

COVID-19 and your information – Updated on 28th September 2020

Supplementary privacy notice on COVID-19 for our patients

This notice describes how we may use your information to protect you and others during the COVID-19 outbreak. It supplements our main Privacy Notices which are available [on our website](#).

The health and social care system is facing significant pressures due to the COVID-19 outbreak. Health and care information is essential to deliver care to individuals, to support health and social care services and to protect public health. Information will also be vital in researching, monitoring, tracking and managing the outbreak. In the current emergency it has become even more important to share health and care information across relevant organisations.

Existing law which allows confidential patient information to be used and shared appropriately and lawfully in a public health emergency is being used during this outbreak. Using this law the Secretary of State has required NHS Digital; NHS England and Improvement; Arms Length Bodies (such as Public Health England); local authorities; health organisations and GPs to share confidential patient information to respond to the COVID-19 outbreak. Any information used or shared during the COVID-19 outbreak will be limited to the period of the outbreak unless there is another legal basis to use the data. Further information is available on gov.uk [here](#) and some FAQs on this law are available [here](#).

During this period of emergency, opt-outs will not generally apply to the data used to support the COVID-19 outbreak, due to the public interest in sharing information. This includes [National Data Opt-Outs](#). However in relation to the Summary Care Record, existing choices will be respected. Where data is used and shared under these laws your right to have personal data erased will also not apply. It may also take us longer to respond to Subject Access Requests (SARs), Freedom of Information requests (FOIs) and new opt out requests whilst we focus our efforts on responding to the outbreak.

In order to look after your health and care needs we may share your confidential patient information included health and care records with clinical and non-clinical staff in other health and care providers, for example neighbouring GP practices, hospitals and NHS 111. We may also use the details we have to send public health messages to you, either by phone, text message or email.

During this period of emergency we may offer you a consultation via telephone or video conferencing. By accepting the invitation and entering the consultation you are consenting to this. Your personal/confidential patient information will be safeguarded in the same way it would with any other consultation. The platform we are using to provide video consultations is called AccuRx and you can read more about their data security [here](#).

We will also be required to share personal confidential patient information with health and care organisations and other bodies engaged in disease surveillance for the purposes of protecting public health, providing healthcare services to the public and monitoring and managing the outbreak. Further information about how health and care data is being used and shared by other NHS and social care organisations in a variety of ways to support the COVID-19 response is [here](#).

NHS England and Improvement and the NHSX have developed a single, secure store to gather data from across the health and care system to information the COVID-19 response. This includes data

already collected by NHS England, NHS Improvement, Public Health England and NHS Digital. New data will include 999 call data, data about hospital occupancy and A&E capacity data as well as [data provided by patient themselves](#). All the data held in the platform is subject to strict controls that meet the requirements of data protection legislation.

In such circumstances where you tell us you're experiencing COVID-19 symptoms we may need to collect specific health data about you. Where we need to do so, we will not collect more information than we require and we will ensure that any information collected is treated with the appropriate safeguards.

