

# KERSLAND HOUSE SURGERY

## Privacy Policy

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This is the privacy notice of Kersland House Surgery.

Our registered surgery address is 37 Station Road, Milngavie, East Dunbartonshire, G62 8BT

### Introduction

1. This is a notice to inform you of our policy about all information that we record about you. It sets out the conditions under which we may process any information that we collect from you, or that you provide to us. It covers information that could identify you (“personal information”) and information that could not. In the context of the law and this notice, “process” means collect, store, transfer, use or otherwise act on information.
2. We regret that if there are one or more points below with which you are not happy, your only recourse is to leave our website immediately.
3. We take seriously the protection of your privacy and confidentiality. We understand that all visitors to our website are entitled to know that their personal data will not be used for any purpose unintended by them, and will not accidentally fall into the hands of a third party.
4. We undertake to preserve the confidentiality of all information you provide to us, and hope that you reciprocate.
5. Our policy complies with UK law accordingly implemented, including that required by the EU General Data Protection Regulation (GDPR).
6. The law requires us to tell you about your rights and our obligations to you in regards to the processing and control of your personal data. We do this now, by requesting that you read the information provided at [knowyourprivacyrights.org](https://www.knowyourprivacyrights.org)
7. Except as set out below, we do not share, or sell, or disclose to a third party, any information collected through our website.

### The bases on which we process information about you

The law requires us to determine under which of six defined bases we process different categories of your personal information, and to notify you of the basis for each category.

If a basis on which we process your personal information is no longer relevant then we shall immediately stop processing your data.

If the basis changes then if required by law we shall notify you of the change and of any new basis under which we have determined that we can continue to process your information.

### Information we process because we have a contractual obligation with you

When you join our practice, receive medical services from us, or otherwise agree to our terms and conditions, a contract is formed between you and us.

In order to carry out our obligations under that contract we must process the information you give us. Some of this information may be personal information.

# KERSLAND HOUSE SURGERY

We may use it in order to:

- verify your identity for security purposes
- provide you with our services
- provide you with suggestions and advice and how to obtain the most from using our website

We process this information on the basis there is a contract between us, or that you have requested we use the information before we enter into a legal contract.

Additionally, we may aggregate this information in a general way and use it to provide class information, for example to monitor our performance with respect to a particular service we provide. If we use it for this purpose, you as an individual will not be personally identifiable.

We shall continue to process this information until the contract between us ends or is terminated by either party under the terms of the contract.

## **Information we process with your consent**

Through certain actions when otherwise there is no contractual relationship between us, such as when you browse our website or ask us to provide you more information about our business, including job opportunities and our services, you provide your consent to us to process information that may be personal information.

Wherever possible, we aim to obtain your explicit consent to process this information, for example, by asking you to agree to our use of cookies.

Sometimes you might give your consent implicitly, such as when you send us a message by e-mail to which you would reasonably expect us to reply.

Except where you have consented to our use of your information for a specific purpose, we do not use your information in any way that would identify you personally. We may aggregate it in a general way and use it to provide class information, for example to monitor the performance of a particular page on our website.

We continue to process your information on this basis until you withdraw your consent or it can be reasonably assumed that your consent no longer exists.

You may withdraw your consent at any time by instructing us in writing . However, if you do so, you may not be able to use our website or our services further.

## **Information we process for the purposes of legitimate interests**

We may process information on the basis there is a legitimate interest, either to you or to us, of doing so.

Where we process your information on this basis, we do after having given careful consideration to:

- whether the same objective could be achieved through other means
- whether processing (or not processing) might cause you harm
- whether you would expect us to process your data, and whether you would, in the round, consider it reasonable to do so

# KERSLAND HOUSE SURGERY

For example, we may process your data on this basis for the purposes of:

- record-keeping for the proper and necessary administration of our business or profession
- responding to unsolicited communication from you to which we believe you would expect a response
- protecting and asserting the legal rights of any party
- insuring against or obtaining professional advice that is required to manage business or professional risk
- protecting your interests where we believe we have a duty to do so

## **Information we process because we have a legal obligation**

We are subject to the law like everyone else. Sometimes, we must process your information in order to comply with a statutory obligation.

For example, we may be required to give information to legal authorities if they so request or if they have the proper authorisation such as a search warrant or court order.

This may include your personal information.

## **Information we process may be categorised as special category data**

Special category data is personal data which the GDPR says is more sensitive, and so needs more protection. For example information about an individual's:

- race;
- ethnic origin;
- health;
- sex life; or
- sexual orientation.

We may process this information for the purposes of medical diagnosis, provision of health treatment and management of health of our patients and the community we serve.

## **Specific uses of information you provide to us**

Health care professionals who provide you with care maintain records about your health and any treatment or care you have received previously (e.g. NHS Trust, GP Surgery, Walk-in clinic, etc.). These records are used to help to provide you with the best possible healthcare.

