

# ST ALBANS SURGERY

## Data Protection Policy

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### Why We Collect Data About You

**Your doctor and other health professionals caring for you keep records about your health and any treatment and care you receive from the NHS. These help to ensure that you receive the best possible care from us. These can be written down (manual records) or held on a computer.**

**The records may include:**

- Basic details about you, such as address or next of kin
- Contacts we have had with you, such as clinic visits
- Notes and reports about your health and any treatment and care you may have received
- Details and records about the treatment and care you receive
- Results of investigations, such as x-rays and laboratory tests
- Relevant information from other health professionals, or those who care for you and know you well

### How Your Records Are Used To Help You

**Your records are used to guide professionals in the care you receive to ensure that:**

- Your nurse, doctor or any other healthcare professionals involved in your care has accurate and up-to-date information to assess your health and decide what care you need
- Full information is available if you see another doctor, or are referred to a specialist or another part of the NHS
- There is a good basis for assessing the type and quality of care you have received
- Your concerns can be properly investigated if you need to complain

### How Your Records Are Used To Help The NHS

**Your records may also be used to help us:**

- Assess the needs of the general population
- Make sure our services can meet patient needs in the future
- Review the care we provide to ensure it is of the highest standard
- Teach and train healthcare professionals
- Conduct research and development
- Pay your GP and hospital for the care they provide
- Audit NHS accounts and services
- Prepare statistics on NHS performance
- Investigate complaints, legal claims or untoward incidents

### How We Keep Your Records Confidential

**Everyone working for the NHS has a legal duty to keep information about you confidential**

You may be receiving care from other organisations (like social services) as well as the NHS. We may

need to share some information about you so that we can all work together for your benefit. 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 third parties unless there are exceptional circumstances, such as

when the health or safety of others is at risk or where the law requires information to be passed on.

## **Anyone Who Receives Information From Us Is Also Under A Legal Duty To Keep It Confidential**

We are required by law to report certain information to the appropriate authorities. This is only provided

after formal permission has been given by a qualified healthcare professional. Occasions when we must pass on information include:

- Notification of new births
- Where we encounter infectious diseases which may endanger the health or safety of others such as meningitis or measles (but not HIV/AIDS)

## **Our Guiding Principle Is That We Are Holding Your Records In Strict Confidence**

### **How You Can Get Access To Your Own Health Records**

Under the Data Protection Act 1998 you have the right to request access to your medical files.

Children and young people may also request access to their health records, as can their parents.

Access to health records may also be given to those acting on behalf of a patient if they have been nominated by the patient. This can be relevant for those patients with learning difficulties or who lack the mental capacity to care adequately for themselves. A next of kin has no automatic right to access your medical records.

## **Who else can access your medical records?**

In the majority of situations, third parties such as the police, insurance companies or solicitors cannot be given access to your health records unless you give written consent to do so or it is required by law and directed by a judge or magistrate. However, situations can arise where information may be disclosed to the police without patient consent. This may be when police are investigating or prosecuting a serious crime or where the disclosure of this information could prevent serious injury to the patient or others.

The Medical Reports Act 1988 also gives you the right to see any medical reports written about you for employment and insurance purposes.

If you would like access to your health record please request a form from reception. You are entitled to receive a copy at no charge. We are also obliged to go through your record first to remove any reference to other parties which might breach their confidentiality and also take out any information which might be harmful to you.

## **Further Information**

If you would like to know more about how we use your information or if, for any reason, you do not wish to have your information used in