

Cambridge Private Doctors Data Privacy Notice – January 2024

Why do we collect your data?

Cambridge Private Doctors collects the personal data of our patients to provide the best possible health care to our patients.

We collect data about your:

- name
- address
- date of birth
- email

so that we can verify your identity when we provide you with health care.

We collect data about your contact details to contact you regarding your direct health care.

We collect medical information about you to inform decisions about your health care.

What data do we collect about you?

Your medical records consist of:

- Your medication, past and present
- A history of medical consultations and the problems addressed in those consultations.
- A history of medical diagnoses
- A history of diagnostics and test results
- A history of immunisations and allergies
- A history of referrals
- Clinical letters and discharges sent to your GP by hospitals and other healthcare institutions
- A history of appointments

We only collect information relevant to your health care on your medical record. However, this does sometimes include details of social support and care packages where these are relevant to your health care.

How we use your data

Clinicians

We respect the confidentiality of our patient's data, and understand that confidential information is provided by patients to an individual clinician within the confines of a consultation.

Our clinicians work as a team to provide the best possible care to our patients.

Clinicians also occasionally consult each other about individual patients to ensure the patient is given the best possible advice.

Non-Clinical Staff

Our administrative staff access your medical records to support the doctors providing your care. For example, the medical secretaries will access your records to process a referral made by the doctor on your behalf.

Using your data for purposes other than direct patient care

We use your contact details to send text messages like appointment reminders and to e-mail newsletters and similar bulk e-mail communications.

How we protect your data

Your medical records are stored electronically on our clinical system, SEMBLE. SEMBLE is a UK-based clinical systems supplier for GPs and fully complies with data protection regulations.

All staff receive annual training in information governance and have confidentiality clauses written into their contracts. In addition, an audit trail is created each time someone accesses your medical record, be it a doctor or a staff member. Any inappropriate staff access or misuse of confidential information constitutes gross misconduct.

Who are our Data Processors?

In addition to SEMBLE, we use a small number of other data processors to assist us in processing your data.

Specifically, we use:

Xero, Stripe, Chaser and GoCardless for billing
MailChimp for practice newsletters.

We are not sharing medical information about you with these organisations.

Confidential paperwork, including letters from hospitals, are scanned onto your electronic records and then shredded.

Sharing your data for direct patient care

We share your data with other healthcare providers for direct patient care. Except in exceptional circumstances (see below), this will always be with your consent. For example, you and your GP may agree that referring you to a hospital consultant is appropriate. Your consent to the referral implies that your GP shares relevant parts of your medical record with the consultant and his team.

Sharing data for direct patient care without your consent.

We will share data about you for direct patient care but without your consent where:

1. We are required to do so by law
2. There is an immediate and significant risk to your or somebody else's safety.
3. A doctor takes the view that it is in your best interests to do so, and that you do not have the mental capacity to take the decision yourself.

Data sharing for research and complying with legal obligations.

Cambridge Private Doctors are not active in any medical research and do not sell your data to any other organisation.

Your rights

– Our patients have the right to access their medical records and to have inaccurate data corrected.

All our patients have a right to see the entire contents of their medical records at no cost. Requests should be made in writing rather than verbally. We reserve the right to remove any information relating to a third party – for example, a separate letter containing confidential information about another patient. In this situation, the patient asking to release all records will be notified of any omissions.

We will reply within one month.

We reserve the right to refuse or charge for manifestly unfounded requests. or excessive.

If we refuse a request, we will tell the individual why and that in case of conflict, you have the right to complain to the supervisory authority and a judicial remedy. You must do this without undue delay and, at the latest, within one month.

You have a right to have inaccurate data corrected.

We will investigate any reported inaccuracies and, where appropriate, correct them with an audit trail of what was corrected and why.

Your medical records will be retained for eight years or until death,

Contact details of the practice data controller:

Dr Rob Howlett, Cambridge Private Doctors, Nuffield Health Hospital, 4 Trumpington Street, Cambridge
enquiries@cambridgeprivatedoctors.co.uk

– Contact details for the data protection officer

Dr Rob Howlett, Cambridge Private Doctors, Nuffield Health Hospital, 4 Trumpington street, Cambridge
enquiries@cambridgeprivatedoctors.co.uk

– The purposes for processing the data and the legal basis for processing the data –

Processing is for direct patient care in accordance with the Health and Social Care Act 2012 Articles 6(1)(e) and 9(2)(h)

– other legal bases when processing for reasons other than direct care include a direction under the Health and Social Care Act 2012 – where disclosures are a legal requirement the lawful basis and special category condition for such processing are: ‘...for compliance with a legal obligation...’ (Article 6(1)(c)) and Article 9(2)(h) ‘...management of health or social care systems...’;

– for medical research the lawful basis and special category condition are Article 6(1) (e) ‘...for the performance of a task carried out in the public interest...’

In the face of an objection from a patient, in many cases we would be likely to be able to demonstrate ‘compelling legitimate grounds’ for continued processing for the safe provision of direct care and processing which is necessary for compliance with a legal obligation.

We rely on legitimate interests as the lawful basis for processing patient data.

CPD has applied the three-part test to demonstrate that we have fully considered and protected individual's rights and interests.

The three-part test as applied to CPD.

Purpose – the provision of medical care

Necessity – we cannot provide safe medical services to the patient without processing data.

Balance – We respect the interests & fundamental rights, and freedoms of our patients, which require personal data protection.

Consent

We do not ask for formal consent from patients to use an electronic medical record (this is stated clearly to all patients on booking appointments. Similarly, we do not formally ask for permission to share clinical information (usually when we refer - at the patient's request- to another specialist).

Information is kept solely for the provision of medical care for our patients. Information is strictly personal between the patients and us. Any communication with outside agencies will usually be to secondary care medical services as an integral part of medical care provision to the patient.

This is in line with the official guidance.

Explicit consent under the GDPR is distinct from implied consent for sharing for direct care purposes under the common law duty of confidentiality.

The GDPR creates a lawful basis for processing special category health data when it provides direct care that does not require explicit consent.

A typical example of when consent can be implied is when a patient agrees to a referral from one healthcare professional to another. In these circumstances, when the patient agrees to the referral, this implies their consent to share relevant information to support the referral (unless the patient objects).