

# Dorset SystemOne Fair Processing Notice (for GPs)

## Introduction

This document is to explain to you the types of personal data we hold about you and how we may use this information for the benefit of your health and wellbeing. The document advises you on how we allow your electronic health record (and where applicable social care record) to be made available to other organisations, across a variety of healthcare settings. This is subject to your permission, via use of the computer system SystemOne. It informs you of your options should you wish to take further control of your SystemOne record. The information should be carefully considered and any concerns you have about the data we hold, and how we use it, should be raised with us.

## The information we hold about you

### *The personal data we hold about you*

As your registered GP practice, we hold your electronic health (and where applicable social care) record. This contains sensitive information about you, your health and your wellbeing. The following list provides an example of the type of information (both past and present) that can be held within your record:

- Demographic and contact details (name, date of birth, address, telephone number, email address, gender, sex, religion, marital status etc.)
- Appointments and Consultations
- Diagnoses (including physical disabilities and mental health conditions)
- Medication, Vaccinations, Pathology results (e.g. blood tests) and Allergies
- Social care involvement
- Hospital correspondence and correspondence from other health and social care settings (including x-rays, discharge letters and referrals)
- Relationships/Next of Kin

## Why do we and other organisations need access to your personal data

### *Why do we need access to your personal data?*

This information means we can provide you with high quality direct care in a safe and effective manner. Being able to see your detailed record allows for an overall picture of your health and wellbeing to be assessed. This then helps us to diagnose and prescribe appropriate courses of treatment to you. This means that the most safe and efficient care is provided to you. We do not want you to have to repeat your medical history and remember every detail, which may or may not be relevant, to every health and social care professional involved in your care. Lack of access to your information may lead to misdiagnosis, inappropriate prescribing of medication or tests and/or ineffective treatment.

## ***Why do we need to share your personal data?***

We recognise that you will benefit from other health and social care providers that care for you (either currently or in the future) having access to your electronic health (and where applicable social care) record. This is because they can then make fully informed decisions about the care you require. The reasons for access to the detailed record, mentioned above, apply across the health and social care profession. A shared record ensures that care providers always have the most accurate, up to date information.

## ***What do we mean by 'Direct Care'?***

The term 'Direct Care' means a clinical health activity concerned with the prevention and investigation and treatment of illness. It includes supporting your ability to function and improve your participation in life and society. It also includes the assurance of safe and high-quality care and treatment undertaken by one or more registered and regulated health or social care professionals and their team with whom you have a legitimate relationship for your care purposes.

It does **not** include access to information for purposes such as insurance, advertising or marketing.

## **How we share your personal data (our practice default)**

As your GP practice, we have set the following practice settings for all our registered patients whose detailed electronic health (and where applicable social care) record is in our possession and within the clinical computer system, SystemOne. However, we recognise that each of our patients have differing health and social care needs and you may wish to control yourself how your personal data is shared. This can be done via 'Your Choices' stated below.

### ***Implied consent to make your record available to all organisations (locally without verification/security process and nationally using the verification/security process)***

We assume that you are happy to share your detailed electronic health (and where applicable social care) record to anyone that cares for you.

### **We therefore make your record available to all NHS commissioned services (locally without verification) and to all local authorities providing health and social care services, using the clinical record computer system, SystemOne.**

This allows for anyone at these organisations who have the appropriate controls/verification to retrieve your electronic record, once you are registered for care. However, these individuals should only legitimately access your record to provide you with care services. They must also record your permission to view your record.

The types of organisation, which could be involved in your direct care and therefore need access to your electronic record are:

- GP practices
- Community services (for example, physiotherapy, diabetic clinics, district nursing, rehabilitation centres)
- Referral triage centres (services determining which organisation should care for you)
- Child Health
- Urgent Care (for example, A&E, Minor Injury Units (MIU) and Out of Hours services)
- Community Hospitals
- Palliative Care
- Care Homes
- Offender Health (care providers within organisations such as Prisons and Custody Suites)
- NHS Hospitals
- NHS Mental Health Services
- Social Care— registered and regulated professionals within social care organisations coordinating care (not social care providers)
- Community Pharmacy

To find out more about these types of organisation please go to the following webpage: <http://www.tpp-uk.com/products/systmone/modules> or talk to a member of your GP Practice.

