



How your information is shared so that this practice can meet legal requirements;

The Care Quality Commission (CQC) is an organisation established in English law by the Health and Social Care Act. The CQC is the regulator for English health and social care services to ensure that safe care is provided. They inspect and produce reports on all English general practices in a rolling 5 year program. The law allows CQC to access identifiable patient data as well as requiring this practice to share certain types of data with them in certain circumstances, for instance following a significant safety incident.

For more information about the CQC see: <http://www.cqc.org.uk/>

Public health encompasses everything from national smoking and alcohol policies, the management of epidemics such as flu, the control of large scale infections such as TB and Hepatitis B to local outbreaks of food poisoning or Measles. Certain illnesses are also notifiable; the doctors treating the patient are required by law to inform the Public Health Authorities, for instance Scarlet Fever.

This will necessarily mean the subjects personal and health information being shared with the Public Health organisations.

Some of the relevant legislation includes: the Health Protection (Notification) Regulations 2010 (SI 2010/659), the Health Protection (Local Authority Powers) Regulations 2010 (SI 2010/657), the Health Protection (Part 2A Orders) Regulations 2010 (SI 2010/658), Public Health (Control of Disease) Act 1984, Public Health (Infectious Diseases) Regulations 1988 and The Health Service (Control of Patient Information) Regulations 2002

NHS Digital is the secure haven* for NHS patient data, a single secure repository where data collected from all branches of the NHS is processed. NHS Digital provides reports on the performance of the NHS, statistical information, audits and patient outcomes (<https://digital.nhs.uk/data-and-information>). Examples include; A/E and outpatient waiting times, the numbers of staff in the NHS, percentage target achievements, payments to GPs etc and more specific targeted data collections and reports such as the Female Genital Mutilation, general practice appointments data and English National Diabetes Audits. GPs are required by the Health and Social Care Act to provide NHS Digital with information when instructed. This is a legal obligation which overrides any patient wishes. These instructions are called "Directions". More information on the directions placed on

GPs can be found at [https://digital.nhs.uk/article/8059/NHS-England-Directions-and-
www.nhsdatasharing.info](https://digital.nhs.uk/article/8059/NHS-England-Directions-and-www.nhsdatasharing.info)

Data Controller contact details	Drs Nanda, Singh & Kokri Discovery practice 20 Cleveland Square Middlesbrough TS1 2NX
Data Protection Officer contact details	Liane Cotterill, Senior Governance Manager & Data Protection Officer North of England Commissioning Support, Teesdale House, Westpoint Road, Thornaby, Stockton-On-Tees, TS17 6BL Tel: 01642 745042
Purpose of the processing	Compliance with legal obligations or court order.
Lawful basis for processing	The following sections of the GDPR mean that we can share information when the law tells us to. Article 6(1)(c) – ‘processing is necessary for compliance with a legal obligation to which the controller is subject...’ Article 9(2)(h) – ‘processing is necessary for the purpose of preventative...medicine...the provision of health or social care or treatment or the management of health or social care systems and services...’
Recipient or categories of recipients of the processed data	<ul style="list-style-type: none"> • The data will be shared with the Care Quality Commission, its officers and staff and members of the inspection teams that visit us from time to time.. • The data will be shared with Public Health England https://www.gov.uk/government/organisations/public-health-england and equivalents in the devolved nations. • The data will be shared with the court if ordered. • The data will be shared with NHS Digital according to directions which can be found at https://digital.nhs.uk/article/8059/NHS-England-Directions-
Rights to object and the national data opt-out	There are very limited rights to object when the law requires information to be shared but government policy allows some rights of objection as set out below.

	<p>NHS Digital</p> <ul style="list-style-type: none"> You have the right to object to information being shared with NHS Digital for reasons other than your own direct care. This is called a 'Type 1' objection – you can ask your practice to apply this code to your record. Please note: The 'Type 1' objection, however, will no longer be available after 2020. This means you will not be able to object to your data being shared with NHS Digital when it is legally required under the Health and Social Care Act 2012. <p>NHS Digital sharing with the Home Office</p> <ul style="list-style-type: none"> There is no right of objection to NHS Digital sharing names and addresses of patients who are suspected of having committed an immigration offence. <p>Public health</p> <ul style="list-style-type: none"> Legally information must be shared under public health legislation. This means that you are unable to object. <p>Care Quality Commission</p> <ul style="list-style-type: none"> Legally information must be shared when the Care Quality Commission needs it for their regulatory functions. This means that you are unable to object. <p>Court order</p> <ul style="list-style-type: none"> Your information must be shared if it ordered by a court. This means that you are unable to object.
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.
Retention period	The data will be retained for active use during the processing and thereafter according to NHS Policies and the law.
Right to complain	<p>You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)</p>