

## UK GDPR Privacy Notice

### Privacy Notice

South Warwickshire GP Federation fully appreciates the importance of protecting and managing your data and maintaining your privacy. To ensure that we comply with these requirements all our data management and clinical processes fully recognise the data protection law in force in the UK (e.g. the Data Protection Act 2018, which includes relevant Articles from the EU General Data Protection Regulation (UK GDPR)). Please read the following information carefully to understand how we process your personal data.

For the purpose of Data Protection Laws, the Data Controller is South Warwickshire GP Federation whose address is Gainsborough Hall, Russell Street, Leamington Spa, Warwickshire CV32 5QB.

When we refer to 'we', 'us' and 'our', we mean South Warwickshire GP Federation, the Data Controller.

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#### **Use of Your Personal Information**

This privacy notice explains why we collect information about you and how that information may be used.

Our health care professionals who provide you with our services maintain records about your health and any treatment or care you have received previously. These records help to provide our patients with the best possible healthcare.

Your records may exist in several formats including electronic, paper or a mixture of both, and we deploy many working organisations and approaches to ensure that such information is maintained within a confidential and secure environment. The records which we could hold about you may include the following information: -

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- Personal details relating to you, including your address and contact details, carer, legal representative and parents' emergency contact details.
- Any contact we have had or intend to have with you such as appointments, clinic or surgery visits, home visits, etc.
- Notes and reports about your health which is deemed to be of a sensitive nature.
- Details about your referral, diagnostics procedures, treatment and care.
- Results of any additional relevant investigations.
- Relevant information from other health professionals, relatives or those who care for you
- Visitors to our websites (including cookies via reCAPTCHA) – please see cookie settings on the website for further information.
- Login details for the website (SWGP Staff and Practices only).
- Visitors who submit a general enquiry via our contact page or who correspond with us phone, email or otherwise.
- Those who use our services, e.g. who subscribe to our newsletter or request a publication from us.
- Job applicants and our current and former employees.
- Those who send a written complaint or enquiry to our Quality and Compliance Lead / Information Governance Manager or Data Protection Officer.
- Those who participate in a survey, e.g. this may be communicated directly to you or posted on our website.
- Those who participate in a competition posted on a Bespoke website.

To ensure you receive the highest levels of care, your records will be used to facilitate the care that we provide. Anonymised information held about could, on occasions, be used to help protect the health and wellbeing of the general public and to help us manage our contracts with commissioners. Information could also be used within our organisation for the purposes of clinical audits which in turn will provide monitoring of the quality of the services we provide.

Some of this information will be used for statistical purposes and we will ensure that individuals cannot be identified. For situations where we may contribute to research projects, we will always gain your explicit consent before releasing any relevant information.

We collect non-identifiable data on visitors to our website including usage and behaviour patterns. This is purely to review the number of visits to each part of the website and how the user accessed the website. Information collected includes:

- date and time of visit
- pages accessed
- browser or mobile platform used to access the website
- source used to find and access the website (i.e. Google Search Engine)
- location of the visitor (town level only)
- search queries from external and internal search engines
- page interaction information
- technical information, including the Internet protocol (IP) address used to connect your computer to the internet, browser type and version, operating system and platform.

### Legal basis for Processing

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Our ability to process your personal and healthcare data is covered by UK GDPR article 6 and for the processing of personal sensitive data by Article 9(2)h which indicates that processing of data is necessary for the purposes of preventive 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.

### **Maintaining the Confidentiality of Your Records**

We will take all possible care to protect your privacy and will only use information collected with the law including: -

- Data Protection Act 2018 and UK GDPR
- Human Rights Act 1998
- Common Law Duty of Confidentiality
- Health and Social Care Act 2012 (if appropriate)
- Codes of Confidentiality, Information Security and Records Management

Our staff are all trained and briefed in data protection principles and understand they have a legal obligation to keep information about you confidential. They also understand that information about you will only be shared with other parties if there is an agreed need to do so or a legal reason. We will only share your data without your permission if there are very exceptional circumstances (i.e. life or death situations), where the law requires information to be passed on and / or in accordance with the Caldicott Principle 7 e.g. to share or not to share. This means that health and social care professionals should have the confidence to share information in the best interests of their patients within the framework set out by the Caldicott Principles. Whilst the Caldicott Principles were originally developed for NHS purposes, we have adopted the underlying principles in order to align with best practice.

All identifiable information that we hold about you will be held securely and confidentially. We use administrative and technical controls to do this. We use strict controls to ensure that only authorised staff are able to see information that identifies you. Only a limited number of authorised staff have access to information that identifies you where it is appropriate to their role and is strictly on a need-to-know basis. All health and social care organisations are required to provide annual evidence of compliance with applicable laws, regulation and standards through the Data Security and Protection Toolkit which shows our current level of compliance as 'Standards Met', providing assurance to you of how we protect your information.

All personal information that we manage is stored within the UK within a secure environment and we always use suitably protected methods and systems to transfer your personal information.

