**SKENE MEDICAL GROUP**

**DATA PROTECTION NOTICE**

1. **About Us**

Skene Medical Group processes personal identifiable information that relates to patients and is therefore required by law to comply with the General Data Protection Regulations (GDPR)2018, which protect your privacy and ensure that your personal information is processed fairly and lawfully.

1. **About the personal information we use**

We use personal information on different groups of individuals including:

* Patients
* Staff
* Contractors
* Suppliers
* Complainants, enquirers
* Professional experts and consultants
* Individuals captured by CCTV

The personal information we use includes information that identifies you like your name, address, date of birth and postcode.

We also use more sensitive types of personal information, including information about racial or ethnic origin; religious; genetic and biometric data; health; sexual orientation.

The information we use can relate to personal and family details; education; training and employment details; financial details; lifestyle and social circumstances; visual images; details held in the patient record.

1. **Our purposes for using personal information**

We use personal information to enable us to provide healthcare services for patients; research; supporting and managing our employees; maintaining our accounts and records and the use of CCTV systems for crime prevention.

1. **Our legal basis for using personal information**

Skene Medical Group, as data controller, is required to have a legal basis when using personal information. Skene Medical Group considers that performance of our tasks and functions are in the public interest. So when using personal information our legal basis is usually that its use is necessary for the performance of a task/s carried out in the public interest, or in the exercise of official authority vested in us. In some situations we may rely on a different legal basis; for example,for compliance with a legal obligation to which Skene Medical Group is subject to. For example under the Public Health etc.,(Scotland) Act 2008 we are required to notify Health Protection Scotland when someone contracts a specific disease.

When we are using more sensitive types of personal information, including health information our legal basis is usually that the use is necessary:

* for the provision of health or social care or treatment or the management of health or social care systems and services: or
* for reasons of public interest in the area of public health; or
* for reasons of substantial public interest for aims that are proportionate and respect people’s rights, for example research; or
* in order to protect the vital interests of an individual; or
* for the establishment, exercise or defence of legal claims or in the case of a court order

On rare occasions, we may rely on your explicit consent as our legal basis for using your personal information. When we do this we will explain what it means, and the rights that are available, to you. You should be aware that we will continue to ask for your consent for other things such as taking part in a drugs trial, or when you are having a minor surgical procedure.

1. **Who provides the personal information**

When you do not provide information directly to us, we receive it from other individuals and organisations involved in the delivery of health and care services in Scotland. These include NHS Boards and Primary Care Contractors such as Dentists, Pharmacists and Opticians; other public bodies eg Local Authorities and suppliers of goods and services.

1. **Sharing personal information with others**

Depending on the situation, where necessary we will share appropriate, relevant and proportionate personal information in compliance with the law, with the following :

* Our patients and their chosen representatives or carers
* Staff
* Current, past and potential employers
* Healthcare, Social and Welfare organisations
* Service providers, legal representatives
* Auditors and audit bodies
* Educators and examining bodies
* Research organisations
* People making an enquiry or complaint
* Financial organisations
* Professional bodies
* Business associates
* Police forces
* Security organisations
* Central and local government
* Voluntary and charitable organisations
1. **Transferring personal information abroad**

It is sometimes necessary to transfer personal health information overseas, for example if you require urgent medical treatment while abroad. When this is needed, information may be transferred to countries or territories around the world. Any transfers made will be in full compliance with NHS Scotland Information Security Policy.

1. **Retention periods of the information we hold**

Within Skene Medical Group, we keep personal information as set out in the Scottish Government Records Management: NHS Code of Practice (Scotland) Version 2.1 January 2012. The NHS Code of Practice sets out minimum retention periods for information, including personal information, held in different types of records including personal health records and administrative records.

1. **How we protect personal information**

We take care to ensure your personal information is only accessible to authorised people. Our staff has a legal and contractual duty to keep personal health information secure, and confidential. The following security measures are in place to protect personal information:

* All staff undertake training in Data Protection and IT Security
* Compliance with NHS Scotland Information Security Policy
* Organisational policy and procedures on the safe handling of personal information
* Access controls and audits of electronic systems
1. **Your rights**

This section contains a description of your data protection rights.

**The right to be informed**

We must explain how we use your personal information. We use a number of ways to communicate how personal information is used, including:

* + - This Data Protection Notice
		- Information Leaflets
		- Discussions with staff providing your care

**The right of access**

You have the right to access your own personal information. This right includes making you aware of what information we hold, along with the opportunity to satisfy you that we are using your information fairly and legally.

You have the right to obtain:

* Confirmation that your personal information is being held or used by us
* Access to your personal information
* Additional information about how we use your personal information

Although we must provide this information free of charge, if your request is considered unfounded or excessive, or if you request the same information more than once, we may charge a reasonable fee.

If you would like to access your personal information, you can request this information by contacting the Practice in writing, by telephone, in person, or by completing our SAR form. You are required to provide identification prior to us releasing information.

Once we have received your request and you have provided us with enough information for us to locate your personal information, we will respond to your request within 30 days. However if your request is complex, we may take longer, by up to two months, to respond. If this is the case, we will tell you and explain the reason for the delay.

**The right to rectification**

If the personal information we hold about you is inaccurate or incomplete you have the right to have this corrected.

If it is agreed that your personal information is inaccurate or incomplete, we will aim to amend your records accordingly, normally within one month, or within two months where the request is complex. However, we will contact you as quickly as possible to explain this further if the need to extend our timescales applies to your request. Unless there is a risk to patient safety, we can restrict access to your records to ensure that the inaccurate or incomplete information is not used until amended.

If for any reason we have shared your information with anyone else, perhaps during a referral to another service for example, we will notify them of the changes required so that we can ensure their records are accurate.

If on consideration of your request Skene Medical Group does not consider the personal information to be inaccurate, then we will add a comment to your record stating your concerns about the information. If this is the case we will contact you within 30 days to explain our reasons for this.

If you are unhappy about how Skene Medical Group has responded to your request for rectification we will provide you with information on how you can complain to the Information Commissioner’s Office.

**The right to object**

When Skene Medical Group is processing your personal information for the purpose of the performance of a task carried out in the public interest or in the exercise of official authority you have the right to object to the processing and also seek that further processing of your personal information is restricted. Provided Skene Medical Group can demonstrate compelling legitimate grounds for processing your personal information, for instance; patient safety or for evidence to support legal claims, your right will not be upheld.

 **The right to complain**

Should you have any concerns about how your information is managed by the Practice please contact the Practice using one of the options below:

Skene Medical Group, Discovery Drice, Westhill, Aberdeenshire, AB32 6FG.

Tel: 01224 849400

Email: gram.skeneadministrator@nhs.sot

Website: https://skenemedicalgroup.co.uk

The Data Protection Officer for NHS Grampian is Miss Roohi Bains, Acting Information Governance Manager for NHSG.

Rosehill House, Cornhill Road, Aberdeen, AB25 2ZG. Telephone 01224 551943

If you are still unhappy following a review by the Practice you can complain to the Scottish Information Commission at:

Scottish Information Commissioner

Kinburn Castle

Doubledykes Road

St. Andrews

Fife

KY16 9DS

Telephone: 01334 464610

Email: enquiries@itspublicknowledge.info

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