

## **Data Protection Statement Version 1.0**

### **Introduction:**

I am a registered medical practitioner listed by the GMC on the specialist register. When you consult me in my capacity as a consultant cardiologist or an aviation medical examiner I am responsible for all aspects of the care I provide to you as a practitioner. I aim to ensure the highest standard of medical care for my patients. To do this I keep records about you, your health and the care I have provided or plan to provide to you.

Working alongside me in providing medical care to you, I have an administrative team (secretarial staff) and technical team (specialist cardiac physiology staff) who fall under my responsibility. These staff fall within the scope of my practice in delivering your care. I will remain wholly responsible for all aspects of your care, including medical expertise, communication with you and other healthcare professionals or regulatory bodies, protecting your confidentiality, maintaining your healthcare records and invoicing activities.

Since I keep records about your care, I am registered as a data controller with the Information Commissioner's Office ([www.ICO.org.uk](http://www.ICO.org.uk)) where my registration details are available for review.

This agreement outlines how I process information I hold about you.

### **How I Use Your Information:**

In order to provide for your medical care, I need to collect and keep information about you and your health on my records.

Your records are used to:

- Provide a basis for all decisions made by healthcare professionals with and for you.
- Make sure your care is safe, effective and of the highest standard.
- Work effectively with others in providing you with care.
- Making sure that my services meet patient needs in the future.
- Audit accounts.
- Prepare statistics on healthcare provider performance and activity (steps will be taken to ensure you cannot be identified).
- Investigate concerns, complaints or legal claims.
- Invoice for services provided: Your data is used to invoice you or your insurance provider so that the costs of your care can be recovered. This includes sharing your data with partner providers with whom I work (such as local NHS Trusts) in order that they can invoice you or your insurer for any services provided to you not covered by my agreement with you.
- Train and educate staff.

### Disclosure of your information to Other Health Professionals or Organisations external to my practice:

I work with a number of other NHS and partner agencies to provide healthcare services to you. Below is a list of individuals / practices / organisations that I may share your information with:

- NHS hospitals. Unless you instruct me to the contrary, it is my routine practice to have a copy of clinical correspondence about you sent for inclusion into your local hospital held healthcare record so that important clinical information about you is available to the hospital clinical team at the time of any planned or unplanned hospital admissions or clinic visits in the future.
- GP Practices. Unless you instruct me to the contrary, it is my routine practice to have a copy of clinical correspondence about you sent for inclusion into your GP held healthcare record so that important clinical information about you is available to the primary care team at the time of primary care contacts in the future.
- Other clinical specialists to or from whom your care or part of your care is referred.
- Dentists, opticians and pharmacies relevant to delivery of care to you.
- Voluntary Sector Providers only where they are directly involved in your care.
- Private Sector Providers (private hospitals, care homes, hospices, contractors providing clinical services) only where they are directly involved in your care.
- Regulatory authorities such as the UK Civil Aviation Authority (or the National Licensing authorities of other European States) or the Driver and Vehicle Licensing Authority (DVLA) only where required by regulatory or legal process.
- Aviation Medical Examiners appointed by the Civil Aviation Authority.

### How I communicate with you and others:

Communication with you, other providers or services that refer you to my practice, services that you are referred to and regulatory authorities will be by email, telephone, fax, or paper based correspondence.

I will not usually initiate un-encrypted email communication without explicit permission from you. I will usually reply to communications on a like-for-like basis. For instance, if I receive an un-encrypted email communication from or about you, I will reply in a similar way. If I receive paper-based communication from or about you, I will reply in a similar way.

Communication within my practice (between myself and staff working alongside me) will be by encrypted, patient level data secure email communication services (such as nhs.net email services), telephone and paper based correspondence.

### How I maintain / store your records:

My practice makes the best use of contemporary technology to provide you with rapid, responsive, high quality clinical care and communication. At all times your information is kept secure.

Any paper based medical records relating to your care will be kept in a secure manner for the duration specified by regulatory requirements.

In addition, I operate a system of computer based records storage system which offers greater data security than the paper based systems. With this system, an electronic copy of your medical records will be maintained on a secure cloud-based storage system (provided by Microsoft) which meets the security requirements laid out for healthcare record security in the Health Insurance Portability and Accountability Act (HIPAA). The medical records are held on a secure data server within the European Union and the records will be held as long as required by the regulatory authorities. The information held about you in your care record will be accessed only by me and (with my permission) those administrative and technical staff working alongside me in my practice to providing care to you. Except where mandated by legal process, your data will not be viewed by or shared with anyone else for any reason without your explicit consent.

#### How I keep your information confidential and secure:

I am committed to protecting your privacy and will only use information collected lawfully in accordance with the Data Protection Act 1998, Article 8 of the Human Rights Act, the Common Law Duty of Confidentiality, the NHS Codes of Confidentiality and Security, the responsibilities of medical practitioners laid out in GMC Guidance 'Duties of a Doctor' and the General Data Protection Regulations (GDPR) which came into force in May 2018.

Everyone working with me in providing care to you will use your personal information in a secure and confidential way. All persons working with me on providing care to you sign a confidentiality agreement that explicitly makes clear their duties in relation to personal health information and the consequences of breaching that duty. Anyone who receives information from me is also under a legal duty to keep it confidential and secure.

I will only ever use or pass on your information if there is a genuine need to do so. I will not disclose information about you to third parties without your permission unless there are exceptional circumstances, such as when the law requires.

Please be aware that your information will be accessed by non-clinical practice staff in order to perform tasks enabling the functioning of my practice. These include, but not limited to:

- Receiving and sending encrypted and unencrypted emails about you, your demographics and your appointment at my practice.
- Typing referral letters to hospital consultants or allied health professionals;
- Opening letters from hospitals, consultants or other referrers;

- Scanning clinical letters, radiology reports and any other documents not available in electronic format;
- Photocopying or printing documents or referral from any source;
- Handling, printing, photocopying and postage of medico legal and life assurance reports.
- Processing invoices with you, your insurer and other healthcare providers

Your Right of Access to your Health Information:

You have a right to access / view information that my practice holds about you, and to have it amended or removed should it be inaccurate. This is known as 'the right of subject access'. If I do hold information about you I will:

- give you a description of it;
- tell you why I am holding it;
- tell you who it could be disclosed to; and
- let you have a copy of the information in an intelligible form.

If you would like to make a subject access request or for more information about how I process information held about you please contacting me with your query at:

Email: [justincarter@nhs.net](mailto:justincarter@nhs.net)

Or by writing to me at my practice address:

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