes, the police for the prevention or detection of crime or where there is an overriding public interest to prevent abuse or serious harm to others and other public bodies (e.g. HMRC for the misuse of public funds in order to prevent and detect fraud).

For any request to transfer your data internationally outside the UK/EU, we will make sure that an adequate level of protection is satisfied before the transfer.

The Organisation is required to protect your personal information, inform you of how your personal information will be used, and allow you to decide if and how your personal information can be shared. Personal information you provide to the Organisation in confidence will only be used for the purposes explained to you and to which you have consented. Unless, there are exceptional circumstances, such as when the health or safety of others is at

	<p>risk, where the law requires it or there is an overriding public interest to do so. Where there is cause to do this, the Organisation will always do its best to notify you of this sharing.</p>
<p>How we maintain your records</p>	<p>Your personal information is held in both paper and electronic forms for specified periods of time as set out in the NHS Records Management Code of Practice for Health and Social Care and National Archives Requirements.</p> <p>We hold and process your information in accordance with the Data Protection Act 2018 (subject to Parliamentary approval) as amended by the GDPR, as explained above. In addition, everyone working for the NHS must comply with the Common Law Duty of Confidentiality and various national and professional standards and requirements. Under the NHS Confidentiality Code of Conduct, all our staff are required to protect your information, inform you of how your information will be used, and allow you to decide if and how your information can be shared. This will be noted in your records.</p> <p>We have a duty to:</p> <ul style="list-style-type: none"> ▪ 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 <p>The Organisation is committed to securing your personal information from unauthorised access, use or disclosure, and secures it on computer servers in a controlled, secure environment, protected from unauthorised access, use or disclosure.</p> <p>All our records are destroyed in accordance with the NHS Retention Schedule, which sets out the appropriate length of time each type of NHS records is retained. We do not keep your records for longer than necessary.</p> <p>All records are destroyed confidentially once their retention period has been met, and the Organisation has made the decision that the records are no longer required.</p>
<p>What are your rights?</p>	<p>Data Protection law gives you significant rights over the use of your personal data. The most important is the right to make a “Subject Access Request” for access to the information we hold, usually by being provided with a copy. Further details are provided below.</p>

Your other rights include:

- Rectification: a right to ask us to change any personal data which is wrong
- Erasure: a right to ask us to delete any personal data we hold. This is sometimes referred to as “the right to be forgotten”
- Restriction: a right to ask us not to process your information for certain purposes. There is also a specific right to ask us not to use your contact details for marketing purposes.
- Objection: a right to object to some types of processing based on your own individual circumstances
- Data portability: the right to receive your information in a specific form so that it can be used by another organisation. However this right usually only applies where we are processing information by consent so it does not apply to medical records. For more information please see the [Information Commissioner's website](#).

These rights are not absolute (other than prevention of marketing) and will not apply in all circumstances. For example, you do not have a right to insist that we delete your medical records as we have a legal duty to keep them. For more information about your rights please see: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If you wish to exercise any of the rights other than a Subject Access Request please contact the Organisation's Data Protection Officer.

You also have a right to complain to the Information Commissioner if you are in any way unhappy with the way we have processed your personal information or allowed you to exercise your rights. Please see: www.ico.org.uk/concerns .

Subject Access Requests

GDPR gives you the right to access the information we hold about you on our records. For medical records requests should be made in writing to the practice. The practice will provide the information to you within one month of receipt of your request and sufficient information to identify you. There is generally no charge but the organisation reserves the right to make a reasonable administrative charge in the case of requests which are manifestly unfounded or excessive, in particular because of their repetitive character.

It is possible for you to make requests on behalf of children you are responsible for and in some cases for adults e.g. where you have their specific authority or a Power of Attorney or they are incapable of making their own request.

Rectification

If you think that the data we hold on you is inaccurate or incomplete you may ask us to rectify or complete it. You can make your request by contacting the practice. We will tell you within one month what action we intend to take in response to your request.

Erasure

Under GDPR you sometimes have a right to have personal data erased. The right to erasure is also known as ‘the right to be forgotten’. You can make your request by contacting the Organisations’s Data Protection Officer. We will tell you within one month what action we intend to take in response to your request. However this right does not apply to many of our key data holdings such as health records and employees’ records as we are keeping such records as part of our legal duties. For a full explanation of the right and when it applies please see the [Information Commissioner’s website](#).

Restriction

This is closely linked to other rights. You have the right to restrict processing in [limited circumstances](#) for example if you think our data is inaccurate and you want to limit what we do with it until we have considered rectification (see above). You can make your request by contacting the Organisation’s Data Protection Officer. We will tell you within one month what action we intend to take in response to your request.

Objection

You have a general right to object to our processing your personal data if we are processing your information for direct marketing. We will always respect such an objection. You also have a right to object on “grounds relating to your particular situation” when we are processing your personal data:

- On the basis of our legitimate interests or the performance of a task in the public interest/exercise of official authority. This would include our processing of medical records and employee records; or
- For purposes of scientific/historical research and statistics.

In certain circumstances you may also have the right to 'object' to the processing (i.e. sharing) of your information where the sharing would be for a purpose beyond your care and treatment (e.g. as part of a local/regional data sharing initiative). This 'National Data Opt-out' initiative commenced via a roll out system from March 2018, with patients and the public able to use the system from 25 May 2018, with the planned roll out of the program concluding in March 2020. Further information can be found on the following website:

<https://digital.nhs.uk/national-data-opt-out>

For example, someone might object to us sharing identifying or address information if they were on a witness protection program. We can refuse to uphold an objection, if it is not based on their particular situation or in any event on compelling grounds – for example to save the life of a child of the person on the witness protection program.

You can make your request by contacting the Organisation's Data Protection Officer. We will tell you within one month what action we intend to take in response to your request.

For a full explanation of the right and when it applies please see the [Information Commissioner's website](#).

If you wish to obtain a copy of the Organisation's Data Protection Policy which covers individual rights, raise a complaint on how we have handled your personal data, you can contact our Data Protection Officer who will investigate the matter.

Data Protection Officer

SHS Core team Data Protection Office:

Gary McCann,
Data Protection Officer c/o Information Governance Team
Symphony Healthcare Services,
Yeovil District Hospital NHS Foundation Trust
Higher Kingston, Yeovil
BA21 4AT

Practice Level Data Protection Officer:

Kevin Caldwell,
Somerset Clinical Commissioning Group Data Protection Officer
kevin.caldwell1@nhs.net
01935 384029

	Or via email Gary.McCann@YDH.NHS.UK
Information Commissioner's Office	<p>The Information Commissioner's Office (ICO) is the body that regulates the Organisation under Data Protection and Freedom of Information legislation. https://ico.org.uk/. If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law you can complain to the. ICO at:</p> <p>Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF</p> <p>Tel: 0303 123 1113 (local rate) or 01625 545 700 if you prefer to use a national rate number</p> <p>Email: casework@ico.org.uk</p>

Changes to this statement

Symphony Healthcare Services Limited will occasionally update this Privacy Notice to reflect the law and feedback received. You are encouraged to periodically review this notice to be informed of how Symphony Healthcare Services is protecting your information.