

QUAKERS LANE SURGERY

DATA PROTECTION POLICY

INTRODUCTION

The Data Protection Act 1998 (DPA) requires a clear direction on Policy for security of information within the Practice. The policy will provide direction on security against unauthorised access, unlawful processing, and loss or destruction of personal information. The following is a Statement of Policy which will apply.

THE POLICY

- The Practice is committed to security of patient and staff records.
- The Practice will display a poster in the waiting room explaining to patients the practice policy (see below)
- The Practice will take steps to ensure that individual patient information is not deliberately or accidentally released or (by default) made available or accessible to a third party without the patient's consent, unless otherwise legally compliant. This will include training on Confidentiality issues, DPA principles, working security procedures, and the application of Best Practice in the workplace.
- The Practice will undertake prudence in the use of, and testing of, arrangements for the backup and recovery of data in the event of an adverse event.
- The Practice will maintain a system of "Learning Event Reporting" through a no-blame culture to capture and address incidents which threaten compliance.
- DPA issues will form part of the Practice general procedures for the management of Risk.
- Specific instructions will be documented within confidentiality and security instructions and will be promoted to all staff.

Reviewed 05.01.15 (JW)

Reviewed 05.11.17 (JW)

Reviewed 07.01.19 (JW)

Reviewed 12.11.19 (JW/DW)

Data Protection Policy Quakers Lane Surgery

Summary

Policy prepared by: Jill Woodcock (DPO)
Dr J A Moon (Caldicott Guardian)
Dr D Wilkins

Quakers Lane Surgery needs to have a Practice Privacy Policy to demonstrate compliance with DPA 2018 and GDPR. This policy is that document. It sets out the general arrangements by which Quakers Lane Surgery will be compliant under the various Articles of GDPR and the UK DPA 2018.

Quakers Lane Surgery is the term used in this document to describe an NHS general practice operating under contract with NHS England and Hambleton Richmondshire & Whitby CCG.

The contract is a GMS contract.

The Data Controller on the date of the adoption of this policy was Jill Woodcock.

As an NHS general practice providing services under contract to Hambleton Richmondshire & Whitby CCG we process personal and special category data relating to our staff and those we treat, registered patients and others, internally and with other organisations external to the practice. We also hold data on other types of customers, suppliers, business contacts and other people we have relationships with or may need to contact.

We are also required by certain laws to disclose certain types of data to other organisations on a regular basis such as NHS Digital, or Public Health England.

We are also required by certain laws to disclose certain types of data to other organisations on an event by event basis, such as CQC or the General Medical Council

These processing activities are described in detail in our Practice Privacy Notice which is located on our website.

Why this policy exists

Quakers Lane Surgery understands that with the advent of modern technologies, and in particular "social media type communications" the emphasis of data

processing needs to be refocused to a default of protection and move forward only when disclosure is of benefit to the data subject.

Quakers Lane Surgery is open about how it stores and processes personal data and protects itself from the risks of a data breach

General

This policy applies no matter how the data is stored; electronically as text, documents, images or in tables, on paper or on other materials.

To comply with the law, personal data must only be collected and used fairly, stored safely and not disclosed unlawfully.

Personal data must

- Be processed fairly and lawfully
- Be obtained only for specific, lawful purposes
- Be adequate, relevant and not excessive
- Be accurate and kept up to date
- Not be held for any longer than necessary
- Processed in accordance with the rights of data subjects
- Be protected in appropriate ways

Policy scope

This policy applies to all our staff, clinical and non-clinical, to everyone who works in Quakers Lane Surgery. It applies to all the personal data that we process.

Responsibilities

Everyone who works for Quakers Lane Surgery has shared responsibility for ensuring data is collected, stored and handled appropriately. Each person that handles personal data in this organisation must ensure that it is handled and processed in line with this policy and data protection principles. Some people have key responsibilities

The contract holders are ultimately responsible for ensuring that Quakers Lane Surgery meets its legal obligations.