<p>Summary Care Record</p>	<p>Purpose – During the COVID-19 pandemic practices have been told to share details of patients’ personal confidential and special category data onto the summary care record. The NHS in England uses a national electronic record called the Summary Care Record (SCR) to support patient care. It contains key information from your GP record. Your SCR provides authorised healthcare staff with faster, secure access to essential information about you in an emergency or when you need unplanned care, where such information would otherwise be unavailable.</p> <p>Legal Basis – Direct Care</p> <p>The relevant COPI notice states that its purpose: “...is to require organisations to process confidential patient information for the purposes set out in Regulation 3(1) of COPI to support the Secretary of State’s response to Covid-19 (Covid-19 Purpose). “Processing” for these purposes is defined in Regulation 3(2) and includes dissemination of confidential patient information to persons and organisations permitted to process confidential patient information under Regulation 3(3) of COPI.” Full details of the Summary Care Record supplementary privacy notice can be found here.</p> <p>Patients have the right to opt out of having their information shared with the SCR by completion of the form which can be downloaded here and returned to the practice. Please note that by opting out of having your information shared with the Summary Care Record could result in a delay care that may be required in an emergency.</p> <p>Processor – NHS England and NHS Digital via GP connect</p>
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<p>NHS 111 COVID-19 triage response</p>	<p>Purpose – in order for NHS 111 to triage patient calls with queries regarding COVID-19 during practice closures or times of pressure on the system, enabling the robust process for patients, potentially suffering with COVID-19, to be triaged and treated in the most effective and appropriate way.</p>
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	<p>Legal Basis - The Secretary of State for Health and Social Care has issued NHS Digital with a Notice under <u>Control of Patient Information Regulations (COPI)</u>. This allows NHS Digital to share patient information with organisations entitled to process this under COPI for COVID-19 purposes. This means that for GP Connect, NHSD are creating a single 'National Sharing Agreement' on the Spine that contains all GP practices in England.</p> <p>Patients can opt out of their information being shared with GP Connect by contacting their GP practice and requesting a Type 1 Opt out. Please note that opting out of having information shared may delay or impair the ability for urgent treatment.</p> <p>Processor – NHS Digital, NHS 111 via GP Connect</p>
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<p>General Practice Extraction Service (GPES) Covid-19 Planning and Research data</p>	<p>Purpose: Personal confidential and Special Category data will be extracted at source from GP systems for the use of planning and research for the Covid-19 pandemic emergency period. Requests for data will be required from NHS Digital via their secure NHSX SPOC Covid-19 request process.</p> <p>Legal Basis: NHS Digital has been directed by the Secretary of State under section 254 of the 2012 Act under the COVID-19 Direction to establish and operate a system for the collection and analysis of the information specified for this service: GPES Data for Pandemic Planning and Research (COVID-19). A copy of the COVID-19 Direction is published here: https://digital.nhs.uk//about-nhs-digital/corporate-information-and-documents/directions-and-data-provision-notice-secretary-of-state-directions/covid-19-public-health-directions-2020</p> <p>Patients who have expressed an opt out preference via Type 1 objections with their GP surgery, not to have their data extracted for anything other than their direct care will not be party to this data extraction.</p> <p>Processor: NHS Digital NHS X</p>
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<p>Electronic Repeat Dispensing</p>	<p>Purpose: To maximize use of electronic Repeat Dispensing (eRD). This is a service for patients who use the same medicines regularly, allowing batches of repeat medications to be sent to their pharmacies without needing to re-order. More information for patients on eRD is available here: https://digital.nhs.uk/services/electronic-prescription-service/explaining-electronic-repeat-dispensing-to-patients</p> <p>Legal Basis: NHS England has agreed with the Secretary of State under the the National Health Service (Amendments Relating to the Provision of Primary Care Services During a Pandemic etc.) Regulations 2020 that the need for individual patients to consent to eRD can be temporarily suspended. This agreement extends until 30th June, and will be updated after this. A copy of the legislation is available here: http://www.legislation.gov.uk/uksi/2020/351/made</p>
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	Processor: Woodlands & Clerklands Partnership & the Medicines Management Team at West Sussex CCG
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<p>General Practice Extraction Service (GPES) At risk patients data collection Version 3</p>	<p>Purpose - The objective of this collection is on an ongoing basis to identify patients registered at General Practices who may be:</p> <ul style="list-style-type: none"> • clinically extremely vulnerable if they contract COVID-19 • at moderate or high risk of complications from flu or COVID-19 <p>This General Practice Extraction Service (GPES) data will be extracted weekly and be used to assist in producing a weekly update of the Shielded Patient List (SPL).</p> <p>The data, as specified by the DPN, supports the COVID-19 Public Health Directions 2020 from the Secretary of State for Health and Social Care. Organisations that are in scope of the notice are legally required to comply.</p> <p>More information regarding this data collection can be found here: <u>COVID-19 at risk patients Data Provision Notices</u></p> <p>Legal Basis - Sections 259(1)(a), 259(5) and 259(8) of the Health and Social Care Act 2012.</p> <p>Where a patient’s record contains a defined long-term medical condition, which poses a COVID-19 risk and/or a condition/code which identifies a patient as being of moderate or high risk of complications from flu/COVID-19, data will be extracted for</p> <p>Processor – NHS Digital or NHS X</p>
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We may amend this Privacy Policy at any time so please review it frequently. The date at the top of this page will be amended each time this notice is updated.