

Privacy Notice – SPCL Hubs

We take the security of your data seriously. This document sets out more information about a particular scenario relating to your data and should be read in conjunction with the adult & children's privacy notices.

SPCL Hubs

A small number of routine, pre-bookable GP appointments are now available to patients via Southampton Primary Care Limited (SPCL), our local GP out of hours provider. 15-minute appointments will be available every evening between 06:30 and 21:00 and every Saturday and Sunday between 08:00 and 21:00. These will be bookable via the surgery, in the normal way, if required.

Please note that:

- The appointments will be held at one of the local hubs, based at:
 - St Marys Surgery, 1 Johnson Street, St Marys
 - Portswood Solent Surgery, 7 Belmont Road, Portswood
 - Shirley Health Partnership, Shirley Health Centre, Grove Road, Shirley
 - Aldermoor Surgery, Aldermoor Close, Aldermoor
 - Woolston Lodge Surgery, 66 Portsmouth Road, Woolston
 - Chessel Practice, 4 Chessel Avenue, Bitterne
- The appointments are available to all 287,000 patients registered with the 23 practices within Southampton City CCG, so availability is very limited
- It is extremely unlikely that you would see your own registered GP should you attend one of these appointments
- It is very unlikely that you would even see a GP from University Health Service should you attend one of these appointments
- The GP that you see will not be able to provide all the services that you would normally expect to have if you were you to attend an appointment here at University Health Service. So you are likely to be re-directed back to University Health Service if you subsequently need:
 - A blood test
 - An x-ray
 - An ECG, lung function testing, or other similar investigation
 - A procedure, such as a minor operation or joint injection
- The GP that you see will be able to prescribe medication, if required at the time.

We are required by Articles in the General Data Protection Regulations to provide you with the information in the following 9 subsections.

Data Controller contact details

Dr Mark Edwards, Caldicott Guardian

University Health Service, University of Southampton, Highfield, Southampton SO17 1BJ

Tel: 023 8055 7531

Email: data.protection@unidocs.co.uk

Data Protection Officer contact details

Dr Ali Robins, Data Protection Officer

Southampton Primary Care Ltd, Sovereign Place, Upper Northam Road Hedge End SO30 4BZ

Tel: 023 8017 0610

Email: spcl.dpo@nhs.net

Purpose of the processing

As part of this service, the GP that you see at SPCL will necessarily require access to view your full GP record, and permission to record that consultation directly in your GP record. These types of GP appointments are known as “remote consultations”. When you book one of these appointments, the receptionist will ask you if you are happy to allow the GP that you are seeing “remote” access to your GP record in this way, just for that appointment.

Please note that if you do not consent to this then you cannot book this type of appointment at SPCL. Any opt-outs that you might have expressed to other types of NHS data sharing, such as the Summary Care Record, the Hampshire Health Record, or any secondary uses of your GP information, will not prevent you from making such an appointment – assuming you consent to allow temporary remote access to your GP record when the booking is made.

The surgery allows SPCL potential access to the GP records of our patients attending their appointments. This is known as EMIS Web data sharing. If you have opted-out of EMIS Web data sharing, this will not prevent you from making such an appointment – assuming you consent to allow access temporary remote access to your GP record when the booking is made. Any access to your GP record for remote consultations is recorded and auditable. Access is only permissible if you have booked an SPCL appointment and you have given your explicit consent at the time of booking.

Lawful basis for processing

The processing of personal data in the delivery of direct care and for providers’ administrative purposes in this surgery and in support of direct care elsewhere is supported under the following Article 6 and 9 conditions of the GDPR:

Article 6(1)(e) ‘...necessary for the performance of a task carried out in the public interest or in the exercise of official authority...’; and

Article 9(2)(h) ‘necessary for the purposes of preventative or occupational medicine for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...’

We will also recognise your rights established under UK case law collectively known as the “Common Law Duty of Confidentiality”*

Recipient or categories of recipients of the shared data

The data will be shared with health and care professionals and support staff in SPCL who contribute to your care.

Rights to object

You have the right to object to some or all the information being processed under Article 21. Please contact the Data Controller or the practice. You should be aware that this is a right to raise an objection, that is not the same as having an absolute right to have your wishes granted in every circumstance.

Right to access and correct

The data subject(s) or legal representative(s) have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law.

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Retention period

The data will be retained for active use during any investigation and thereafter retained in an inactive stored form according to the law and national guidance.

Right to Complain

To complain, please contact either the practice's Caldicott Guardian or Data Protection Officer:

Caldicott Guardian: 023 8055 7531
data.protection@unidocs.co.uk

Data Protection Officer: 023 8017 0610
spcl.dpo@nhs.net

You also have the right to complain to the Information Commissioner's Office:

Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow SK9 5AF
Tel: 0303 123 1113 or 01625 545 745
Web: <https://ico.org.uk/global/contact-us/>

University Health Service
Building 48
University of Southampton
Highfield
Southampton SO17 1BJ

Tel: 023 8055 7531
Email: surgery@unidocs.co.uk

VERSION HISTORY			
Document: PRIVACY NOTICE – SPCL HUBS			
Version	Date	Author	Notes
1	13/5/18	SPCL	
2	6/6/18	ME	

* “Common Law Duty of Confidentiality”

Common law is not written out in one document like an Act of Parliament. It is a form of law based on previous court cases decided by judges; hence, it is also referred to as 'judge-made' or case law. The law is applied by reference to those previous cases, so common law is also said to be based on precedent.

The general position is that if information is given in circumstances where it is expected that a duty of confidence applies, that information cannot normally be disclosed without the information provider's consent.

In practice, this means that all patient information, whether held on paper, computer, visually or audio recorded, or held in the memory of the professional, must not normally be disclosed without the consent of the patient. It is irrelevant how old the patient is or what the state of their mental health is; the duty still applies.

Three circumstances making disclosure of confidential information lawful are:

- where the individual to whom the information relates has consented;*
- where disclosure is in the public interest; and*
- where there is a legal duty to do so, for example a court order.*