|  |
| --- |
| **Dr. J.P. Hopcroft**  **Dr. R.T. Summers**  **Dr. C.J. Wright**  **Dr. A. Mayet**  **Dr. P. Afsar**  **Dr. N. Skaria**  **Dr. G.Rajarathinam**  **Dr. S. Keegan** |

|  |
| --- |
| Description: illustration of the surgery |

***FERN HOUSE SURGERY***

|  |
| --- |
| **Privacy Notice**  **Police** |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

For any disclosures to the police, there must be:

• a legal duty to disclose, or

• a sufficiently important reason to disclose AND a legal basis for doing so

Examples include -

Prevention of Terrorism Act (1989) and Terrorism Act (2000)

An obligation to inform the Police if you have information (including personal information) that may assist them in preventing an act of terrorism, or help in apprehending or prosecuting a terrorist.

The Road Traffic Act (1988)

A statutory duty to inform the Police, when asked, of any information that might identify any driver who is alleged to have committed an offence under the Act. We are not required to disclose clinical or other confidential information.

The Female Genital Mutilation Act (2003)

A statutory duty to report to the police under Section 5B of this Act where it appears that a girl under the age of 18 has been subject to genital mutilation.

We have a legal duty to disclose where we are provided with a court order or where there is a direct risk to a patient or a member of the public.

We are required by law to provide you with the following information about how we handle your information.

|  |  |
| --- | --- |
| **Data Controller** contact details | Fern House Surgery, 125 – 129 Newland Street, Witham, Essex CM8 1BH |
| **Data Protection Officer** contact details | Information Governance Lead, Fern House Surgery, 125 – 129 Newland Street, Witham, Essex CM8 1BH |
| **Purpose** of the processing | To enable the police to complete their investigations. To ensure the safety of the data subject or other members of the public. |
| **Lawful basis** for processing | These purposes are supported under the following sections of the GDPR:  There is a specific legal justification;  *Article 6(1)(* *(c) ‘Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations)’.*And  *Article 9(2) (g) ‘processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;‘*  Healthcare staff will also respect and comply with their obligations under the common law duty of confidence. |
| **Recipient or categories of recipients** of the processed data | The data will be shared with the police (or other judicial authorities). |
| **Rights to object** | No. |
| **Right to access and correct** | * You have the right to access your medical record and have any errors or mistakes corrected. If you would like to access this information, you will need to complete a Subject Access Request (SAR). Please ask at reception for a SAR form. * We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view. |
| **Retention period** | GP medical records will be kept in line with the law and national guidance. Information on how long records are kept can be found at: <https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016> |
| **Right to complain** | You have the right to complain to the Information Commissioner’s Office. If you wish to complain follow this link <https://ico.org.uk/global/contact-us/> or call the helpline **0303 123 1113** |
| **Data we get from other organisations** | We receive information about your health from other organisations who are involved in providing you with health and social care. For example, if you go to hospital for treatment or an operation the hospital will send us a letter to let us know what happens. This means your GP medical record is kept up-to date when you receive care from other parts of the health service. |