**Data Protection Privacy Notice for Patients**

**Introduction:**

This privacy notice lets you know what happens to any personal data that you give to us, or any information that we may collect from you or about you from other organisations.

This privacy notice applies to personal information processed by or on behalf of the practice.

This Notice explains

* Who we are and how we use your information
* Information about our Data Protection Officer
* What kinds of personal information about you we hold and use (process)
* The legal grounds for our processing of your personal information (including when we share it with others)
* What should you do if your personal information changes?
* For how long your personal information is retained / stored by us?
* What are your rights under Data Protection laws

The General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA 2018) became law on 25th May 2018. The GDPR is a single EU-wide regulation on the protection of confidential and sensitive (special) information, the DPA 2018 deals with elements of UK law that differ from the European Regulation, both came into force in the UK on the 25th May 2018, repealing the previous Data Protection Act (1998).

For the purpose of applicable data protection legislation (including but not limited to the General Data Protection Regulation (Regulation (EU) 2016/679) (the "GDPR"), and the Data Protection Act 2018 the practice responsible for your personal data is [Practice Name].

This Notice describes how we collect, use and process your personal data, and how in doing so, we comply with our legal obligations to you. Your privacy is important to us, and we are committed to protecting and safeguarding your data privacy rights.

**How we use your information and the law.**

Firsway Health Centre will be what’s known as the ‘Controller’ of your personal data.

We collect basic personal data about you and location-based information. This does include name, address and contact details such as email and mobile number etc.

We will also collect sensitive confidential data known as “special category personal data”, in the form of health information, religious belief (if required in a healthcare setting) ethnicity and sex life information that are linked to your healthcare, we may also receive this information about you from other health providers or third parties.

**Why do we need your information?**

The health care professionals who provide you with care maintain records about your health and any treatment or care you have received previously. These records help to provide you with the best possible healthcare and treatment.

NHS health records may be electronic, paper-based or a mixture of both. We use a combination of working practices and technology to ensure that your information is kept confidential and secure.

Records about you may include the following information;

* Details about you, such as your address, your carer or legal representative and emergency contact details.
* Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments.
* Notes and reports about your health.
* Details about your treatment and care.
* Results of investigations such as laboratory tests, x-rays etc.
* Relevant information from other health professionals, relatives or those who care for you.
* Contact details (including email address, mobile telephone number and home telephone number)

To ensure you receive the best possible care, your records are used to facilitate the care you receive, including contacting you. Information held about you may be used to help protect the health of the public and to help us manage the NHS and the services we provide. Limited information may be used within the GP practice for clinical audit to monitor the quality of the service we provided.

**How do we lawfully use your data?**

We need your personal, sensitive and confidential data in order to provide you with healthcare services as a General Practice, under the General Data Protection Regulation we will be lawfully using your information in accordance with: -

*Article 6, e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;”*

*Article 9, (h) processing is necessary for the purposes of preventive 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*

This Privacy Notice applies to the personal data of our patients and the data you have given us about your carers/family members.

**Risk Stratification**

Risk stratification data tools are increasingly being used in the NHS to help determine a person’s risk of suffering a condition, preventing an unplanned or (re)admission and identifying a need for preventive intervention. Information about you is collected from several sources including NHS Trusts and from this GP Practice. The identifying parts of your data are removed, analysis of your data is undertaken, and a risk score is then determined. This is then provided back to your GP as data controller in an identifiable form. Risk stratification enables your GP to focus on preventing ill health and not just the treatment of sickness. If necessary, your GP may be able to offer you additional services. Please note that you have the right to opt out of your data being used in this way in most circumstances, please contact the practice for further information about opt out.

Individual Risk Management at a GP practice level however is deemed to be part of your individual healthcare and is covered by our legal powers above.

**Medicines Management**

The Practice may conduct Medicines Management Reviews of medications prescribed to its patients. This service performs a review of prescribed medications to ensure patients receive the most appropriate, up to date and cost-effective treatments. The reviews are carried out by the CCGs Medicines Management Team under a Data Processing contract with the Practice.

**Patient Communication**

The Practice will like to use your name, contact details and email address to inform you of NHS services, or provide inform about your health/information to manage your healthcare or information about the management of the NHS service. There may be occasions where authorised research facilities would like you to take part in research in regard to your particular health issues, to try improve your health., Your contact details may be used to invite you to receive further information about such research opportunities.

