

Welcome to MKGP Federations' Privacy Notice.

This is our Privacy Notice which tells you how we process the personal data we collect.

1. Who we are

MKGP Limited and MKGP Plus Limited (collectively referred to as "we", "us" or "our" in this Privacy Notice) are two companies which were set up to form a GP Federation in the Milton Keynes area. We are known locally as MKGP and/or The Federation. We collect, hold, store, use and process data relating to people. The EU General Data Protection Regulation and the Data Protection Act 2018 (together referred to as the Data Protection Laws) are the laws which set out how data can be handled. MKGP Limited and MKGP Plus Limited are both data controllers and are responsible for your personal data. Being a data controller means we decide the reasons why we process personal data (usually referred to as the "purposes") and the way in which we will process personal data.

We respect your privacy and are committed to operating to the highest standards when it comes to protecting your personal data. In addition to the Data Protection Laws, we also comply with all applicable NHS and clinical confidentiality guidelines including those published from time to time by regulators and professional bodies. We will process your personal data "fairly", "lawfully" and "transparently". This means:

- (i) we will be open and clear (i.e. transparent) about how personal data is used;
- (ii) we will handle data exactly as we say we are going to handle data; and
- (iii) we will only use or process personal data in accordance with the law.

To fulfil these requirements, we set out in this Privacy Notice how we collect, use, retain and disclose personal data. It is important that you read this Privacy Notice so that you understand how and why we are collecting and/or processing personal data about you. If you have any questions, please contact us at the address provided below.

2. Data Protection Officer

We have appointed a data protection officer (DPO) who is responsible for making sure we handle data in the way the law says we must. Our DPO is a human being so if you have any questions about this Privacy Notice, including any requests to exercise your legal rights, please contact our DPO at:

Email address: francine.godrich1@nhs.net

Postal address: MKGP Limited, c/o Parkside Medical Centre, Whalley Drive, Bletchley, Milton Keynes MK3 6EN

Telephone number: 01908 360170

3. How is Personal Data Collected?

Let's start with what is personal data? Personal data is any information that can identify a living person, like your name, your NHS number for example. We collect your personal data in a number of ways. These include:

- i. Direct interactions. You may give us your identity and contact data by filling in forms or by corresponding with us by post, phone, online, in person or otherwise.
- ii. Other health care professionals. Health care providers and NHS record systems. We work in partnership with healthcare professionals and other health care providers who provide healthcare services to you (for example, any other GP or the doctors and nurses

of a particular hospital trust.) So that we can provide healthcare services to you we may collect and/or access your patient records. For example, where you are under the care of other doctors or clinicians, they may write in your healthcare record their consultation notes and any observations and/or recommendations they may have for your continued care. We may also receive information about you from healthcare providers or we may access your patient records through a NHS supported system that stores all records centrally and electronically. These electronic systems, commonly known as Electronic Patient Record (EPR) systems have controls in place to ensure the records are secure and all access is monitored and recorded.

- iii. A parent or legal guardian. A parent or legal guardian may provide us with information about a person for whom they have parental responsibility.
- iv. Cookies and Automated technologies when using our Website. When you look at <http://mkgp.co.uk/> (our "Website") we may automatically collect information using cookies. Please see Section 6 of this Privacy Notice for more information about the cookies used on our Website.
- v. The Data we collect about you. We may collect, use, store and transfer different kinds of personal data about you, which we have grouped together as follows:
 - a. *Identity* This may include your name, your parents'/guardian's name, your age and your NHS number.
 - b. *Contact details* This may include your address, e-mail address and phone number(s), and in some cases, the organisation you work for.
 - c. *Technical Data* All websites have an internet protocol address (an IP address), browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform plus other technology on the devices you use to access a website. These tell the internet where to send your emails, data and pictures of cats etc. Our Website collects this information.
 - d. *Usage Data* This includes information gathered from cookies about how you use and interact with our Website. We also process the following special categories of personal data: (i) information about your physical and mental health and patient records - this may include your medical records as well as information about your physical and mental functioning, any ailments, diseases or disabilities and health and genetic and biometric data and (ii) other sensitive data: this may include, race or ethnicity, religious or philosophical beliefs, political opinions, sex life, sexual orientation and, sometimes, information about criminal offences. These special categories of sensitive personal data require a higher level of protection.

What happens if you don't like the sound of how we collect personal information and what we do with it? In short, if you decide not to give us any personal data we may not be able to provide healthcare services to you. There are certain circumstances where, as a matter of law or under the terms of a contract we have with you or those who commission us to provide care, we need to collect personal data. If you fail to provide that data when requested, we wouldn't be able to look after your health.

