

Braidcraft Medical Centre

General Data Protection Regulation – Privacy Notice

Background

The General Data Protection Regulation (GDPR) comes in to force on May 2018, superseding the current Data Protection Act (1998).

Under the terms of the new GDPR Braidcraft Medical Centre has a legal duty to explain to patients by means of a privacy notice what personal data is held about them and how it is collected.

Information obtained from you

When you register with the practice you provide us with personal data on your registration form, via online registration for prescription services and over the telephone phone. This data includes name, address, date of birth, landline number, mobile number, email address, next of kin and ethnicity.

We may also keep information contained in any correspondence or conversations. In addition to the above the practice records calls from and to patients for reflective training and audit purposes.

Information collected from other sources

When you register with the practice your medical history from your previous practice(s) is sent to us. The provision of such information enables us to deliver effective patient centred medical care.

We also collect records of appointments, visits, telephone calls, your health records, treatment and medications, test results, X-rays, etc. and any other relevant information to enable us to deliver effective medical care.

How we will use your information

The admin team use your information to make appointments for you, to generate prescriptions, to electronically file hospital and clinic records, and to provide test results as requested by you. The admin team only access your medical information on a “need to know” basis in order to perform their duties.

Your mobile phone number will be used to send you text reminders of your appointments, to send texts regarding flu clinics and other clinics you may attend, and to send texts regarding administrative matters, eg surgery closures. We may share your mobile phone number with other healthcare professionals involved in your care.

If you have provided your email address, we may communicate with you in this way or send referrals by email to other services involved in your medical treatment who may then communicate with you by email.

The clinical team use your information to provide you with care and medical treatment.

Your data is collected for the purpose of providing direct patient care; however, we can disclose this information if it is required by law, if you give consent or if it is justified in the public interest. The practice may be requested to support research; however, we will always gain your consent before sharing your information with medical research databases when the law allows.

Sometimes the NHS also uses relevant information about your health to help improve NHS services and public health in Scotland – for example, to find out how many people have a particular illness or disease. If so, information that identifies you is removed if possible. If the NHS uses information that does identify you (for example, to include it in a disease register), they must explain how and why your information will be used.

Processing your information in this way and obtaining your consent ensures that we comply with Articles 6(1)(c), 6(1)(e) and 9(2)(h) of the GDPR.

Maintaining confidentiality

We are committed to maintaining confidentiality and protecting the information we hold about you. We adhere to the General Data Protection Regulation (GDPR), the NHS Scotland Code of Practice, as well as guidance issued by the Information Commissioner's Office (ICO).

Retention periods

In accordance with the Records Management NHS Codes of Practice (Scotland), your healthcare records will be retained for the duration of your life and for 3 years after your death.

Patient Rights (as the Data Subject)

The right to erasure

The right to erasure is also known as “the right to be forgotten” and in general refers to an individual's right to request the deletion or removal of personal information where there is no compelling reason for Braidcraft Medical Centre to continue using it.

As with other rights, there are particular conditions around this right and it does not provide individuals with an absolute right to be forgotten.

Individuals have the right to have their personal information deleted or removed in the following circumstances:

- When it is no longer necessary for the purpose for which it was collected.
- When Braidcraft Medical Centre no longer have a legal basis for using your personal information, for example if you gave us consent to use your personal information in a specific way, and you withdraw your consent, we would need to stop using your information and erase it unless we had an overriding reason to continue to use it.
- When you object to Braidcraft Medical Centre using your personal information and there is no overriding legitimate interest for us to continue using it.
- If we have used your personal information unlawfully.
- If there is a legal obligation to erase your personal information for example by court order.

Braidcraft Medical Centre can refuse to deal with your request for erasure when we use your personal information for the following reasons:

- to comply with a legal obligation for the performance of a public interest task or exercise of official authority.
- for public health purposes in the public interest.
- archiving purposes in the public interest, scientific research historical research or statistical purpose.
- the exercise or defence of legal claims.

When using personal information our legal basis is usually that its use is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us under the NHS Scotland Act as noted previously. This means that in most circumstances we can refuse requests for erasure. However we will advise you of this as soon as possible following receipt of your request.

The right to restrict processing

You have the right to control how we use your personal information in some circumstances. This is known as the right to restriction. When processing is restricted, Braidcraft Medical Centre are permitted to store your personal information, but not further use it until an agreement is reached with you about further processing. We can retain enough information about you to ensure that your request for restriction is respected in the future.

Examples of ways you can restrict our processing would be:

- If you challenge the accuracy of your personal information, stop using it until we check its accuracy.
- If you object to processing which is necessary for the performance of our tasks in the public interest or for the purpose of legitimate interests, we will restrict our processing while we consider whether our legitimate grounds override your individual interests, rights and freedoms.

- If our use of your personal information is found to be unlawful and you ask for restriction instead of full erasure we will restrict our processing.
- If we no longer need your personal information but you need it to establish, exercise or defend a legal claim, we will restrict our processing.

If we have shared your personal information with any individuals or organisations, if we restrict our processing, we will tell those individuals or organisations about our restriction if it is possible and not an unreasonable amount of effort.

Whenever we decide to lift a restriction on processing we will tell you.

The right to data portability

The right to data portability allows individuals to obtain and re-use their personal information for their own purposes across different services. It allows them to move, copy or transfer personal information easily from one IT environment to another in a safe and secure way. For example: it enables consumers to take advantage of applications and services which can use their information to find them a better deal.

The right to data portability only applies when the individual has submitted their personal information directly, through electronic means to Braidcraft Medical Centre. This means that in most circumstances the right to data portability does not apply within Braidcraft Medical Centre.

Rights related to automated decision making and profiling

You have the right to object to any instances where a decision is made about you solely by automated means without any human involvement, including profiling.

Braidcraft Medical Centre does not undertake any decision-making about you using wholly automated means.

Invoking your rights

If you wish to invoke any of the data subject rights then please write to The Practice Manager, Braidcraft Medical Centre, 200 Braidcraft Road, Glasgow G53 5QD.

What to do if you have any questions

Should you have any questions about our privacy policy or the information we hold about you, you can:

- Contact the practice's data controller via email at gg-uhb.gp52043@nhs.net. GP practices are data controllers for the data they hold about their patients¹
- Write to the data controller at Braidcraft Medical Centre, 200 Braidcraft Road, Glasgow G53 5QD.
- Ask to speak to the practice manager, Grant Anthony.

¹ [BMA GPs as data controllers under the GDPR](#)

The Data Protection Officer (DPO) for Braidcraft Medical Practice is Grant Anthony and he is based at Braidcraft Medical Centre.

Complaints

In the unlikely event that you are unhappy with any element of our data-processing methods, you have the right to lodge a complaint with the ICO. For further details, visit ico.org.uk and select 'Raising a concern'.

Changes to our privacy policy

We regularly review our privacy policy and any updates will be published on our website, in our newsletter and on posters to reflect the changes. This policy is to be reviewed **April 2019**.