**Safeguarding**

The Practice is dedicated to ensuring that the principles and duties of safeguarding adults and children are holistically, consistently and conscientiously applied with the wellbeing of all, at the heart of what we do.

Our legal basis for processing For the General Data Protection Regulation (GDPR) purposes is: -

 *Article 6(1)(e) ‘…exercise of official authority…’.*

For the processing of special categories data, the basis is: -

*Article 9(2)(b) – ‘processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law…’*

**Research**

Clinical Practice Research Datalink (CPRD) collects de-identified patient data from a network of GP practices across the UK. Primary care data are linked to a range of other health related data to provide a longitudinal, representative UK population health dataset. You can opt out of your information being used for research purposes at any time (see below), full details can be found here: -

<https://cprd.com/transparency-information>

##### **The legal bases for processing this information**

CPRD do not hold or process personal data on patients; however, NHS Digital (formally the Health and Social Care Centre) may process ‘personal data’ for us as an accredited ‘safe haven’ or ‘trusted third-party’ within the NHS when linking GP data with data from other sources. The legal bases for processing this data are:

* Medicines and medical device monitoring: Article 6(e) and Article 9(2)(i) - public interest in the area of public health
* Medical research and statistics: Article 6(e) and Article 9(2)(j) - public interest and scientific research purposes

Any data CPRD hold or pass on to bona fide researchers, except for clinical research studies, will have been anonymised in accordance with the Information Commissioner’s Office Anonymisation Code of Practice. We will hold data indefinitely for the benefit of future research, but studies will normally only hold the data we release to them for twelve months.

**Categories of personal data**

The data collected by Practice staff in the event of a safeguarding situation will be as much personal information as is possible that is necessary to obtain in order to handle the situation. In addition to some basic demographic and contact details, we will also process details of what the safeguarding concern is. This is likely to be special category information (such as health information).

**Sources of the data**

The Practice will either receive or collect information when someone contacts the organisation with safeguarding concerns, or we believe there may be safeguarding concerns and make enquiries to relevant providers.

**Recipients of personal data**

The information is used by the Practice when handling a safeguarding incident or concern. We may share information accordingly to ensure duty of care and investigation as required with other partners such as local authorities, the police or healthcare professionals (i.e. their GP or mental health team).

**Third party processors**

In order to deliver the best possible service, the practice will share data (where required) with other NHS bodies such as other GP practices and hospitals. In addition, the practice will use carefully selected third party service providers. When we use a third party service provider to process data on our behalf then we will always have an appropriate agreement in place to ensure that they keep the data secure, that they do not use or share information other than in accordance with our instructions and that they are operating appropriately. Examples of functions that may be carried out by third parties include:

* Companies that provide IT services & support, including our core clinical systems; systems which manage patient facing services (such as our website and service accessible through the same); data hosting service providers; systems which facilitate appointment bookings or electronic prescription services; document management services etc.
* Delivery services (for example if we were to arrange for delivery of any medicines to you).
* Payment providers (if for example you were paying for a prescription or a service such as travel vaccinations).

Further details regarding specific third-party processors can be supplied on request to the Data Protection Officer as below.

**How do we maintain the confidentiality of your records?**

We are committed to protecting your privacy and will only use information collected lawfully in accordance with:

* Data Protection Act 2018
* The General Data Protection Regulations 2016
* Human Rights Act 1998
* Common Law Duty of Confidentiality
* Health and Social Care Act 2012
* NHS Codes of Confidentiality, Information Security and Records Management
* Information: To Share or Not to Share Review

Every member of staff who works for an NHS organisation has a legal obligation to keep information about you confidential.

We will only ever use or pass on information about you if others involved in your care have a genuine need for it. We will not disclose your information to any third party without your permission unless there are exceptional circumstances (i.e. life or death situations), where the law requires information to be passed on and / or in accordance with the information sharing principle following Dame Fiona Caldicott’s information sharing review (Information to share or not to share) where “The duty to share information can be as important as the duty to protect patient confidentiality.” This means that health and social care professionals should have the confidence to share information in the best interests of their patients within the framework set out by the Caldicott principles.

