

Privacy Notice – NHS Digital



Henfield Medical Centre

NHS Digital is the ‘Secure Haven’* for NHS patient data, a single secure repository where data collected from all branches of the NHS is processed. NHS Digital provides reports on the performance of the NHS, statistical information, audits and patient outcomes (<https://digital.nhs.uk/data-and-information>). Examples include; A/E and outpatient waiting times, the numbers of staff in the NHS, percentage target achievements, payments to GPs etc and more specific targeted data collections and reports such as the Female Genital Mutilation, General Practice appointments data and English National Diabetes Audits. GPs are required by the Health and Social Care Act to provide NHS Digital with information when instructed. This is a legal obligation which overrides any patient wishes. These instructions are called “Directions”.

More information on the directions placed on GPs can be found at <https://digital.nhs.uk/article/8059/NHS-England-Directions> and www.nhsdatasharing.info

1) Data Controller – Contact Details	Henfield Medical Centre, Deer Park, Henfield, West Sussex , BN5 9JQ
2) Data Protection Officer – Contact Details	Morven Banks – 01273 492255
3) Purpose of the Processing	To provide the Secretary of State and others with information and reports on the status, activity and performance of the NHS.
4) Lawful basis for Processing	<p>The legal basis will be</p> <p><i>Article 6(1)(c) “processing is necessary for compliance with a legal obligation to which the controller is subject.”</i></p> <p>And</p> <p><i>Article 9(2)(h) “processing 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 and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;”</i></p>
5) Recipient or Categories of Recipients of the Shared Data	The data will be shared with NHS Digital according to directions which can be found at https://digital.nhs.uk/article/8059/NHS-England-Directions
6) Rights to Object	You have the right to object to some or all of the information being shared with NHS Digital. Contact the Data Controller or the practice.
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 for active use during the processing and thereafter according to NHS Policies and the law.
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).

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* The BMA has serious concerns regarding the status of NHS Digital as a “safe haven” and is not confident it has acted as a secure repository for patient data.

See (https://www.bma.org.uk/-/media/media/files/pdfs/collective%20voice/influence/uk%20governments/bma-submission-to-hoc-health-cttee-on-the-mou_final.pdf?la=en)

General Practice Data for Planning and Research (GDPR)	<p>Purpose: Patients personal confidential data will be extracted and shared with NHS Digital in order to support vital health and care planning and research. Further information can be found here</p> <p>Patients may opt out of having their information shared for Planning or Research by applying a National Data Opt Out or a Type 1 Opt Out. Details of how to Opt Out can be found on our Privacy Notice. For the National Data Opt Out patients are required to register their preference below. https://www.nhs.uk/your-nhs-data-matters/</p> <p>For Type 1 Opt Out they can complete the form and return it to their registered practice for action by the 23rd June 2021. https://nhs-prod.global.ssl.fastly.net/binaries/content/assets/website-assets/data-and-information/data-collections/general-practice-data-for-planning-and-research/type-1-opt-out-form.docx</p> <p>Legal Basis : The legal basis for this activity can be found at this link : General Practice Data for Planning and Research: NHS Digital Transparency Notice - NHS Digital</p> <p>Processor: NHS Digital</p>
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