4. How we use personal data and our legal basis for processing

The law says we must have a reason that is allowed by law for processing personal data (i.e. collecting personal data and then using it to produce meaningful information). These reasons are known as the lawful basis and we have described the different lawful bases below:

- i. Consent – this is when you give us your permission to process your personal data.

- ii. Legitimate Interests – where processing personal data is necessary for our legitimate interests of managing our relationship with you and administering our Website.
- iii. Legal Obligations – when we have to process personal data so that we can comply with the laws and regulations that apply to us.
- iv. Provision of Healthcare – when processing of personal data is necessary for medical diagnosis, the provision of healthcare and management of healthcare systems and services.
- v. Vital Interests – this is only really used where it is necessary to process personal data in order to protect your or someone’s else’s life.
- vi. Public interest – this is where personal data is processed in the public interest which is laid down by law or we are exercising an official authority vested on us by law.

The table below describes the types of personal data we collect, what we use it for and our legal basis for doing so. We will process the categories of personal data listed below for one or more of the following legal bases:

The type of data we collect	What we do with the data we've collected	Why we need to collect it
To verify your identity	Identity Contact details	Provision of healthcare
To register you on our system in order to create a patient's record	Identity Contact details Information about your physical and mental health and patient records Other sensitive data	Provision of healthcare
To store your information on written records and keep our records up to date	Identity Contact details Information about your physical and mental health and patient records Other sensitive data	Provision of healthcare
To provide care to you	Identity Contact details Information about your physical and mental health and patient records	Provision of healthcare
To share your information with other professionals or organisations that are involved or responsible for your care	Identity Contact details Information about your physical and mental health and patient records	Provision of healthcare
To ensure you receive the right care in the right place and at the right time (including booking appointments, referrals and follow ups)	Identity Contact details Information about your physical and mental health and patient records	Provision of healthcare
To protect you where we have any safeguarding concerns	Identity Contact details Information about your physical	Vital interests

	and mental health and patient records	
To respond to your request in connection with the exercise of your rights under Data Protection Laws (for more information about your rights please see section 17 below)	Identity Contact details	Legal obligations
To comply with our legal and regulatory requirements (including NHS requirements) and related disclosures	Identity Contact details Information about your physical and mental health and patient records	Legal obligations
To prevent, detect and investigate crime	Identity Contact details	Legal obligations
To improve the quality of services we provide and check and report how effective our services are	Identity Contact details	Performance of a task carried out in the public interest
To make sure services are planned to meet patients' needs now and in the future	Identity Contact details	Reasons of public interest in the area of public health
To ensure that our services are provided safely and in compliance with our regulatory obligations and to protect the public against dishonesty, regulatory concerns, malpractice or other serious improper behaviour (for example, investigations in response to a safeguarding concern, clinical concerns, a member's complaint or a regulator (such as the Care Quality Commission, the General Medical Council or the Nursing and Midwifery Council) telling us about an issue)	Identity Contact details	Information about your physical and mental health and patient records Reasons of public interest in the area of public health
To ensure that we and our commissioners act within the contractual terms in place between us	Identity Contact details	Legitimate Interests
To make sure that we give the NHS value for money	Identity Contact details	Legitimate Interests
To answer questions that you ask us or to respond to comments you might make on or in relation to our Website	Identity Contact details	Legitimate Interests
To respond to you and take	Identity	Legitimate Interests

action when you report a problem with our Website	Contact details	
To use data analytics to improve our website, products/services, customer relationships and patient experiences	Technical Usage Data	Legitimate Interests
To respond to your request to exercise your data protection rights	Identity Contact details	Legal Obligations
For the establishment exercise or defence of legal claims	Identity Contact details Information about your physical and mental health and patient records Other sensitive data	Legal obligations

When we process your personal data it may be that we do so on more than one lawful ground, depending on the specific purpose for which we are using your data. Please contact our DPO if you need details about the specific legal ground(s) we are relying on to process your personal data.

5. Marketing

We do not process your personal data for any marketing purposes. Should this change we will notify you in accordance with the Data Protection Laws.

6. Automated decision making and profiling

Automated decision-making takes place when an electronic system uses personal data to make a decision without human intervention. We do not carry out any automated decision making including profiling. Should this change we will notify you in accordance with the Data Protection Laws.

7. Change of Purpose

We will only use your personal data in the ways we have said we will in this Privacy Notice. If we need to use your personal data for an unrelated purpose, we will update this Privacy Notice and notify you in accordance with the applicable laws.