Our practice policy is to respect the privacy of our patients, their families and our staff and to maintain compliance with the General Data Protection Regulation (GDPR) and all UK specific Data Protection Requirements. Our policy is to ensure all personal data related to our patients will be protected.

All employees and sub-contractors engaged by our practice are asked to sign a confidentiality agreement. The practice will, if required, sign a separate confidentiality agreement if the client deems it necessary. If a sub-contractor acts as a data processor for Firsway Health Centre an appropriate contract (art 24-28) will be established for the processing of your information.

In certain circumstances you may have the right to withdraw your consent to the processing of data. Please contact the Data Protection Officer in writing if you wish to withdraw your consent. If some circumstances we may need to store your data after your consent has been withdrawn to comply with a legislative requirement.

Some of this information will be held centrally and used for statistical purposes. Where we do this, we take strict measures to ensure that individual patients cannot be identified. Sometimes your information may be requested to be used for research purposes – the surgery will always gain your consent before releasing the information for this purpose in an identifiable format. In some circumstances you can Opt-out of the surgery sharing any of your information for research purposes.

**With your consent we would also like to use your information**

There are times that we may want to use your information to contact you or offer you services, not directly about your healthcare, in these instances we will always gain your consent to contact you. We would however like to use your name, contact details and email address to inform you of other services that may benefit you. We will only do this with your consent. There may be occasions where authorised research facilities would like you to take part on innovations, research, improving services or identifying trends, you will be asked to opt into such programmes if you are happy to do so.

At any stage where we would like to use your data for anything other than the specified purposes and where there is no lawful requirement for us to share or process your data, we will ensure that you have the ability to consent and opt out prior to any data processing taking place.
This information is not shared with third parties or used for any marketing and you can unsubscribe at any time via phone, email or by informing the practice DPO as below.

**National Opt-Out Facility**

***You can choose whether your confidential patient information is used for research and planning.***

***Who can use your confidential patient information for research and planning?***

*It is used by the NHS, local authorities, university and hospital researchers, medical colleges and pharmaceutical companies researching new treatments.*

***Making your data opt-out choice***

*You can choose to opt out of sharing your confidential patient information for research and planning. There may still be times when your confidential patient information is used: for example, during an epidemic where there might be a risk to you or to other people’s health. You can also still consent to take part in a specific research project.*

***Will choosing this opt-out affect your care and treatment?***

*No, your confidential patient information will still be used for your individual care. Choosing to opt out will not affect your care and treatment. You will still be invited for screening services, such as screenings for bowel cancer.*

***What should you do next?***

*You do not need to do anything if you are happy about how your confidential patient information is used.*

*If you do not want your confidential patient information to be used for research and planning, you can choose to opt out securely online or through a telephone service.*

***You can change your choice at any time. To find out more or to make your choice visit nhs.uk/your-nhs-data-matters or call 0300 303 5678***

**Where do we store your information electronically?**

All the personal data we process is processed by our staff in the UK however for the purposes of IT hosting and maintenance this information may be located on servers within the European Union.

No 3rd parties have access to your personal data unless the law allows them to do so and appropriate safeguards have been put in place such as a Data Processor as above). We have a Data Protection regime in place to oversee the effective and secure processing of your personal and or special category (sensitive, confidential) data.

**EMIS Web**

The Practice uses a clinical system provided by a Data Processor called EMIS, with effect from 10th June 2019, EMIS will start storing your practice’s EMIS Web data in a highly secure, third party cloud hosted environment, namely Amazon Web Services (“AWS”).

The data will remain in the UK at all times and will be fully encrypted both in transit and at rest. In doing this, there will be no change to the control of access to your data and the hosted service provider will not have any access to the decryption keys. AWS is one of the world’s largest cloud companies, already supporting numerous public sector clients (including the NHS), and it offers the very highest levels of security and support.

**Who are our partner organisations?**

We may also have to share your information, subject to strict agreements on how it will be used, with the following organisations;

* NHS Trusts / Foundation Trusts
* GP’s
* Primary Care Network
* NHS Commissioning Support Units
* Independent Contractors such as dentists, opticians, pharmacists
* Private Sector Providers
* Voluntary Sector Providers
* Ambulance Trusts
* Clinical Commissioning Groups
* Social Care Services
* NHS England (NHSE) and NHS Digital (NHSD)
* Multi Agency Safeguarding Hub (MASH)
* Local Authorities
* Education Services
* Fire and Rescue Services
* Police & Judicial Services
* Voluntary Sector Providers
* Private Sector Providers
* Other ‘data processors’ which you will be informed of

You will be informed who your data will be shared with and in some cases asked for consent for this to happen when this is required.

