

Data Protection - Patient Information Leaflet

Elmwood Medical Practice wants to ensure the highest standard of medical care for our patients. We understand that a General Practice is a trusted community governed by an ethic of privacy and confidentiality. Our practices are consistent with the Medical Council guidelines and the privacy principles of the Data Protection Acts. We see our patients' consent as being the key factor in dealing with their health information. This leaflet sets out information in relation to data protection and how this practice operates. It should be read in conjunction with our Practice Privacy and Confidentiality Policy which is available on request.

WHAT INFORMATION DO WE COLLECT ABOUT YOU?

When you attend or register with us as a patient, we collect the personal details specified in the Patient Registration Form. With your prior knowledge and consent, we may take up copies of your medical records from a previous GP etc. Your GP is also likely to receive updates from other health professionals, hospitals etc involved in your treatment and care.

WHY DO WE COLLECT THIS INFORMATION?

We collect this information to provide appropriate treatment and services to you and to ensure your continuity of care and patient safety. We also collect information as required by law.

ON WHAT BASIS DO WE PROCESS THIS INFORMATION?

Your personal information is mostly collected directly from you and processed by us with your knowledge and express consent. You may withdraw your consent to the processing of your personal information at any time. Sometimes, we need to process your personal information to fulfil a legal contract between you. For example, we will process your laser / credit card details in order to take payment etc.

Sometimes, your personal information may be processed in accordance with Elmwood Medical Practice legal obligations, e.g. mandatory reporting obligations in relation to infectious diseases etc. Where possible, your personal information will be anonymised beforehand.

HOW LONG DO WE KEEP HOLD OF YOUR INFORMATION?

We retain records in accordance with the National Hospitals Office (NHO) Code of Practice for Healthcare Records Management which can be viewed at www.hse.ie.

MANAGING YOUR INFORMATION

In order to provide for your care here we need to collect and keep information about you and your health on our records.

- We retain your information securely.
- We will only ask for and keep information that is necessary. We will attempt to keep it as accurate and up to-date as possible. We will explain the need for any information we ask for if you are not sure why it is needed.
- We ask you to inform us about any relevant changes that we should know about. This would include such things as any new treatments or investigations being carried out that we are not aware of.

- Please also inform us of change of address and phone numbers.

Your personal information may need to be shared within the healthcare team and support staff in order to provide safe and effective care to you. Your personal information is only accessible by staff as necessary for the fulfilment of their legitimate employment and professional duties.

All persons in the practice (not already covered by a professional confidentiality code) sign a **confidentiality agreement** that explicitly makes clear their duties in relation to personal health information and the consequences of breaching that duty. Access to patient records is regulated to ensure that they are used only to the extent necessary to enable the secretary or manager to perform their tasks for the proper functioning of the practice. In this regard, patients should understand that practice staff may have access to their records for:

- Identifying and ordering repeat prescriptions for patients. These are then reviewed and signed by the GP.
- Generating a social welfare certificate for the patient. This is then checked and signed by the GP.
- Typing referral letters to hospital consultants or allied health professionals such as physiotherapists, occupational therapists, psychologists and dietitians.
- Opening letters from hospitals and consultants. The letters could be appended to a patient's paper file or scanned into their electronic patient record.
- Scanning clinical letters, radiology reports and any other documents not available in electronic format.
- Downloading laboratory results and Out of Hours Coop reports and performing integration of these results into the electronic patient record.
- Photocopying or printing documents for referral to consultants, attending an antenatal clinic or when a patient is changing GP.
- Checking for a patient if a hospital or consultant letter is back or if a laboratory or radiology result is back, in order to schedule a conversation with the GP.
- When a patient makes contact with a practice, checking if they are due for any preventative services, such as vaccination, ante natal visit, contraceptive pill check, cervical smear test, etc.
- Handling, printing, photocopying and postage of medico legal and life assurance reports, and of associated documents.

DISCLOSURE OF INFORMATION TO OTHER HEALTH AND SOCIAL PROFESSIONALS

We may share your information with other healthcare professionals and third party service providers in order to provide you with the treatment and services you need e.g. laboratories when it is necessary and appropriate for your treatment and care. We share such information strictly on the basis that it will be kept confidential.

Also we may refer you to our Physiotherapist or **Registered Dietitian & Nutritionist (Niamh O'Connor RD MINDI, of Cork Nutrition Consultancy)** within Elmwood Medical Practice in order to provide you with the treatment and services you need. They will have full access to your file but will only view the relevant information relating to your needs. Our Physiotherapist and Registered Dietitian & Nutritionist Niamh O'Connor are also legally bound to treat your information with the same duty of care and confidence that we do.

DISCLOSURES REQUIRED OR PERMITTED UNDER LAW

The law provides that in certain instances personal information (including health information) can be disclosed.

- Disclosure of information to Employers, Insurance Companies and Solicitors
- In general, work related Medical Certificates from your GP will only provide a confirmation that you are unfit for work with an indication of when you will be fit to resume work. Where it is considered necessary to provide additional information we will discuss that with you. However, Social Welfare Certificates of Incapacity for work must include the medical reason you are unfit to work.
- In the case of disclosures to insurance companies or requests made by solicitors for your records we will only release the information with your signed consent.

USE OF INFORMATION FOR TRAINING, TEACHING AND QUALITY ASSURANCE.

It is usual for GPs to discuss patient case histories as part of their continuing medical education or for the purpose of training GPs and/or medical students. In these situations the identity of the patient concerned will not be revealed.

In other situations, however, it may be beneficial for other doctors within the practice to be aware of patients with particular conditions and in such cases this practice would only communicate the information necessary to provide the highest level of care to the patient.

USE OF INFORMATION FOR RESEARCH, AUDIT AND QUALITY ASSURANCE

- It is usual for patient information to be used for these purposes in order to improve services and standards of practice.
- In fact GPs on the specialist GP register of the Medical Council are now required to perform audits. In general, information used for such purposes is done in an anonymous manner with all personal identifying information removed.
- If it were proposed to use your information in a way where it would not be anonymous or the Practice was involved in external research we would discuss this further with you before we proceeded and seek your written informed consent.

TRANSFERRING TO ANOTHER PRACTICE

If you decide at any time and for whatever reason to transfer to another practice we will facilitate that decision by making available to your new doctor a copy of your records on receipt of your signed consent from your new doctor. For medico-legal reasons we will also retain a copy of your records in this practice for an appropriate period of time which may exceed eight years.

DATA PROTECTION OFFICER

Elmwood Medical Practice registered Data Protection Controller is Elaine Drinan & Ciara Bourke. Any queries, concerns or requests to exercise Data Protection rights may be addressed to Elaine or Ciara at supervisor@elmwood.ie.

Under Data Protection legislation, you may:

- Withdraw consent to the processing of your personal information.
[Note: If you withdraw consent, we may not be able to continue to provide treatment and services to you. We will talk to you about the possible consequences of withdrawing consent, if and when you let us know that you are thinking of this. The withdrawal of consent will not undermine the lawfulness of processing carried out prior to the withdrawal.]
- Request to access the information we hold about you
- Request the correction of inaccuracies in / erasure of information held about you
- Request the restriction of processing of the information we hold about you
- Exercise your entitlement to data portability
- Make a complaint to the Office of the Data Protection Commissioner of Ireland.

Elmwood Medical Practice reserves the right to amend this policy at any time, at its discretion. You are encouraged to review this policy from time to time. We will notify you of changes to this policy where we are required to do so.

24th May 2018.