

PRIVACY NOTICE

CALDER VALLEY SURGERY

Who We Are

Calder Valley Surgery is responsible for keeping your personal information safe and secure. This Privacy Notice explains how we use your information and your rights under the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

Calder Valley Surgery is the **Data Controller** for your personal data.

How We Use Your Information

Calder Valley Surgery, as data controller, is required to have a legal basis when using personal information. So, when using personal information our legal basis is usually that its use is necessary for the performance of a task carried out in the public interest, or in the exercise of official authority vested in us. In some situations, we may rely on a different legal basis; for example, when we disclose personal information to comply with a legal request (e.g. a court order), our legal basis is that its use is necessary to comply with the legal obligation. Another example would be for compliance with a legal obligation to which Calder Valley Surgery is subject to, for example under the Public Health etc. (Scotland) Act 2008 we are required to notify Health Protection Scotland when someone contracts a specific disease.

When we are using more sensitive types of personal information, including health information, our legal basis is usually that the use is necessary:

- for the provision of health or social care or treatment or the management of health or social care systems and services; or
- for reasons of public interest in the area of public health; or
- for archiving purposes, scientific or historical research purposes or statistical purposes, subject to appropriate safeguards; or
- in order to protect the vital interests of an individual; or
- for the establishment, exercise, or defence of legal claims or in the case of a court order.

On rare occasions we may rely on your explicit consent as our legal basis for using your personal information. When we do this, we will explain what it means, and the rights that are available to you.

You should be aware that we will continue to ask for your consent for other things like taking part in a drug trial, or when you are having an operation. This consent, known as clinical consent, relates to your willingness to participate in a specific activity or receive a particular service or treatment and is not linked to the lawful basis upon which we rely to process your personal data under data protection legislation. Where you have provided consent, we will make it clear to you that you have the right to withdraw your consent at any point.

What Information We Hold

We collect and store information about you, including:

- Name, address, date of birth and NHS number
- Contact details such as telephone number and email
- Medical history, test results, diagnoses and treatment information
- Copies of information from other health professionals involved in your care
- Appointments, prescriptions and referral details

Sharing information with others

Depending on the situation, where necessary we will share appropriate, relevant and proportionate personal information in compliance with the law, with the following:

- Our patients and their chosen representatives or carers
- Staff
- Healthcare social and welfare organisations
- Suppliers, service providers, legal representatives
- Auditors and audit bodies
- Educators and examining bodies
- Research organisations
- People making an enquiry or complaint
- Professional bodies
- Police forces / Courts
- Central and local government
- Employers

We only share what is necessary, and as explained in how we use your information we may rely on your explicit consent “clinical consent” as our legal basis for using your personal information. **Your data is never sold.**

Using personal information

Under the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 Calder Valley surgery has the statutory responsibility to provide or arrange for the provision of a range of healthcare, health improvement and health protection services. We are given these tasks so that we can help to promote the improvement of the physical and mental health of the patients of the surgery and to assist in operating a comprehensive and integrated national health services in NHS Lanarkshire and Scotland.

We use personal information to enable us to provide healthcare services for patients (including reminding you of appointments).

Transferring personal information abroad

Calder Valley Surgery do not routinely transfer any data outside of the UK, but when information is transferred outside the UK, we will do so in full compliance with the NHS Scotland Information Security Policy. Calder Valley Surgery will ensure that data is only transferred to countries where appropriate data protection safeguards are in place. An example of this may be where a patient requires overseas medical treatment resulting in the transfer of medical information outside of the UK.

Keeping Your Information Safe

We take confidentiality seriously and protect your information using:

- Secure NHS systems
- Restricted staff access
- Staff training and confidentiality agreements

All staff follow NHS information governance rules.

How Long We Keep Your Information

Your medical records are kept in line with **Scottish Government Records Management**. A copy of the code of Practice can be found here: [SG-HSC-Scotland-Records-Management-Code-of-Practice-2020-v20200602.pdf](#)

Who else provides personal information to us

Where you do not provide personal information directly, **Calder Valley Surgery** may receive information about you from other individuals and organisations involved in the provision of health and social care services in Scotland.

This may include other NHS Boards; primary care contractors such as other GP practices, private clinics, dentists, community pharmacies and opticians; other public sector bodies (for example, Local Authorities); and organisations that provide services to support the delivery of healthcare.

The right of access

You have the right to access your own personal information. This right includes making you aware of what information we hold along with the opportunity to satisfy you that we are using your information fairly and legally.

You have the right to obtain:

- Confirmation that your personal information is being held or used by us
- Access to your personal information
- Additional information about how we use your personal information

Although we must provide this information free of charge, if your request is considered unfounded or excessive, or if you request the same information more than once, we may charge a reasonable fee.

If you would like to access your personal information, you can contact the surgery and ask for a subject access request (SAR), you can also do this by contacting the Data Protection Team as detailed below:

Data Protection Team

NHS Lanarkshire

Kirklands

Fallside Road

Bothwell

G71 8BB

Telephone: 01698 752992

Email: Dataprotectionenquiries@lanarkshire.scot.nhs.uk

Practice Contact Details

Calder Valley Surgery

Address: Houldsworth Centre, *Kenilworth Avenue, Wishaw, ML2 7LP*

Telephone: 01698 356420

Email: caldervalleysurgery@lanarkshire.scot.nhs.uk

If you have questions about your information, please contact the practice using the details above.

NHS Lanarkshire Values

Calder Valley Surgery works in line with NHS Lanarkshire values of **care, dignity, respect, openness and accountability**. We treat your personal information with the same care as your health.

Complaints

You also have the right to complain about how we use your personal information to the Information Commissioner's Office (ICO). Details about this are on their website at <https://ico.org.uk/your-data-matters/how-to-make-a-data-protection-complaint/>.

You also have the right to seek independent judicial remedy through the courts.