NHS health care records may be electronic, on paper or a mixture of both, and we use a combination of working practices and technology to ensure that your information is kept confidential and secure. Records that we hold about you may include the following information:

- Details about you, such as your name, address, carers, legal representatives and emergency contact details
- Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments, etc.
- Notes and reports about your health
- Details about your treatment and care
- Results of investigations such as laboratory tests, x-rays, etc.
- Relevant information from other health professionals, relatives or those who care for you

# KERSLAND HOUSE SURGERY

To ensure you receive the best possible care, your records are used to facilitate the care you receive. Information held about you may be used to help protect the health of the public and to help us manage the NHS. Information may be used within the GP practice for clinical audit purposes to monitor the quality of the service provided. Some of this information will be held centrally and used for statistical purposes. Where we do this, we take strict measures to ensure that individual patients cannot be identified.

Sometimes your information may be requested to be used for research purposes – the surgery will always gain your consent before releasing the information for this purpose.

## **Risk Stratification**

Risk stratification data tools are increasingly being used in the NHS to help determine a person's risk of suffering a particular condition, preventing an unplanned or (re)admission and identifying a need for preventive intervention. Information about you is collected from a number of sources including NHS Trusts and from this GP Practice. A risk score is then arrived at through an analysis of your de-identified information using software and is only provided back to your GP as data controller in an identifiable form. Risk stratification enables your GP to focus on preventing ill health and not just the treatment of sickness. If necessary your GP may be able to offer you additional services.

Please note that you have the right to opt out of your data being used in this way.

## **Medicines Management**

The Practice may conduct Medicines Management Reviews of medications prescribed to its patients. This service performs a review of prescribed medications to ensure patients receive the most appropriate, up to date and cost effective treatments. This service is provided to practices by Greater Glasgow and Clyde Health Board.

## **Job application and employment**

If you send us information in connection with a job application, we may keep it for up to three years in case we decide to contact you at a later date.

If we employ you, we collect information about you and your work from time to time throughout the period of your employment. This information will be used only for purposes directly relevant to your employment. After your employment has ended, we will keep your file for six years before destroying or deleting it.

## **Sending a message to our practice team**

When you contact us, whether by telephone, through our website or by e-mail, we collect the data you have given to us in order to reply with the information you need.

We record your request and our reply in order to increase the efficiency of our practice.

We keep personally identifiable information associated with your message, such as your name and email address

so as to be able to track our communications with you to provide a high quality service.

# KERSLAND HOUSE SURGERY

## **Complaining**

When we receive a complaint, we record all the information you have given to us.

We use that information to resolve your complaint.

If your complaint reasonably requires us to contact some other person, we may decide to give to that other person some of the information contained in your complaint. We do this as infrequently as possible, but it is a matter for our sole discretion as to whether we do give information, and if we do, what that information is.

We may also compile statistics showing information obtained from this source to assess the level of service we provide, but not in a way that could identify you or any other person.

## **Use of information we collect through automated systems when you visit our website**

### **Cookies**

Cookies are small text files that are placed on your computer's hard drive by your web browser when you visit any website. They allow information gathered on one web page to be stored until it is needed for use on another, allowing a website to provide you with a personalised experience and the website owner with statistics about how you use the website so that it can be improved.

Some cookies may last for a defined period of time, such as one day or until you close your browser. Others last indefinitely.

Your web browser should allow you to delete any you choose. It also should allow you to prevent or limit their use.

Our website uses cookies. They are placed by software that operates on our servers, and by software operated by third parties whose services we use.

If you choose not to use cookies or you prevent their use through your browser settings, you will not be able to use all the functionality of our website.

We use cookies in the following ways:

- to track how you use our website
- to record whether you have seen specific messages we display on our website
- to keep you signed in to our site
- to record your answers to surveys and questionnaires on our site while you complete them

### **Personal identifiers from your browsing activity**

Requests by your web browser to our servers for web pages and other content on our website are recorded.

We record information such as your geographical location, your Internet service provider and your IP address. We also record information about the software you are using to browse our website, such as the type of computer or device and the screen resolution.

# KERSLAND HOUSE SURGERY

We use this information in aggregate to assess the popularity of the webpages on our website and how we perform in providing content to you.

If combined with other information we know about you from previous visits, the data possibly could be used to identify you personally, even if you are not signed in to our website.

## **Disclosure and sharing of your information**

### **Information we obtain from third parties**

We sometimes receive data that is indirectly made up from your personal information from third parties whose services we use. No such information is personally identifiable to you.

### **Information provided on the understanding that it will be shared with a third party**

We will only ever use or pass on information about you if others involved in your care have a genuine need for it. We will not disclose your information to any third party without your permission unless there are exceptional circumstances (i.e. life or death situations), where the law requires information to be passed on and / or in accordance with the new information sharing principle following Dame Fiona Caldicott's information sharing review (Information to share or not to share) where *"The duty to share information can be as important as the duty to protect patient confidentiality."* 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. They should be supported by the policies of their employers, regulators and professional bodies.

