

## Fair Processing Notice / Privacy Notice September 2018

This notice reminds you of your rights under the Data Protection Act (this includes the European General Data Protection Legislation 2016 and the UK Data Protection Bill 2018 hereafter known as the Data Protection Act) demonstrating that the CCG is committed to protecting your privacy when you use our services in order to meet our obligations as a Clinical Commissioning Group.

We only use your information for lawful purposes in order for us to administer the business of the CCG effectively, and the lawful basis for the CCG to process under Data Protection Act 2018 is:

- **Article 6 (1)(e)** - public task: the processing is necessary for the CCG to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- **Article 9 (2)(h)** - processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and by means of your consent where applicable.

The Privacy Notice below explains how we use information about you and how we protect your privacy.

### What this notice will cover

- Why we collect information about you
- What functions the CCG delivers, the basis of processing and how it is used
- What types of information we hold and use
- Who we share information with
- Your rights
- How we keep your information secure
- Who you can contact for more information

### Why we collect information about you

In carrying out our role and responsibilities as a commissioner of services for people working and living in the CCG, it is essential that the CCG have an understanding of the health and social care needs of our community so as to ensure that these are correctly identified and made available and effective.

The information is kept in written or digital form. The records where necessary will include basic details about you, such as your name and address or may also contain more sensitive information about your health and social care usage and also information such as outcomes of needs assessments. The key reasons the CCG holds data is to:

- Check the quality of care we provide to everyone (a clinical audit)
- Protect the health of the general public
- Monitor how we spend public money
- Train healthcare workers
- Carry out research

- Help the NHS plan for the future
- Pay for the services we commission

From time to time the CCG uses patient data to analyse the health of a population. This is required for the commissioning of health services to our local population, or to help target preventive care to certain patients. If we use your information for these reasons, we will remove your name and other details which could identify you. If we need the information in a way that identifies you, we will ask you first.

The people caring for you use your information (paper or electronic) to provide treatment, to check the quality of your care, to help you make good decisions about your health and to investigate complaints, claims and commissioning purposes.

### **What functions the CCG delivers, the basis of processing and how it is used**

The CCG as a commissioner has a number of functions it performs as part of its day to day activities. Some activities listed below are conducted by the CCG using a data processor (a data processor processes data on behalf of another organisation a data controller who will decide on the purpose of data and how it will be processed) on behalf of the CCG, each activity explains, what information is collected, from which sources and for what purposes

### **Information Processing Activities performed by North Norfolk CCG**

#### **Handling Continuing Healthcare (CHC) Applications**

If you make an application for CHC funding the CCG will use the information you provide and where needed request further information from care providers to identify eligibility for funding. Arrangements will be put in place to arrange validate and pay for the agreed funding packages with the appointed care providers. You are asked to sign a consent form to confirm your acceptance of the CHC process.

The CCG has provided more information on the overall CHC process please click [here](#)

#### **Personal Health Budgets**

A Personal Health Budget is an amount of money to support the identified healthcare and wellbeing needs of an individual, which is planned and agreed between the individual, their representative, and the CCG. You as the individual agree the process and the identified health care provider. To support this process, the CCG will process personal confidential data including sensitive data to evaluate, agree and monitor any personal health budgets. The name of the holder of the personal budgets information will be added to the invoicing system to allow payment.

For more information on Personal health Budgets click [here](#)

#### **Handling Individual Funding Requests (IFR) Applications**

If you make an Individual Funding Request (IFR) to fund specialist drugs or rare treatments, these are treatments which are not routinely funded by the CCG. The CCG will use the information you provide and, where needed, request further information from care providers to identify eligibility for funding. If agreed, arrangements will be put in place to arrange and pay for the agreed funding packages with appointed care providers. When an application is made the detailed process will be explained to you. The requests will be generated by your clinician and the response and decision will be communicated to your clinician and a record of this will be retained with the clinical systems with the retention as per your medical record.

#### **Complaints**

If you have a complaint about the CCG or a service that we commission, we will use your information to communicate with you and to investigate any concern that you raise with the CCG in line with its complaint policy. See our complaints section for more information.

Where the CCG is investigating a complaint then the information provided by the complainant (including personal details like for example name, address) may need to be shared as appropriate in order for the complaint to be investigated.

The CCG uses NHS South Norfolk CCG to administer the complaint process as per the information in our complaints section.

### **Safeguarding**

The CCG is supported by NHS Great Yarmouth & Waveney CCG who host the Children's Safeguarding team on behalf of North Norfolk, Norwich, South Norfolk, & West Norfolk CCGs. This service includes the provision of advice and guidance to care providers which ensures that safeguarding matters and risks are managed appropriately for children 0 – 19 years. The list of services include:

- Safeguarding
- Short Breaks
- Child and adolescent mental health services (CAMHS)
- Looked After Children
- Professional Standards/Audit
- Residential Services

Any related data is held until the individual reaches 25 years of age, sometimes longer if required by the Secretary of State or other legal body.