The Data Protection Officer, Jill Woodcock is responsible for: Keeping the contract holders, partners, doctors and all staff informed about data protection responsibilities, risks and issues, where necessary pre-emptively. Providing advice to the data controllers when requested. Advising on the need for and generation of DPIAs. Reviewing all data processing procedures, practices and policies as well as this policy on an annual basis. Arranging appropriate and relevant in-house training for the people covered by this policy. Keeping herself up to date to an appropriate standard in all matters relevant to his role. Remaining independent and impartial and ensuring that any conflicts are reported to the GP Partners.

Handling data protection questions from staff and anyone else covered by this

policy. Acting as the point of contact for data subjects. Dealing with requests from data subjects relating to their rights under CLDoC and GDPR including ensuring there is a compliant SAR and TSAR process. Checking and approving any contracts or agreements with third parties that may handle the company's sensitive data. Acting as the interface to the ICO. Ensuring that the practice completes the IG Toolkit each year.

I.T. Manager (Caroline Palmer)

Ensures that all systems, services and equipment used for storing data meet acceptable security standards. Performing regular checks and reviews to ensure security hardware and software is functioning properly. Liaising with the CCG provided IT infrastructure support services. Ensuring that cyber security recommendations are implemented and deployed. Advising the DPO on any technical matters relating to GDPR.

Jill Woodcock is responsible for the implementation of this policy.

The Doctors will ensure that the DPO has an environment in which the DPO can operate independently and without limitation. They will also involve the DPO in all relevant issues; provide support and resources for the DPO to carry out the tasks noted in this policy, including training and knowledge updating. They will not issue the DPO with any instructions or place any constraints relating to their DPO role. They will allow data subjects to access the DPO. Not allow the DPO to be conflicted by other tasks, jobs or responsibilities that they may have.

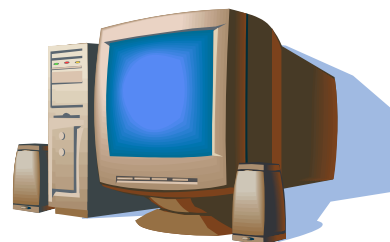
General staff guidelines

The practice will provide training to all employees to help them understand their responsibilities when handling data. Employees should keep all data secure, by taking sensible precautions and following the practices procedures and policies. NHS smartcards, Passwords and logins must be used whenever possible and they should never be shared or borrowed. Whenever a screen is left programs that handle patient data should be closed (vision and front desk). Personal data should not be disclosed to unauthorised people, either within the company or externally. Employees should request help from the Practice Manager, Caldicott Guardian or the data protection officer if they are unsure about any aspect of data protection. All employees will have a privacy and data protection clause added to their contracts.

QUAKERS LANE SURGERY

DATA PROTECTION ACT – PATIENT INFORMATION

We need to hold personal information about you on our computer system and in paper records to help us to look after your health needs, and your doctor is responsible for their accuracy and safe-keeping. Please help to keep your record up to date by informing us of any changes to your circumstances.



Doctors and staff in the practice have access to your medical records to enable them to do their jobs. From time to time information may be shared with others involved in your care if it is necessary. Anyone with access to your record is properly trained in confidentiality issues and is governed by both a legal and contractual duty to keep your details private.

All information about you is held securely and appropriate safeguards are in place to prevent accidental loss.

In some circumstances we may be required by law to release your details to statutory or other official bodies, for example if a court order is presented, or in the case of public health issues. In other circumstances you may be required to give written consent before information is released – such as for medical reports for insurance, solicitors etc.

To ensure your privacy, we will not disclose information over the telephone or fax unless we are sure that we are talking to you. Information will not be disclosed to family, friends, or spouses unless we have prior written consent, and we do not leave messages with others.

You have a right to see your records if you wish. Please ask at reception if you would like further details and our patient

information leaflet. An appointment will be required. In some circumstances a fee may be payable.