

NHS WEST NORFOLK CLINICAL COMMISSIONING GROUP

FAIR PROCESSING NOTICE



The Fair Processing Notice reminds you of your rights under the Data Protection Act 1998 and tells you how NHS West Norfolk Clinical Commissioning Group (WNCCG) processes information about you in accordance with the Act.

Who are we?

NHS West Norfolk Clinical Commissioning Group (WNCCG) is a local membership organisation led by family doctors that is responsible for planning and paying for healthcare services. We do not provide healthcare like a GP Practice or hospital. Our role is to make sure the appropriate NHS care is in place for the people of West Norfolk, within the budget we have.

Why we collect information about you

In carrying out some of these roles we may collect information about you which helps us respond to your queries or secure specialist services. We may keep your information in written form and/or on a computer.

The records may include basic details about you, such as your name and address. They may also contain more sensitive information about your health and also information such as outcomes of needs assessments.

How your records are used to help the NHS

Your information may be used to help assess the needs of the general population and make informed decisions about the provision of future services.

Information can also be used to conduct health research and development, monitor NHS performance, to help the NHS plan for the future and to investigate complaints in respect of the services we commission.

Where information is used for statistical purposes, stringent measures are taken to ensure individual patients cannot be identified.

We will not publish any information that identifies you or routinely disclose any information about you without your express permission. At any time you have the right to refuse/ withdraw consent to information sharing. The possible consequences will be fully explained to you, such as potential delays in receiving care *and negative impacts on the services and responses we can offer you.*

There may be circumstances where we are bound to share information about you owing to a legal obligation, such as for the benefit of public health in the event of a pandemic.

Anyone who receives information from us is also under a legal duty to keep this information confidential.

Security of Information

Everyone working for the NHS is subject to the Common Law Duty of Confidence. The information we do hold about you, whether in paper or electronic form, is therefore protected from unauthorised access. Under the NHS Confidentiality Code of Conduct, all our staff are also required to protect your information, inform you of how your information will be used, and allow you to decide if and how your information can be shared.

Financial Validation

We will use limited information about individual patients when validating invoices received for healthcare provided, to ensure the invoice is accurate and genuine. This will be performed in a secure environment and will be carried out by a limited number of authorised staff, these activities and all identifiable information will remain within a CEfF (Controlled Environment for Finance) approved by NHS England.

Access to your Information

Under the Data Protection Act 1998 you have the general right to see or be given a copy of personal data held about you. This right can be exercised via submission of a Subject Access Request (SAR) to NHS WNCCG.

Any requests made will be jointly managed by both the CCG and NHS North East London Commissioning Support Unit staff unless you specifically state in your request that you do not wish this to happen. You do not need to give a reason.

If you want to access your records/ information you should make a written request to:

*NHS NEL Commissioning Support Unit
Lakeside 400
Old Chapel Way
Broadland Business Park
Thorpe St Andrew
Norwich
NR7 0WG*

We are able to charge a reasonable fee for the administration of the request, however these fees are set down in law as follows:

We may charge up to £10 for complying with a SAR relating to health records if the information is only held electronically.

We may charge up to £50 for complying with a SAR relating to health records if those records are held either wholly or partly in non-electronic form.

Complaints / Appeals

In the event that you believe the NHS WNCCG has not complied with the Data Protection Act, either in responding to a Subject Access Request or in the way we have processed your personal information, you have the right to make a complaint by contacting the Head of Governance at:

NHS NEL Commissioning Support Unit
Lakeside 400
Old Chapel Way
Broadland Business Park
Thorpe St Andrew
Norwich
NR7 0WG

Telephone: 01603 257017

E-mail: angliacsu.customerservices@nhs.net

If you wish to raise a complaint or make an appeal to an independent body, you may do so by contacting the Information Commissioner's Office in writing to the following address:

Information Commissioners Office

Wycliffe House

Water Lane

WILMSLOW

Cheshire SK9 5AF

Enquiry Line: 01625 545700

Website: www.ico.gov.uk

Further Information

If you would like to know more about how NHS WNCCG uses your information please use the **Contact Us** section of our website.

Further information can also be obtained from the following links:

Data Protection Act 1998

Care Record Guarantee; and

NHS Confidentiality Code of Practice

Organisations that share information with NHS West Norfolk Clinical Commissioning Group

In order for WNCCG to perform its commissioning functions, information is shared from various organisations, which include: general practice, acute and mental health hospitals, others CCGs, community services, walk in centres, nursing homes, directly from service users and many others.

Information may also need to be shared for your benefit with other non-NHS organisations, from which you are also receiving care, such as social services and other providers from which we commission services. Where information sharing is required with third parties, we will not disclose any health information without your explicit consent unless there are exceptional circumstances such as when the health and safety of others is at risk, where the law required it or to carry out a statutory function.

Risk Stratification

Risk stratification is a process that helps your GP to help you manage your health and provide the best care they can for you. As part of this process, your GP will use your personal and health data to undertake risk stratification, also known as case finding.

Risk stratification is a NHS computer-based system, which identifies recent treatment you have had in hospital and any existing health conditions that you have and will allow your GP to identify whether you would benefit from clinical care to help prevent or better treat the condition.

The information will only be seen by qualified health workers involved in your care. NHS security systems will protect your health information and patient confidentiality at all times.

To identify those patients individually from the patient community registered with your GP would be a lengthy and manually time-consuming process, which would by its nature potentially not identify individuals quickly and increase the time to improved care.

*Your GP Surgery uses the services of NHS NEL Commissioning Support (CSU) Unit who use a data processor **[name of stratification tool]** to identify those most in need of preventative or improved care. This contract is arranged by the **[name of CCG]**.*

*Neither **[name of CCG]** not NHS NEL CSU will at any time have access to your personal or confidential data. They act on behalf of your GP to organise this service with appropriate contractual and security measures only.*

*[Name of stratification tool] will process your personal data and confidential data. Typically this will process your data using indicators such as your age, gender, NHS number and code for your medical health to identify those who will benefit from clinical intervention. Processing takes place automatically and without human or manual handling. Data is extracted from your GP's computer system, automatically processed and **only** your GP is able to view the outcome, matching results against patients on **their** system.*

We have strict security controls in place to protect you confidentiality and recommend this as secure and beneficial service to you. At all times, your GP remains accountable for how your data is processed.

Right to opt out

Patients have a right to opt out of their information being used for risk stratification profiling. It follows that the Practice must make patients aware that their information is being used for these purposes and that they have a right to opt-out. This information is required for compliance with Principle 1 of the Data Protection Act. NHS England guidance is that GP practices should provide information to patients explaining how their data will be used and what to do if they have any concerns or objections.

*If you opt out, our GP will mark your records as not to be extracted so it does not get sent to **[stratification tool]** for risk stratification purposes.*