8. Cookies

In section 3, part iv we said that we may we may automatically collect information using cookies. Cookies are small text files that are placed on your computer, smartphone, tablet or other device that you use when you visit our Website. A cookie file is stored on your device and it allows us and our third party service providers (see below) to recognise you and make your visit easier and more useful to you when you visit our Website again. For more information on how we use cookies on our Website, please visit

https://www.mkqp.co.uk/_common/cookiespolicy. This list is all the cookies used on our Website: List of cookies e.g. Surgeries Finder – Cookie stores your location information if you

choose to share it to present you with your closest surgery; ii. Google Analytics: Google Analytics mainly uses first-party cookies to report on user interactions on Google Analytics customers' websites.

These cookies are used to store non-personally identifiable information. Browsers do not share first-party cookies across domains. These cookies help us understand if you have visited our Website before, the time you visited and the pages you looked at. If you choose to block cookies you will not be able to use all the features on our Website. For more information about cookies, including how to view the cookies that have been set and how to manage or delete them, please visit www.allaboutcookies.org.

9. Children

We understand the importance of taking extra precautions to protect the privacy and safety of children and our website is not intended for children to use it. In the event that we learn that we have collected personal information from a child under the age of 13, we will delete that information as quickly as possible. If you believe that we might have any information from a child under 13, please contact our DPO.

10. Disclosure of Personal Data to Third party Recipients

We may have to share your personal data for the purposes set out in in section 4 above with:

- i. those involved in your care, such as: doctors, nurses, clinicians and other health-care professionals, hospitals, clinics and other health-care providers, healthcare professionals, NHS providers;
- ii. service providers or NHS EPR service providers, acting as processors who provide IT and systems administration services;
- iii. people or organisations we have to, or are allowed to, share your personal data with by law for example, for fraud-prevention or safeguarding purposes, or for regulatory investigations, including with the Care Quality Commission and medical regulators such as the General Medical Council and Nursing and Midwifery Council;
- iv. if they are paying for all or part of your treatment with us, your medical insurer to tell them about your treatment, its clinical necessity and its cost. We only provide the information to which they are entitled. If you raise a complaint or a claim we may be required to share personal data with your medical insurer for the purposes of investigating any complaint/claim;
- v. a third party if we restructure or transfer our contracts, business or its assets or have a merger or re-organisation (in which case personal data we hold about our patients or visitors to the Website may be one of the assets the third party takes over);
- vi. any member of our group;
- vii. where necessary to comply with our obligations or as permitted by law and with our legal and other professional advisors including our solicitors and other professional consultants and advisors.

We make sure that all third parties who process data on our behalf respect the security of your personal data and to treat it in accordance with the Data Protection Laws. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions. We may share your personal data with more parties than the ones listed above.

Should this be the case, we will inform you of the change in accordance with applicable laws and regulations.

11. Transfers of personal data outside the European Economic Area (EEA)

Your personal data may be transferred outside the UK and the European Economic Area for the purposes set out above. While some countries have adequate protections for personal data under applicable laws, in other countries steps will be necessary to ensure appropriate safeguards apply to it. These include imposing contractual obligations or other safeguards to provide adequate levels of protection. We take steps to ensure that, when we transfer your personal data outside the EEA, we have adequate safeguards in place in line with applicable data protection laws.

12. Do I have to consent to the processing of my data?

In a word, no. The reason for this is that the provision of healthcare is one of the lawful bases for processing data. This does not mean that your data isn't safe. We will comply with all common law rules in relation to confidentiality and clinical confidentiality guidelines in relation to the sharing of any health records.

13. Confidentiality and patient's records

In addition to the protections under the Data Protection Laws, your health records are also subject to duties of confidentiality. In the NHS, health and care information may sometimes be used as part of projects to improve care to all patients – this occurs under strict regulatory guidelines. There is a national data opt-out programme that gives patients more control over how their identifiable health and care information is used in this way. Patients who do not want their personally identifiable data to be used for planning and research purposes will be able to set their national data opt-out choice online or via a non-digital alternative for patients who do not want to use an online system. For further details and how to manage your opt out options please access <https://www.nhs.uk/your-nhs-data-matters/manage-your-choice/>.

14. Data Anonymisation and Aggregation

We may anonymise your personal data or convert into statistical or aggregated data which cannot be used to identify you and then use it to produce statistical research and reports. This aggregated data may be shared and used in all the ways described above. If you are a parent or guardian and would like to access, correct, delete or exercise any of your child's data protection rights, please contact our DPO using the contact details provided in section 2 above. We may need to ask you additional information to confirm that you are the child's parent or guardian.

