

## COVID-19 Privacy Notice

Due to the unprecedented challenges that the NHS and we at Wombwell Medical Centre face due to the worldwide COVID-19 pandemic, we may need to share your personal information in order to look after your health care needs, including medical records, with staff from other GP Practices including Practices within our Primary Care Network, as well as other health organisations (i.e. Clinical Commissioning Groups, Commissioning Support Units, Local authorities etc.) and the National bodies engaged in disease surveillance for the purposes of research, protecting public health, providing healthcare services to the public and monitoring and managing the Covid-19 outbreak and incidents of exposure.

### **Our Legal Basis for sharing data with NHS Digital**

The Secretary of State has served notice under the **Health Service (Control of Patient Information) Regulations 2002 (COPI)** to require organisations including Wombwell Medical Centre to process confidential patient information in the manner set out below for purposes set out in Regulation 3(1) of COPI.

NHS Digital has been legally directed to collect, process and analyse patient data from all GP practices in England to support the coronavirus response for the duration of the outbreak under **The Health and Social Care Act 2012**. Processing for these purposes is defined in Regulation 3(2) of COPI and includes sharing confidential patient information to persons and organisations permitted to process under Regulation 3(3) of COPI. More information about this requirement is contained in the [data provision notice issued by NHS Digital to GP practices](#).

NHS Digital will become the controller under the **General Data Protection Regulation 2018 (GDPR)** under Article 6 (1c) and Article 9 (2g) of the personal data collected and analysed jointly for Research and Pandemic Planning with the Secretary of State for Health and Social Care, who has directed NHS Digital to collect and analyse this data under the [COVID-19 Public Health Directions 2020](#) (COVID-19 Direction).

Wombwell Medical Centre is only required to process such confidential patient information:

- where the confidential patient information to be processed is required for a Covid-19 Purpose and will be processed solely for that Covid-19 Purpose in accordance with Regulation 7 of COPI
- from 20<sup>th</sup> March 2020 until 30th April 2023.

Details of the information to be collected can be found on the NHS Digital website

### **How and why the NHS will share you data**

Data will be collected nationally from all GP Practices every fortnight. NHS Digital will analyse the data they collect via the General Practice Extraction Service (GPES) securely and lawfully share data with other appropriate organisations, including Health and Social Care organisations, bodies engaged in disease surveillance and research organisations for the purpose of Coronavirus ONLY under section 254 of the 2012 Act. These purposes include protecting public health, planning and providing health, social care and public services, identifying covid19 trends, monitoring and managing the outbreak and carrying on vital covid19 research and clinical trials. It is also to respond to and support vital planning and research for COVID19 purposes.

Wombwell Medical Centre uses an IT system supplied by EMIS who are required under Regulation 3(4) of COPI to release primary care patient data, for the purposes set out in Regulation 3(1) of COPI for purposes related to the outbreak of Covid-19. Under these arrangements, NHS England has directed EMIS to create a linked dataset using personal data from all GP practice records processed by EMIS with data about patients who have been

diagnosed and hospitalised with Covid-19 infection. This linked dataset will be pseudonymised and made available within a secure data processing environment to a small group of researchers, under contract to NHS England, from Oxford University and the London School of Hygiene and Tropical Medicine to support data analysis that might identify medical conditions and medications that affect the risk or impact of Covid-19 infection

### **National Data Opt-out**

The application of the National Data Opt-out to information shared by NHS Digital will be considered on a case by case basis and may or may not apply depending on the specific purposes for which the data is to be used. This is because during an emergency the National Data Opt-out will generally not apply as the data collection is required by law.

### **What we will do at Wombwell Medical Centre**

- A record will be kept by Wombwell Medical Centre of all data processed under this Notice.
- Data protection and electronic communication laws will not stop us from sending public health messages to you, either by phone, text or email as these messages are not direct marketing.
- It may also be necessary, where the latest technology allows us to do so, to use your information and health data to facilitate digital consultations and diagnoses and we will always do this with your security in mind.
- We have an obligation to protect our staff and employees' health, so it is reasonable for staff at Wombwell Medical Centre to ask any visitors to our practice to tell us if they have visited a particular country, or are experiencing COVID-19 symptoms. This must only be in pre-approved circumstances and we would also ask all patients to consider government advice on the NHS 111 website and not attend the practice.
- Where it is necessary for us to collect information and specific health data about visitors to our practice, we will not collect more information than we need, and we will ensure that any information collected is treated with the appropriate safeguards.

### **Your rights over your personal data**

To read more about what choices and rights you have in relation to the processing by NHS Digital or your personal data, see:

- the [NHS Digital GPES Data for Pandemic Planning and Research \(COVID-19\) Transparency Notice](#)
- the [NHS Digital Coronavirus \(COVID-19\) Response Transparency Notice](#)
- the [NHS Digital General Transparency Notice](#)
- [how NHS Digital looks after your health and care information](#)

### **Review and Expiry of this Notice**

This Notice will be reviewed on or before 30<sup>th</sup> March 2022 and may be extended by The Secretary of State. If no further notice is sent to us by The Secretary of State this Notice will expire on 30<sup>th</sup> April 2023.