**Computer System**

This practice operates a Clinical Computer System on which NHS Staff record information securely. This information can then be shared with other clinicians so that everyone caring for you is fully informed about your medical history, including allergies and medication.

To provide around the clock safe care, unless you have asked us not to, we will make information available to our Partner Organisation (above). Wherever possible, their staff will ask your consent before your information is viewed.

**Shared Care Records**

To support your care and improve the sharing of relevant information to our partner organisations (as above) when they are involved in looking after you, we will share information to other systems. You can opt out of this sharing of your records with our partners at anytime if this sharing is based on your consent.

We may also use external companies to process personal information, such as for archiving purposes. These companies are bound by contractual agreements to ensure information is kept confidential and secure. All employees and sub-contractors engaged by our practice are asked to sign a confidentiality agreement. If a sub-contractor acts as a data processor for [Practice Name] an appropriate contract (art 24-28) will be established for the processing of your information.

**Sharing your information without consent**

We will normally ask you for your consent, but there are times when we may be required by law to share your information without your consent, for example:

* where there is a serious risk of harm or abuse to you or other people;
* Safeguarding matters and investigations
* where a serious crime, such as assault, is being investigated or where it could be prevented;
* notification of new births;
* where we encounter infectious diseases that may endanger the safety of others, such as meningitis or measles (but not HIV/AIDS);
* where a formal court order has been issued;
* where there is a legal requirement, for example if you had committed a Road Traffic Offence.

**How long will we store your information?**

We are required under UK law to keep your information and data for the full retention periods as specified by the NHS Records management code of practice for health and social care and national archives requirements.

More information on records retention can be found online at (<https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016>).

**How can you access, amend move the personal data that you have given to us?**

Even if we already hold your personal data, you still have various rights in relation to it. To get in touch about these, please contact us. We will seek to deal with your request without undue delay, and in any event in accordance with the requirements of any applicable laws. Please note that we may keep a record of your communications to help us resolve any issues which you raise.

Right to object: If we are using your data and you do not agree, you have the right to object. We will respond to your request within one month (although we may be allowed to extend this period in certain cases). This is NOT an absolute right sometimes we will need to process your data even if you object.

Right to withdraw consent: Where we have obtained your consent to process your personal data for certain activities (for example for a research project, or consent to send you information about us or matters you may be interested in), you may withdraw your consent at any time.

Right to erasure: In certain situations (for example, where we have processed your data unlawfully), you have the right to request us to "erase" your personal data. We will respond to your request within one month (although we may be allowed to extend this period in certain cases) and will only disagree with you if certain limited conditions apply. If we do agree to your request, we will delete your data but will need to keep a note of your name/ other basic details on our register of individuals who would prefer not to be contacted. This enables us to avoid contacting you in the future where your data are collected in unconnected circumstances. If you would prefer us not to do this, you are free to say so.

Right of data portability: If you wish, you have the right to transfer your data from us to another data controller. We will help with this with a GP to GP data transfer and transfer of your hard copy notes.

**Primary Care Network**

The objective of primary care networks (PCNs) is for group practices together to create more collaborative workforces which ease the pressure of GP’s, leaving them better able to focus on patient care. The aim is that by July 2019, all areas within England will be covered by a PCN.

Primary Care Networks form a key building block of the NHS long-term plan. Bringing general practices together to work at scale has been a policy priority for some years for a range of reasons, including improving the ability of practices to recruit and retain staff; to manage financial and estates pressures; to provide a wider range of services to patients and to more easily integrate with the wider health and care system.

All GP practices are expected to come together in geographical networks covering populations of approximately 30–50,000 patients by June 2019 if they are to take advantage of additional funding attached to the GP contract. This size is consistent with the size of the primary care homes, which exist in many places in the country, but much smaller than most GP Federations.

This means the practice may share your information with other practices within the PCN to provide you with your care and treatment.