### **Partner Organisations**

It may be possible that we will share your information with other organisations, if this is required. We will only do this where a valid legal basis has been identified. The current organisations who we share data in limited circumstances with, include: -

- NHS Trusts / Specialist Trusts
- Independent Contractors such as dentists, opticians, pharmacists

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- Private Sector Providers
- Voluntary Sector Providers
- Ambulance Trusts
- Integrated Care Boards
- NHS England (including NHS Digital and Health Education England)
- GP Federations and Alliances
- Primary Care Networks
- National Institute for Health and Care Excellence
- Care Quality Commission
- NHS Improvement
- NHS Shared Business Services
- Social Care Services
- Local Authorities
- Education Services
- Fire and Rescue Services
- Police

It is noted that the above list is not exhaustive, and we may contract with other external organisations to undertake processing of your personal information. These third party organisations will abide with our stringent contractual conditions regarding the protection of personal data. In some cases, you may be asked to provide positive consent before we share your personal details with other organisations.

### **Details of information collected and used for specific purposes**

Although this is not an exhaustive detailed listing, the following lists key examples of the purposes and rationale for why we collect and process information. For each purpose we have provided information for you on the purpose, including benefits to you as a patient; the type of information used; the legal basis identified for the collection and use of information; how we collect and use the information required; data processing activities – listing any third parties we may use for each purpose and information on how to opt out of you information being used for each purpose.

#### **Complaints**

A complaint may relate to a service which the organisation is directly responsible for providing or it may relate to a service which we have commissioned for the patients who we are responsible for, for example, hospital services. We require this information in order to manage and help to resolve complaints which is then used to prevent such complaints arising in future.

#### **Type of Information Used**

Identifiable

#### **Legal Basis**

Explicit consent

#### **How We Collect and Use Information in relation to Complaints**

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When we receive a complaint, we make up a file containing the details of the complaint which will normally contain the identity of the complainant and any other individuals involved.

We will only use the identifiable information we collect to process the complaint and to check the level of service we provide.

We usually have to disclose the complainant's identity to whoever the complaint is about. This is inevitable where, for example, the accuracy of a person's record is in dispute.

We will publish service user stories, following upheld complaints, anonymously via our governing body. The service user stories will provide a summary of the concern, service improvements identified and how well the complaints procedure has been applied. Consent will always be sought from the service user and carer or both before we publish the service user story.

### **Data Processing Activities**

We deal with complaints so your information may be shared across the organisation order to investigate your complaint. If your complaint concerns a healthcare provider or another organisation, we will ask for your consent before passing on your complaint.

### **Opt-out details**

If you do not want information identifying you to be disclosed, we will try to respect that. However, it may not be possible to handle a complaint on an anonymous basis.

### **Access to Personal Information and Your Rights**

You have a right under the Data Protection Act 2018, to request access to view or to obtain a copy of the information we hold about you. This is known as a Data Subject Access Request (DSAR) and the process is outlined below: -

- Your DSAR request can be made verbally or in writing. To ensure we can process and act upon your request as quickly as possible, you can contact [quality@southwarwickshiregps.nhs.uk](mailto:quality@southwarwickshiregps.nhs.uk).
- There is no charge to have a copy of your information provided.
- A response will be provided within one calendar month (subject to our possible requests for further clarification for you).
- You may need to provide proof of your identity before we will release the requested information (e.g. full name, address, date of birth, NHS number and details of your request).

In addition to the right of access, under the Data Protection Act 2018, you will also have the following rights: -

**To erasure (GDPR Article 17)** – You have the right to 'be forgotten' unless there is an overriding legal requirement to retain the information held on you. Within the NHS it is a statutory responsibility to retain a record of Health care events, i.e. a medical record. All Health-related records are held in line with the NHS Records Management Code of Practice 2016 retention schedules unless otherwise stated.

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If you wish to discuss the content of your medical record then please contact the GP Practice, the hospital or the NHS organisation which provided your healthcare to address your concerns.

**To rectification (GDPR Article 16)** – You have the right to have accurate and up to date records held on you by an organisation. If you are aware of a mistake in the information held on you, contact the service you supplied your information to for rectification of your record. If the information is not part of your health record (these will follow specific DOH Records Management Code of Practice 2016 guidance) we will work with you to rectify the inaccurate information.

**To restrict processing (GDPR Article 18)** – or suppress the use of your personal data. It is a statutory responsibility to retain a record of Health care events; i.e. a medical record. If you wish to discuss the content of your medical record then please contact the contact the GP Practice, the hospital or the NHS organisation which provided your healthcare to address your concerns. If you wish to discuss this right in relation to the data SWGP holds please contact us.

**To object (GDPR Article 21)** – You have the right to refuse and withdraw consent to information sharing at any moment in time. If you wish to withhold consent, it may have an impact on the services and responses we can offer you. If you do not wish to consent to your personal information being shared with us, or have any concerns or questions about the use of your personal information, please contact the Data Protection Officer. We will explain if this is possible, i.e. if there are not other overriding legal or statutory reasons.

