

Privacy Notice

NHS England

NHS England is the secure haven for NHS patient data, a single secure repository where data collected from all branches of the NHS is processed. NHS England provides reports on the performance of the NHS, statistical information, audits and patient outcomes (<https://digital.nhs.uk/data-and-information>). Examples include Accident and Emergency 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 England 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/about-nhs-digital/corporate-information-and-documents/directions-and-data-provision-notice/nhs-england-directions>

5) Recipient or categories of recipients of the shared data	The data will be shared with NHS England according to directions which can be found at: https://digital.nhs.uk/about-nhs-digital/corporate-information-and-documents/directions-and-data-provision-notice/nhs-england-directions
6) Rights to object	You have the right to object to some or all of the information being shared with NHS England. Contact the Data Controller or the practice.
7) 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.
8) Retention period	The data will be retained in line with the law and national guidance. https://digital.nhs.uk/about-nhs-digital/corporate-information-and-documents/records-and-document-management-policy or speak to us.
9) Right to Complain.	You have the right to complain to the Information Commissioner's Office at this link: https://ico.org.uk/global/contact-us/

* "Common Law Duty of Confidentiality", common law is not written out in one document like an Act of Parliament. It is a form of law based on previous court cases decided by judges; hence, it is also referred to as 'judge-made' or case law. The law is applied by reference to those previous cases, so common law is also said to be based on precedent.

The general position is that if information is given in circumstances where it is expected that a duty of confidence applies, that information cannot normally be disclosed without the information provider's consent.

In practice, this means that all patient information, whether held on paper, computer, visually or audio recorded, or held in the memory of the professional, must not normally be disclosed without the consent of the patient. It is irrelevant how old the patient is or what the state of their mental health is; the duty still applies.

Three circumstances making disclosure of confidential information lawful are:

- where the individual to whom the information relates has consented;
- where disclosure is in the public interest; and
- where there is a legal duty to do so, for example a court order.