**Access to your personal information**

Data Subject Access Requests (DSAR): You have a right under the Data Protection legislation to request access to view or to obtain copies of what information the surgery holds about you and to have it amended should it be inaccurate. To request this, you need to do the following:

* Your request should be made to the Practice. (For information from a hospital or other Trust/ NHS organisation you should write direct to them.
* There is no charge to have a copy of the information held about you
* We are required to provide you with information within one month
* You will need to give adequate information (for example full name, address, date of birth, NHS number and details of your request) so that your identity can be verified, and your records located information we hold about you at any time.

**What should you do if your personal information changes?**

You should tell us so that we can update our records please contact the Practice Manager as soon as any of your details change, this is especially important for changes of address or contact details (such as your mobile phone number), the practice will from time to time ask you to confirm that the information we currently hold is accurate and up-to-date.

**Premises Security**

Please note that we have CCTV installed on the premises. CCTV camaras are situated both inside and outside the premises. CCTV has been installed for the safety of our patients/staff and in particular to record and evidence any serious incidents involving patients. We operate this system in accordance with the Law and the codes of practice issued by the Information Commissioners Office as well as other regulatory bodies. Our CCTV is monitored on a regular basis by authorised staff.

Images from cameras are recorded on a pc. Where recordings are retained, these will be held in secure storage, and access controlled.

If you believe your image has been captured on our CCTV you have a right to request to see it. Please contact our Data Protection Officer, who will be able to assist with your enquiry.

**Telephone Monitoring**

We will always inform you if we record or monitor any telephone call you make to us. The accessing of telephone recordings is restricted to members of the practice’s management team who gain access using password restricted access to our telephone contract suppliers’ systems.

**Objections / Complaints**

Should you have any concerns about how your information is managed at the GP, please contact the GP Practice Manager or the Data Protection Officer as above. If you are still unhappy following a review by the GP practice, you have a right to lodge a complaint with a supervisory authority: You have a right to complain to the UK supervisory Authority as below.

Information Commissioner:

Wycliffe house

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 01625 545745

<https://ico.org.uk/>

If you are happy for your data to be used for the purposes described in this privacy notice, then you do not need to do anything. If you have any concerns about how your data is shared, then please contact the Practice Data Protection Officer.

If you would like to know more about your rights in respect of the personal data we hold about you, please contact the Data Protection Officer as below.

**Data Protection Officer:**

The Practice Data Protection Officer is Carolyn Eadie at Trafford CCG. Any queries regarding Data Protection issues should be addressed to her at: -

Postal:

**Carolyn Eadie**

Information Governance Manager and Data Protection Officer

NHS Trafford Clinical Commissioning Group (CCG)

Trafford Town Hall

Talbot Road

Stretford

M32 0TH

**Changes:**

It is important to point out that we may amend this Privacy Notice from time to time. If you are dissatisfied with any aspect of our Privacy Notice, please contact the Practice Data Protection Officer.

## Purpose of this privacy notice

Under data protection law we must tell you about how we use your personal information. This includes the personal information that we share with other organisations and why we do so. Our main GP practice privacy notice is on our website. This additional privacy notice provides details about the personal information that we are sharing with NHS Digital for its General Practice Data for Planning and Research data collection.

NHS Digital is part of the NHS. It collects, analyses, publishes and shares data to improve everyone’s health and care. [Read more about NHS Digital](https://digital.nhs.uk/about-nhs-digital).

We use the term patient data to refer to personal information in the rest of this notice.

## About the General Practice Data for Planning and Research data collection

## How sharing patient data with NHS Digital helps the NHS and you

The NHS needs data about the patients it treats in order to plan and deliver its services and to ensure that care and treatment provided is safe and effective. The General Practice Data for Planning and Research data collection will help the NHS to improve health and care services for everyone by collecting patient data that can be used to do this. For example patient data can help the NHS to:

* monitor the long-term safety and effectiveness of care
* plan how to deliver better health and care services
* prevent the spread of infectious diseases
* identify new treatments and medicines through health research

GP practices already share patient data for these purposes, but this new data collection will be more efficient and effective.

