The Scott Practice

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| **Plain English explanation**  The surgery has the ability to record telephone calls to protect patients and staff and other health workers. Patients are protected by our having a record of our conversations with you, staff and other health workers are protected from potential abuse. All calls into and out of the surgery are recorded.  Call recordings may also be used for staff training and quality control and dispute resolution.  The recordings are stored on the surgery telephone system, provided by ETS, and are protected through the companies GDPR Policy. These recordings will not usually be shared outside the practice. If we hold recordings that have not been deleted you can ask for copies by putting a request to the Practice Manager.  We are required by Articles in the General Data Protection Regulations to provide you with the information in the following 9 subsections | |
| 1**) Data Controller** contact details | The Scott Practice, Greenfield Lane, Balby, Doncaster, DN4 0TG |
| **2) Data Protection Officer** contact details | The Practice Data Protection Officer is Caroline Million, Independent Data Protection Officer. Any queries regarding Data Protection issues should be addressed to him at: -  Email: [Caroline.million@outlook.com](mailto:Caroline.million@outlook.com)  Telephone 07912 975522 |
| 3) **Purpose** of the processing | To facilitate your access to care |
| 4) **Lawful basis** for processing | The processing of personal data in the delivery of direct care and for providers’ administrative purposes in this surgery and in support of direct care elsewhere is supported under the following Article 6 and 9 conditions of the GDPR:  *Article 6(1)(e) ‘…necessary for the performance of a task carried out in the public interest or in the exercise of official authority…’.*  *Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...”*  We will also recognise your rights established under UK case law collectively known as the “Common Law Duty of Confidentiality”\* |
| 5) **Recipient or categories of recipients** of the processed data | Necessary data will be shared with Health and care professionals and support staff in this surgery. Actual recordings will not be shared with anyone outside the practice. The actual recordings are stored on the telephone system and after a designated period are deleted. Calls used for training or dispute resolution purposes may be saved onto the practice shared drive and will be deleted once the training or dispute is resolved. |
| 6) **Rights to object** | You have the right to object to some or all the information being processed under Article 21. Please contact the Data Controller or the practice. You should be aware that this is a right to raise an objection, that is not the same as having an absolute right to have your wishes granted in every circumstance |
| 7) **Right to access and correct** | You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law. |
| 8**) Retention period** | The data will be retained in line with the law and national guidance. https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016  or speak to the practice. |
| 9) **Right to Complain**. | You have the right to complain to the Information Commissioner’s Office, you can use this link <https://ico.org.uk/global/contact-us/>  or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)  There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website) |

\* “Common Law Duty of Confidentiality”, common law is not written out in one document like an Act of Parliament. It is a form of law based on previous court cases decided by judges; hence, it is also referred to as 'judge-made' or case law. The law is applied by reference to those previous cases, so common law is also said to be based on precedent.

The general position is that if information is given in circumstances where it is expected that a duty of confidence applies, that information cannot normally be disclosed without the information provider's consent.

In practice, this means that all patient information, whether held on paper, computer, visually or audio recorded, or held in the memory of the professional, must not normally be disclosed without the consent of the patient. It is irrelevant how old the patient is or what the state of their mental health is; the duty still applies.

Three circumstances making disclosure of confidential information lawful are:

* where the individual to whom the information relates has consented;
* where disclosure is in the public interest; and
* where there is a legal duty to do so, for example a court order.