15. Data Security

We take our duty to protect your personal data and our confidentiality obligations seriously. We will take all reasonable measures to ensure the confidentiality and security of the personal data for which we are responsible, whether computerised or on paper. We have appointed a Senior Information Risk Owner (SIRO) who is accountable for the management of all information assets and any associated risks and incidents and a 'Caldicott Guardian' who is responsible for the

management of patient information and patient confidentiality. All of our employees and contractors are required to undertake annual information governance training and are provided with information governance policies that they are required to read, understand and agree to follow.

Our policies are carefully written to ensure the healthcare professionals who provide our services are aware of their responsibilities in keeping your personal data safe and follow best practice guidelines ensuring the necessary safeguards and appropriate use of person-identifiable and confidential information.

Under the NHS Confidentiality Code of Conduct, all our employees and contractors are also required to protect your information and inform you of how your information will be used. Additionally, everyone working for us is subject to the common law duty of confidentiality. Information provided in confidence will only be used for the purposes advised and consented to by the service user, unless it is required or permitted by the law. We have put in place security measures such as encryption and anonymisation tools where necessary to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, contractors and other third parties on a “need to know” basis. They are only allowed to process your personal data on our strict instructions and they are subject to a duty of confidentiality. We have put in place procedures to deal with any suspected personal data breach and if, unfortunately, a breach occurs we will notify you and any applicable regulator of the breach in accordance with the Data Protection Laws.

When we are processing personal data that is likely to result in high risk to individuals, we carry out a Data Protection Impact Assessment (DPIA) to help identify and minimise data protection risks. If you would like a copy of a DPIA that we have carried out, please contact our DPO.

16. Data Retention

We only keep your personal data for as long as necessary to fulfil the purposes we collected it for. To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. The NHS has created a retention schedule which determines the length of time records should be kept so, where it applies to us, we retain personal data in line with that schedule. We may keep your personal data for longer than is set out in the schedule if we cannot delete for legal or technical reasons, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal data are available in our retention policy which you can request by contacting our DPO.

17. Your Legal Rights

The Data Protection Laws give you the following rights in relation to your personal data:

- i. Request access to your personal data. You can ask us to see what personal data we hold about you. We will confirm whether we are processing your personal data and we will provide you with additional information including what type of data we have, where we

collected it from, whether we send it to others, including any transfers outside the EEA, subject to the limitations set out in applicable laws and regulations. We will provide you free of charge with a copy of your personal data, but we may charge you a fee to cover our administrative costs if you request additional copies of the same information.

- ii. Request correction of your personal data. You can ask us to correct any incomplete or inaccurate data we hold about you, although we may need to verify the accuracy of the new data you provide to us.
- iii. Request erasure of your personal data. You can ask us to delete or remove personal data where there is no good reason for us continuing to process it. However, we may not always be able to comply with your request of erasure for legal reasons. We will let you know if this is the case at the time of your request.
- iv. Object to processing of your personal data. You can object to the processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. However, that we may not always be able to comply with your request for legal reasons. We will let you know if this is the case at the time of your request.
- v. Request restriction of processing your personal data. You can ask us to restrict the processing of your personal data in certain cases.
- vi. Request transfer of your personal data. You can ask us to transfer your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Please note this this right only applies in certain cases.
- vii. Right to withdraw consent. You can withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide our healthcare services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact the DPO. Contact details are set out in section 2 above. We may ask you to provide additional information e.g. your full name, address, date of birth, NHS number, etc. so that your identity can be verified.

You will not have to pay a fee to exercise any of your rights. However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances. In so far as it is practicable, we will notify the third parties we shared your personal data with any correction, deletion and/or limitation on processing of your personal data.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

18. Time limit to respond

We try to respond to all requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you of the reasons for the delay and keep you updated.

19. Questions

If you have any questions about our Privacy Notice, information we hold about you or complaints about how we process your personal information please contact the DPO at francine.godrich1@nhs.net.

20. Complaints

Obviously we hope that you never need to make a complaint but if you feel that we haven't looked after your data in the way we said we would please speak to our DPO francine.godrich1@nhs.net. Complaints can also be made to the Information Commissioner's Office, the UK supervisory authority for data protection issues.

21. Changes to our Privacy Notice

We keep our fair processing procedures under regular review and we will place our updated Privacy Notice at www.mkgp.co.uk. Previous privacy notices are held at www.mkgp.co.uk.

This notice was last updated in June 2019.