We have agreed to share the patient data we look after in our practice with NHS Digital who will securely store, analyse, publish and share this patient data to improve health and care services for everyone. This includes:

* informing and developing health and social care policy
* planning and commissioning health and care services
* taking steps to protect public health (including managing and monitoring the coronavirus pandemic)
* in exceptional circumstances, providing you with individual care
* enabling healthcare and scientific research

This means that we can get on with looking after our patients and NHS Digital can provide controlled access to patient data to the NHS and other organisations who need to use it to improve health and care for everyone.

Contributing to research projects will benefit us all as better and safer treatments are introduced more quickly and effectively without compromising your privacy and confidentiality.

NHS Digital has engaged with the [British Medical Association (BMA)](http://www.bma.org.uk/), [Royal College of GPs (RCGP)](http://www.rcgp.org.uk/) and the [National Data Guardian (NDG)](http://www.gov.uk/government/organisations/national-data-guardian) to ensure relevant safeguards are in place for patients and GP practices.

## What data is shared about you with NHS Digital

This data will be shared from 1 July 2021. Data may be shared from the GP medical records about:

* any living patient registered at a GP practice in England when the collection started - this includes children and adults
* any patient who died after this data sharing started, and was previously registered at a GP practice in England when the data collection started

We will not share your name or where you live. Any other data that could directly identify you, for example your NHS number, General Practice Local Patient Number, full postcode and date of birth, is replaced with unique codes which are produced by de-identification software before the data is shared with NHS Digital.

This process is called pseudonymisation and means that no one will be able to directly identify you in the data. The diagram below helps to explain what this means. Using the terms in the diagram, the data we share would be described as de-personalised.



Image provided by Understanding Patient Data [under licence](https://creativecommons.org/licenses/by/2.0/).

NHS Digital will be able to use the same software to convert the unique codes back to data that could directly identify you in certain circumstances, and where there is a valid legal reason. Only NHS Digital has the ability to do this. This would mean that the data became personally identifiable data in the diagram above. An example would be where you consent to your identifiable data being shared with a research project or clinical trial in which you are participating, as they need to know the data is about you.

For more information about when NHS Digital may be able to re-identify the data, and how NHS Digital will use your data see the [NHS Digital General Practice Data for Planning and Research Transparency Notice](https://digital.nhs.uk/data-and-information/data-collections-and-data-sets/data-collections/general-practice-data-for-planning-and-research/transparency-notice).

## The data we share

We will share structured and coded data from GP medical records that is needed for specific health and social care purposes explained above.

Data that directly identifies you as an individual patient, including your NHS number, General Practice Local Patient Number, full postcode, date of birth and if relevant date of death, is replaced with unique codes produced by de-identification software before it is sent to NHS Digital. This means that no one will be able to directly identify you in the data.

NHS Digital will be able to use the software to convert the unique codes back to data that could directly identify you in certain circumstances, and where there is a valid legal reason. This would mean that the data became personally identifiable in the diagram above. It will still be held securely and protected, including when it is shared by NHS Digital.

**We will share:**

* data on sex, ethnicity and sexual orientation
* clinical codes and data about diagnoses, symptoms, observations, test results, medications, allergies, immunisations, referrals, recalls and appointments, including information about your physical, mental and sexual health
* data about staff who have treated you

More detailed information about the patient data we collect is contained in the [Data Provision Notice issued to GP practices](https://digital.nhs.uk/about-nhs-digital/corporate-information-and-documents/directions-and-data-provision-notices/data-provision-notices-dpns/general-practice-data-for-planning-and-research).

**What is not shared:**

* your name and address (except your postcode in unique coded form)
* written notes (free text), such as the details of conversations with doctors and nurses
* images, letters and documents
* coded data that is not needed due to its age - for example medication, referral and appointment data that is over 10 years old
* coded data that we are not permitted to share by law - for example certain codes about IVF treatment, and certain information about gender reassignment

## Opting out

If you don’t want your identifiable patient data (personally identifiable data in the diagram above) to be shared for purposes except for your own care, you can opt-out by registering a [Type 1 Opt-out](https://digital.nhs.uk/about-nhs-digital/our-work/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information/your-information-choices/opting-out-of-sharing-your-confidential-patient-information) or a [National Data Opt-out](https://digital.nhs.uk/services/national-data-opt-out), or both. These opt-outs are different and they are explained in more detail below. Your individual care will not be affected if you opt out using either option.