These instructions are correct at the date of writing. For further assistance, consult the SystemOne Online Help.

If you are not happy to share your electronic record in this way, please let us know as soon as possible so that we can record your dissent (refusal of permission) and stop your record from being accessed outside of the GP practice. You can choose to refuse your permission for any organisation having access to your GP record.

Where we have not implied your consent or dissent then your record will not be shared.

For example the diagram below shows that the patient has agreed to share his medical records with the District Nurse and the surgery. However, whilst he is happy for his GP to see notes made by the local smoking cessation adviser he doesn't want the adviser to have access to his other medical records.



**As EDSM has been designed to enhance patient care we will automatically 'opt you in' to both parts of the scheme.**

**If you prefer not to be then please mention it to a member of the reception team. You are free to**

### ***Organisations we make your record available to***

We work collaboratively with a variety of health and social care organisations within the locality and therefore with your assumed consent we make your electronic patient record available to a select list of organisations using the clinical record computer system, SystemOne. This means that once you are registered at those organisations their staff, who have been given the role of viewing clinical records, will be able to view your record, once they have discussed this with you and recorded your consent.

These organisations are stated on our website.

All other health and social care organisations require you to verify their access (see verification section below).

### ***Organisations we make your record available to, subject to you providing a security code***

It is not always possible to predict the specific health and social care services that you may require in the future. For example, you may require a specialist service or need to be treated whilst away on holiday in another part of the country. Therefore, where we have assumed your consent we make your electronic health (and where applicable social care) record available to organisations subject to you providing them with a verification (security) code if/when you present there for care; it's similar to the verification (security) process you may be familiar with using for internet banking. Without this code the organisation will not be able to access your record.

Verification only applies to those health and social care organisations, using the clinical record computer system SystemOne, who are not mentioned above, as those who we have chosen to automatically share with (see above), or those mentioned below who we have chosen not to share with (see below). All other NHS commissioned services and local authorities providing health and social care services, using SystemOne, must ask you to provide verification via a PIN number sent to your phone and/or email address. Without this PIN number provided to the organisations, they will be unable to access your electronic record. unless you put that organisation on your personal sharing list – see Your choice- or ask the GP practice to add them to their sharing list.

You will only be required to provide the PIN number to that particular organisation once (e.g. each referral, A&E attendance, contact with an out of hour's service). As soon as the verification (security) code is provided, the individuals at the organisation will continue to have access to your record to treat you for that particular matter/condition/referral, until you change your mind and ask that organisation to record refusal of your permission. Only staff with the appropriate job functions, granted to them by the organisation and only those providing you with care services, should legitimately access your record, once they have obtained your consent.

### ***Organisations we do not make your record available to and are prevented from obtaining a security code from you***

We prevent your detailed SystemOne electronic health (and where applicable social care) record from being available to a list of health and social care organisations, no matter whether your consent has been obtained.

These organisations are stated below. We do not expect that these health and social care services will ever need to access your detailed electronic record, nor do we consider that we have sufficient information about their data access and security policies to make your record available.

If you wish to ensure that one or all of these organisations can access your record then the options available to you are explained below in 'Your Choice'.

[The list of organisations]

## Your choice

You may not agree with the health and social care organisations we have chosen to have access to your detailed electronic health (and where applicable social care) record (the practice default). You can therefore control this yourself. Your choice will override our settings. You have the following options:

- **No organisations require you to provide a security code** - You can give your permission to allow all NHS commissioned services and local authorities providing health and social care services, using the clinical record computer system, SystemOne, to access your record. This allows for any individual at these organisations (who have the appropriate access controls) to retrieve your electronic record, only after you are registered with them for care. These individuals should only legitimately access your record to provide you with care services and they should always request and gain your consent before doing so.
- **Dissent/Refusal of your permission** - You can refuse your permission for your record to become available to all NHS commissioned services and local authorities providing health and social care services, using the clinical record computer system, SystemOne, which prevents us sharing your clinical record to any other organisation involved in your care. Please carefully consider the benefits of sharing your record, mentioned [why] and [sharing your record] before choosing this option.
- **All organisations require you to provide a security code** - You can require that all health and social care organisations must ask you for a PIN number on your first visit to that service. This allows you to verify/confirm that each individual organisation should have access to your record, as they are legitimately involved in your care. You will require access to either a mobile phone or email account, as a PIN will be sent to you. [Alternatively, you will need access to SystemOnline to accept or reject a share request sent to your account by the organisation wishing to view your record. Please contact your GP or GP receptionist to request to be enabled for SystemOnline]
- **Custom lists** - You can put together your own personal lists for access, adding organisations to each of the 3 lists i.e. does not require a security code (allowed list), requires a security code (verification list) and cannot access (prohibited list). The functionality for each list will act as described above, but it is you who can determine the level of access, which applies to them. This should be done in conjunction with your GP to ensure you understand the full implications of your decisions.
- **Marking items as private** – If you have had a consultation about a particularly sensitive matter, you can ask for this section of your record to be marked as private. That way, even if you consent for another service to see your record, that consultation will not be shown outside the organisation that recorded it. However, if the consent override function is used, then consultations marked as private can be accessed by the other service/organisation performing the override.

When deciding which option to choose it is important to consider that your detailed record allows for an overall picture of your health and wellbeing to be assessed. This in turn helps health and social care professionals diagnose and prescribe appropriate courses of treatment to you. This ensures that the most safe and efficient care is provided. It will prevent you from having to repeat your medical history and remember every detail, which may or may not be relevant, to every health and social care professional involved in your care. Lack of access to your information may lead to misdiagnosis, inappropriate prescribing of medication or tests and/or ineffective treatment.

These instructions are correct at the date of writing. For further assistance, consult the SystemOne Online Help.

You can make the above changes at any time by contacting your GP Surgery or by logging onto your SystemOnline account.

Please see the SystemOnline eDSM functional guide for patients which can be accessed on [*Insert organisation location*]

## Available audits

Audits are useful for your understanding about the types of organisation and individual(s) who are viewing your record. They allow you to raise any concerns about potential illegitimate or unnecessary access of your personal data with the relevant person or organisation. The ability to audit record access is a significant benefit of electronic records over paper records as it allows for a visible trail to be available to you in the following ways:

- **Alerts** - You can opt to receive an alert via SMS or email every time an individual at any health and social care organisation attempts to record your consent to view your record. This means that you can be confident that the appropriate people are viewing your record and you can raise concerns with any organisation where you feel this is not the case.
- **SystemOnline Record Audit** – You can view which organisations have accessed your electronic health (and where applicable social care) record within SystemOnline. Ability to access this audit in SystemOnline is controlled by your GP. Any concerns about access can be raised with the relevant organisation. Please see the SystemOnline eDSM functional guide for patients which can be accessed [*Insert organisation location*]
- **Record Sharing List** – You can ask your GP practice to show you a list of all health and social care organisations currently caring for you and whether they have recorded your consent or dissent to view your record. If you disagree with the consent options recorded then you [or your GP] should contact those organisations and ask them to amend the setting.

## Haven't I agreed/disagreed to do this before?

EDSM may seem very similar to patients as the Summary Care Record which went live some years ago. The Summary Care Record contains only a very small part of your record that is available to be seen by clinicians who might be treating you in A+E departments, Walk In Centres or if you register temporarily somewhere else within the UK.

**The Summary Care Record allows other NHS Services to see your current medications and the drugs that you are allergic or sensitive to. Your Summary Care Record can be enriched by your GP to include information that it is important to pass on in the case of an emergency.**

## If I decline—what happens in an emergency?

In the event of a medical emergency, for instance if you were taken unconscious to A+E, and the clinician treating you feels it is important to be able to see your medical records he is able to override any consents set.

However, the doctor has to give a written reason for doing so. Where this happens an audit is undertaken by the local Caldicott Guardian (the person with overall responsibility for Data Protection compliance)

## Any questions?

If you have any questions, please speak to reception. If necessary the receptionist will arrange for someone to give you a call.