**To Data Portability (GDPR Article 20)** – Where you have provided information directly to the us or we have collected your information for the performance of a contract, you can exercise your right to data portability, this means that if you can use your own personal data for your own purpose. In practice this means that you could transfer your information to another source and that this is provided in format which would allow you to do this. We will assist you and explain where this is possible such as where it is held electronically and if it is in an easily readable format.

**Rights related to automated decision-making including profiling (GDPR Article 22)** – An organisation would have to evidence specific conditions in order to process information that relies solely on automated and/or profiling techniques to process, An organisation can only carry out this type of decision-making where the decision is:

- Necessary for the entry into or performance of a contract; or
- Authorised by Union or Member state law applicable to the controller; or
- Based on the individual's explicit consent

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**To Complain** – We try to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring concerns to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures.

To exercise any of your rights listed above, please contact:

South Warwickshire GP Federation

Tel: 01926 695941 option 5

Email: [quality@southwarwickshiregps.nhs.uk](mailto:quality@southwarwickshiregps.nhs.uk)

You also have the right to complain to, appeal to or raise your concerns about the processing of your information with the Information Commissioner's Office by writing to:

### **Information Commissioner's Office**

Wycliffe House Water Lane Wilmslow Cheshire  
SK9 5AF

Enquiry Line: 01625 545700  
[www.ico.gov.uk](http://www.ico.gov.uk)

### **National Data Opt-out**

The national data opt-out was introduced on 25 May 2018, enabling patients to Opt-out from the use of their data for research or planning purposes, in line with the recommendations of the National Data Guardian in her Review of Data Security, Consent and Opt-outs.

If you wish to opt-out as part of this process, please contact the practice and we will take the necessary action to add you name to the Opt-out list

### **Retention of your data**

Your data will be retained for no longer than is absolutely necessary and in accordance with our Documentation Management Lifecycle Policy and the associated Schedule of Retention

### **Withdrawal of Consent**

If you have provided us with consent to process your data for the purpose of providing our services (other than direct care), you have the right to withdraw this at any time. In order to do this should contact us in writing.

### **How South Warwickshire GP Federation uses cookies**

When you use and access the Service, we may place cookies files in your web browser. These include cookies that are required that enable users to log into secure areas of the website (strictly necessary cookies) and those which help us understand how our website is performing.

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### **What are your choices regarding cookies?**

You can opt to restrict cookies to strictly necessary via our cookie pop up bar.

If you'd like to delete cookies or instruct your web browser to delete or refuse cookies, please visit the help pages of your web browser.

Please note, however, that if you delete cookies or refuse to accept them, you might not be able to use all of the features we offer, you may not be able to store your preferences, and some of our pages might not display properly.

### **Where can you find more information about cookies**

You can learn more about cookies and the following third-party websites:

AllAboutCookies: [allaboutcookies.org](http://allaboutcookies.org)

Network Advertising Initiative: [networkadvertising.org](http://networkadvertising.org)

### **Mobile Numbers & Email Addresses**

If you provide us with your mobile phone number, we may use this to send you reminders about your appointments or other health screening information, and to request feedback about the service you received from us. Please let us know if you do not wish to receive reminders on your mobile. If you provide us with your email address, we may use this to send you reminders to make an appointment for a review or request feedback about the service you received from us. Please let us know if you do not wish to receive correspondence by email.

### **Data Protection Registration**

The Data Protection Act 2018 requires organisations that control data (Data Controllers) to register with the Information Commissioners Office (ICO) website [www.ico.org.uk](http://www.ico.org.uk) and [notify them of all processing activities](#).

We are registered with the ICO, our registration number is **ZA104695** and can be viewed online in the public register at <http://www.ico.gov.uk/>.

### **Data Protection Officer (DPO)**

The DPO is an identifiable person that informs and advises an organisation, monitors their compliance, and is a primary contact for data subjects and the Information Commissioner's Office (ICO). The DPO works with staff in Information Governance. We consult the DPO when, for example, conducting a Data Protection Impact Assessment (DPIA) and when serious personal data breaches need to be reported to the ICO.

The DPO for SWGP is Judith Jordan, Head of Integrated Governance, Arden & GEM CSU. You can contact the DPO directly via [agem.dpo@nhs.net](mailto:agem.dpo@nhs.net) or (0121) 611 0730.

### **Complaints**

Should you have any concerns about how your information is managed by the organisation please contact us at: -

South Warwickshire GP Federation  
Gainsborough Hall, Russell Street, Leamington Spa, Warwickshire CV32 5QB.



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If you are still unhappy following a review by the Organisation you can then complain to the Information Commissioners Office (ICO) via their website [www.ico.org.uk](https://www.ico.org.uk) or in writing to: -

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

If you are happy for your data to be extracted and used for the purposes described in this Privacy Notice, then you do not need to do anything. If you have any concerns about how your data is shared, then please contact us.

### **Reviews and changes to this notice**

We will keep this notice under regular review. This notice was last reviewed in December 2024 and will be reviewed at least annually.