### Type 1 Opt-out (opting out of NHS Digital collecting your data)

If you do not want your identifiable patient data (personally identifiable data in the diagram above) to be shared outside of the GP practice for purposes except your own care, you can register an opt-out with the GP practice. This is known as a Type 1 Opt-out.

Type 1 Opt-outs were introduced in 2013 for data sharing from GP practices, but may be discontinued in the future as a new opt-out has since been introduced to cover the broader health and care system, called the [National Data Opt-out](https://www.nhs.uk/your-nhs-data-matters/). If this happens, patients who have registered a Type 1 Opt-out will be informed. There is more information about National Data Opt-outs below.

NHS Digital will not collect any patient data for patients who have already registered a Type 1 Opt-in line with current policy. If this changes patients who have registered a Type 1 Opt-out will be informed.

If you do not want your patient data shared with NHS Digital for the purposes above, you can register a Type 1 Opt-out with your GP practice. You can register a Type 1 Opt-out at any time. You can also change your mind at any time and withdraw a Type 1 Opt-out.

Data sharing with NHS Digital will start on 1 July 2021.

If you have already registered a Type 1 Opt-out with your GP practice your data will not be shared with NHS Digital.

If you wish to register a Type 1 Opt-out with your GP practice before data sharing starts with NHS Digital, this should be done by [returning this form](https://nhs-prod.global.ssl.fastly.net/binaries/content/assets/website-assets/data-and-information/data-collections/general-practice-data-for-planning-and-research/type-1-opt-out-form.docx) to your GP practice **by 23 June 2021** to allow time for processing it. If you have previously registered a Type 1 Opt-out and you would like to withdraw this, you can also use the form to do this. You can send the form by post or email to your GP practice or call 0300 3035678 for a form to be sent out to you.

If you register a Type 1 Opt-out after your patient data has already been shared with NHS Digital, no more of your data will be shared with NHS Digital. NHS Digital will however still hold the patient data which was shared with them before you registered the Type 1 Opt-out.

If you do not want NHS Digital to share your identifiable patient data (personally identifiable data in the diagram above) with anyone else for purposes beyond your own care, then you can also register a [National Data Opt-out](https://www.nhs.uk/your-nhs-data-matters/). There is more about National Data Opt-outs and when they apply below.

### National Data Opt-out (opting out of NHS Digital sharing your data)

This applies to identifiable patient data about your health (personally identifiable data in the diagram above), which is called [confidential patient information](https://www.nhs.uk/your-nhs-data-matters/). If you don’t want your confidential patient information to be shared by NHS Digital with other organisations for purposes except your own care - either GP data, or other data it holds, such as hospital data - you can register a [National Data Opt-out](https://www.nhs.uk/your-nhs-data-matters/).

If you have registered a National Data Opt-out, NHS Digital won’t share any confidential patient information about you with other organisations, unless there is an exemption to this, such as where there is a legal requirement or where it is in the public interest to do so, such as helping to manage contagious diseases like coronavirus. You can find out more about [exemptions on the NHS website](https://www.nhs.uk/your-nhs-data-matters/where-your-choice-does-not-apply/).

From 1 October 2021, the National Data Opt-out will also apply to any confidential patient information shared by the GP practice with other organisations for purposes except your individual care. It won’t apply to this data being shared by GP practices with NHS Digital, as it is a legal requirement for us to share this data with NHS Digital and the National Data Opt-out does not apply where there is a legal requirement to share data.

You can find out more about and register a National Data Opt-out, or change your choice on [nhs.uk/your-nhs-data-matters](https://www.nhs.uk/your-nhs-data-matters/) or by calling 0300 3035678.

## Our legal basis for sharing data with NHS Digital

When we share patient data, there are strict laws in place that we must follow. Under the UK General Data Protection Regulation (GDPR), this includes explaining to you what legal provisions apply under GDPR that allow us to share the data. The GDPR protects everyone's data.

Read more about the legal basis for sharing GP data for planning and research

## More information on NHS Digital and this collection

You can read more about how NHS Digital uses the patient data we share with them in the [NHS Digital General Practice Data for Planning and Research Transparency Notice](https://digital.nhs.uk/data-and-information/data-collections-and-data-sets/data-collections/general-practice-data-for-planning-and-research/transparency-notice).

You can read more about how we use and share your personal information, your choices and rights in our main GP Practice Privacy Notice on our website.