### **Who are our partner organisations?**

We may also have to share your information, subject to strict agreements on how it will be used, with the following organisations;

- NHS Trusts / Foundation Trusts
- GPs
- NHS Commissioning Support Units
- Independent Contractors such as dentists, opticians, pharmacists
- Private Sector Providers
- Voluntary Sector Providers
- Ambulance Trusts
- Clinical Commissioning Groups
- Social Care Services
- Health and Social Care Information Centre (HSCIC)
- Local Authorities
- Education Services
- Fire and Rescue Services
- Police & Judicial Services
- Voluntary Sector Providers
- Private Sector Providers
- Other 'data processors' which you will be informed of

You will be informed who your data will be shared with and in some cases asked for explicit consent for this to happen when this is required.

# KERSLAND HOUSE SURGERY

We may also use external companies to process personal information, such as for archiving purposes. These companies are bound by contractual agreements to ensure information is kept confidential and secure.

## **Data may be processed outside the European Union**

Our website is hosted in the United Kingdom.

We may also use outsourced services in countries outside the European Union from time to time in other aspects of our business.

Accordingly data obtained within the UK or any other country could be processed outside the European Union.

For example online patient forms on our website are encrypted and delivered securely to the NHS system by an email service provider based in the United States of America. Their systems comply with provisions certified under the EU-U.S. and Swiss-U.S. Privacy Shield frameworks, a mechanism for cross border transfer of personal data.

## **Access to your own information**

### **Access to your personal information**

- At any time you may request to review or update personally identifiable information that we hold about you,
- To obtain a copy of any information you may send us a request by email.
- After receiving the request, we will tell you when we expect to provide you with the information, and whether we require any fee for providing it to you.

## **Removal of your information**

If you wish us to remove personally identifiable information from our website, please contact us.

This may limit the service we can provide to you.

## **Verification of your information**

When we receive any request to access, edit or delete personal identifiable information we shall first take reasonable steps to verify your identity before granting you access or otherwise taking any action. This is important to safeguard your information.

## **Other matters**

### **Use of our website by children**

- If you are under 18, you may use our website only with consent from a parent or guardian
- We collect data about all users of and visitors to these areas regardless of age, and we anticipate that some of those users and visitors will be children.
- Such child users and visitors will inevitably visit other parts of the site and will be subject to whatever on-site information they find, wherever they visit.

# KERSLAND HOUSE SURGERY

## Encryption of data sent between us

We use Secure Sockets Layer (SSL) certificates to verify our identity to your browser and to encrypt any data you give us.

Whenever information is transferred between us, you can check that it is done so using SSL by looking for a closed padlock symbol or other trust mark in your browser's URL bar or toolbar.

## How you can complain

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 the practice.

- If you are not happy with our privacy policy or if have any complaint then you should contact us.
- You can find further information about our complaints handling procedure from below:

### Complaints Handling Procedure.

- If a dispute is not settled then we hope you will agree to attempt to resolve it by engaging in good faith with us in a process of mediation or arbitration.
- If you are in any way dissatisfied about how we process your personal information, you have a right to lodge a complaint with the Information Commissioner's Office. This can be done at <https://ico.org.uk/concerns/>
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## Retention period for personal data

Except as otherwise mentioned in this privacy notice, we keep your personal information only for as long as required by us:

- to provide you with the services you have requested;
- to comply with other law, including for the period demanded by our tax authorities;
- to support a claim or defence in court.

In accordance with the NHS Codes of Practice for Records Management, your healthcare records will be retained for 10 years after death, or if a patient emigrates, for 10 years after the date of emigration.

## Change of Details

It is important that you tell the person treating you if any of your details such as your name or address have changed or if any of your details such as date of birth is incorrect in order for this to be amended. You have a responsibility to inform us of any changes so our records are accurate and up to date for you.

## Opt-outs

You have a right to object to your information being shared. Should you wish to opt out of data collection, please contact the Practice Manager who will be able to explain how you can opt out and prevent the sharing of your information; this is done by registering your opt out with the Practice.



# KERSLAND HOUSE SURGERY

## **Compliance with the law**

Our privacy policy has been compiled so as to comply with the law of every country or legal jurisdiction in which we aim to do business. If you think it fails to satisfy the law of your jurisdiction, we should like to hear from you.

However, ultimately it is your choice as to whether you wish to use our website.

## **Review of this privacy policy**

We may update this privacy notice from time to time as necessary. The terms that apply to you are those posted here on our website on the day you use our website. We advise you to print a copy for your records.

If you have any question regarding our privacy policy, please the Practice Manager.