

## Privacy Notice – Summary Care Record

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.

### Summary Care Record

The Summary Care Record is an English NHS development. It consists of a basic medical record held on a central government database on every patient registered with a GP surgery in England. The basic data is automatically extracted from your GP's electronic record system and uploaded to the central system. GPs are required by their contract with the NHS to allow this upload. The basic upload consists of current medication, allergies and details of any previous bad reactions to medicines, the name, address, date of birth and NHS number of the patient.

As well as this basic record additional information can be added, and this can be far reaching and detailed. However, whereas the basic data is uploaded automatically any additional data will only be uploaded if you specifically request it and with your consent.

Summary Care Records can only be viewed within the NHS on NHS smartcard controlled screens or by organisation, such as pharmacies, contracted to the NHS.

You can find out more about the SCR here <https://digital.nhs.uk/summary-care-records>.

You have the right to object to our sharing your data in these circumstances and you can ask your GP to block uploads.

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

Email: [data.protection@unidocs.co.uk](mailto:data.protection@unidocs.co.uk)

### Data Protection Officer contact details

Caroline Sims

Southampton City CCG, Oakley Road, Southampton SO16 4GX

Email: [caroline.sims@nhs.net](mailto:caroline.sims@nhs.net)

### Purpose of the processing

Upload of basic and detailed additional SCR data.

### **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...'

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 Healthcare professionals and other workers in emergency and out of hours services and at local hospitals, diagnostic and treatment centres.

### **Rights to object**

You have the right to object to some or all of the information being shared with the recipients. Contact the Data Controller or the practice.

You also have the right to have an "Advance Directive" placed in your records and brought to the attention of relevant healthcare workers or staff.

### **Right to access and correct**

You 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. If we share or process your data in an emergency when you have not been able to consent, we will notify you at the earliest opportunity.

### **Retention period**

The data will be retained in line with the law and national guidance.

### **Right to Complain**

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

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](mailto:surgery@unidocs.co.uk)

## University Health Service – Privacy Notice

VERSION HISTORY			
Document: PRIVACY NOTICE – SUMMARY CARE RECORDS			
Version	Date	Author	Notes
1	13/5/18	SPCL	
2	30/5/18	ME	
3	20/08/19	ME	CHANGE DPO TO CAROLINE SIMS

### \* **“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.*