

## Fair Processing Notice/Privacy Notice – My Care Record

### Background and Introduction

Hertfordshire and west Essex health and care organisations, including NHS Clinical Commissioning Groups (CCGs) work to continually improve efficiencies with the planning, design and delivery of health and care services for our local population from providers - including hospitals, GP practices, ambulance services, social care and nursing homes. We are also responsible for facilitating the delivery of co-ordinated, integrated care to ensure that patients experience improved outcomes and seamless, timely service provision.

With this core objective in mind, *My Care Record* allows clinicians and other staff directly involved in your care to access information about your health and treatment. The people caring for you will access appropriate and limited health and care records in order to make the best decisions about your diagnosis, treatment and care. These health and care professionals may include GPs, hospital-based clinicians, social workers, nurses and health visitors.

For further information please refer to the *My Care Record* website:

[www.mycarerecord.org.uk](http://www.mycarerecord.org.uk)

The following health and care providers across Hertfordshire and west Essex are currently participating in *My Care Record* allowing professionals involved in your care, access to your information to better help support and look after you:

- NHS General Practice surgeries
- NHS Hospitals
- NHS Community services
- NHS Out of Hours Services
- County Council Social care
- And any other commissioned clinical provider

Details of the organisations involved and their Data Protection Officer are listed at the end of this notice.

You can tell your GP if you don't want them to make your information available to any partner health or social care provider, your record will be updated accordingly and no information will be available to access. You can change your mind about opting out or at any time.

### Categories of Personal Data Processed

Personal Data – see General Data Protection Regulation (GDPR) Article 6(1)d  
Special Category Data - which includes health data – see GDPR Article 9

### Lawful Basis for Processing

**The common law duty of confidentiality means that where identifiable information about you has been given in confidence, it shall be treated as confidential and only accessed for the purpose of providing direct healthcare.**

Health and social care organisations adopt the following as the lawful basis for processing:

- Common Law duty on Confidentiality
- Health and Social Care Act (251B duty to share information is met)
- GDPR) Article 6(1)d – vital interests (breakglass)
- GDPR Article 6(1)e – exercise of official authority
- GDPR Article 9(2)h – health or social care provision
- GDPR Article 9(2)b – social law protection and safeguarding

### **What information will be accessed under *My Care Record*?**

Your records will include relevant information that you have told us, or information from health professionals and other staff directly involved in your care and treatment or information, provided on your behalf by relatives or those who care for you.

These may include:

- Name, address, NHS Number and phone number
- Medications
- Test results and investigations
- Correspondence between healthcare professionals involved in your care
- Clinical history
- Emergency department treatment
- Future and past appointments
- Health plans and alerts
- Mental health alerts and diagnoses
- Social care information
- A social care plan if you have one.

All clinicians and practitioners know that your information is private and confidential. Therefore, under *My Care Record*, information will only be accessed and processed strictly on a “need-to-know” basis.

If there is other information within your records that you do not wish to make available, please speak to your GP or health and care professional.

### **Benefits of *My Care Record***

The use of such information is integral to you receiving quality treatment and care. This will ensure:

- Better co-ordinated and seamless care
- Quicker diagnosis and treatment
- More time to spend on clinical care
- Less paperwork and less repetition
- Safe and secure decision-making
- Fewer unnecessary clinical tests
- More accurate prescriptions

## Record Retention

Personal data is stored **securely** within your care records in accordance with the guidelines specified by the NHS Digital / Information Governance Alliance (IGA) Retention schedule. The technology we use to enable healthcare professionals to **view** your records is controlled by UK based Healthcare Gateway. Information is NOT extracted or stored, it merely allows, with your practice and your consent, a 'view' of your GP record.

## Access to your information

*My Care Record* is simply a reflection of your individual record. If you require a copy of your own GP-held information, please contact your GP practice. For information held by other organisations, please contact the Data Protection Officer or Team directly. Details can be found below.

## Contact details for Data Protection Officers:

<p><b>Hertfordshire Hospitals NHS Trust</b> Data Protection Officer Watford General Hospital Vicarage Road Watford Hertfordshire. WD18 0HB Tel: 01923 244 366</p>	<p><b>Hertfordshire Partnership University NHS Foundation Trust</b> Records and Access to Information Team, Hertfordshire Partnership NHS Foundation Trust, 99 Waverley Road St Albans. AL3 5TL Tel No: 01727 804707</p>
<p><b>Hertfordshire Community NHS Trust</b> Access to records, Hertfordshire Community NHS Trust, Unit 1a, Howard Court 14 Tewin Road Welwyn Garden City. AL7 1BW Tel: 01707 388000</p>	<p><b>Hertfordshire Social Care</b> Data Protection Team Hertfordshire County Council CHO150 County Hall Pegs Lane Hertford. SG13 8DF Tel: 0300 123 4040</p>

## Complaints

The GP practice has a complaints procedure. If you wish to make a complaint please contact the practice. Patients also have the right to make a complaint to the Information Commissioner's Office regarding breaches of confidentiality.

For independent advice about data protection, privacy, data sharing issues and your rights you can contact:

Information Commissioner's Office  
Wycliffe House,  
Water Lane  
Wilmslow Cheshire  
SK9 5AF  
Telephone: 0303 123 1113 (local rate) or 01625 545 745  
Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)  
Visit the ICO website. <https://ico.org.uk>