### **Adult Safeguarding**

The CCG supports Great Yarmouth, South Norfolk, West Norfolk and Norwich CCGs by hosting the Adult Safeguarding team. The Adult Safeguarding team provide advice and guidance to care providers to ensure that adult safeguarding risks are managed appropriately.

Access to identifiable information will be shared in some limited circumstances where it is legally required for the safety of the individuals involved. This requirement ensures that the CCG is compliant with the Health and Social Care Safety and Quality Act 2015 and the duty to share, where there is a risk of harm. If you have a safeguarding concern, you are encouraged to contact the relevant safeguarding board. Further information is available through your Local Authority.

### **Making general enquiries**

When you contact the CCG, through the Contact us pages or by letter / email this information is used to direct your enquiry appropriately. Information is kept as long as necessary to allow the CCG to assist with your enquiry and if this forms part of a process such as Freedom of Information or a subject access request it will be kept in accordance with the NHS Records Management Code of Practice

We only use your information for lawful purposes in order for us to administer the business of NHS North Norfolk CCG effectively.

### **Information the CCG uses from other sources**

The CCG will also obtain information from other sources which as part of delivering its statutory functions and these are:

### **Financial Validation**

We will use limited information about individual patients when validating invoices received for healthcare provided from those delivering the healthcare, in most cases limited data such as the practice code is used to make such payments. In some instances, information to confirm

that you are registered at a GP Practice within the CCG is needed to make such payments to ensure the invoice is accurate and genuine. This will be performed in a secure environment known as the Controlled Environment for Finance (CEfF) and will be carried out by a limited number of authorised staff, these activities and all identifiable information will remain within a CEfF approved by NHS England. Backing data used to validate the invoice will usually be kept for 6 months to allow for queries and resolution. However if these queries are ongoing it is possible to keep for longer to enable evidence of challenges.

This is done in line with the Who Pays Invoice Validation Guidance using a section 251 exemption, a legal basis from the NHS Act 2006 which allows the CCG to receive personal identifiable data for the purposes of invoice validation.

A section 251 is where The Secretary of State for Health and Social Care has approved NHS England's application for support to establish a temporary lawful basis for 'necessary' Personal Confidential Data to be used to validate invoices.

For more information see: [www.england.nhs.uk/ourwork/tsd/ig/in-val/invoice-validation-faqs](http://www.england.nhs.uk/ourwork/tsd/ig/in-val/invoice-validation-faqs)

### **Risk Stratification**

Risk Stratification is a process that helps your family doctor (GP) help you manage your health. By using selected information such as age, gender, diagnoses and patterns of hospital attendance and admission collected by the HSCIC (NHS Digital) from NHS hospitals and community care services. This is linked to data collected in GP practices and analysed to produce a risk score. A secure NHS computer system will look at recent treatments you have had in hospital or in the surgery and any existing health conditions that you have. This will help your doctor judge if you are likely to need more support and care from time to time. The team at the surgery will use this information to help you get early care and treatment where it is needed.

Risk stratification is used in the NHS to:

- Help decide if a patient is at greater risk of suffering a particular condition
- Prevent an emergency admission to hospital
- Identify if a patient needs medical help to prevent a health condition from getting worse.

The identifiable information will only be seen by qualified health workers involved in your care. NHS security systems will protect your health information and all involved are required to maintain confidentiality at all times.

Laws exist to prevent the unlawful processing of patient data. There is currently Section 251 support in place to allow the CCG's risk stratification tool to receive and link identifiable (using NHS Number) patient information from the NHS Digital and from local GP Practices.

***The CCG does not hold your data in an identifiable form for risk stratification it is purely the commissioner to procure the appropriate tools to support the GPs with the process.***

The Clinical Commissioning Group commissions this work via a contract with the NHS Arden & Greater East Midlands Commissioning Support Unit which has been granted a legal basis for processing data in this way as per the section 251 and which operates under strict controls to prevent your information from being re-identified. Any identifiable data is kept within the clinical system in line with their clinical record keeping standards and the Records Management Code of Practice 2016

Should you have any concerns about how your information is managed as part of the risk stratification at the surgery or if you wish to opt out please contact the Practice Manager to discuss how the disclosure of your personal information can be limited

### **Quality Concerns**

The CCG will receive information from the local providers where a safety or quality concern is raised. Where it is necessary to identify an individual patient the CCG will receive limited information raised in the concern such as a name or NHS number to enable the care provider where the investigation is required to fully investigate the issue raised. These are kept for as long as the quality concerns take to be resolved in an identifiable form and anonymised for statistical reporting to monitor improvements in services.

### **Supporting Medicines Management**

CCGs support local GP practices with prescribing queries that generally don't require identifiable information. In addition the CCG has specialist prescribing advisors who work with GP practices ensuring that you are on the most appropriate medication to help manage your health care. This will be with agreement with your GP practice and involve the review medical information to ensure that there are no safety concerns especially where specialised controlled drugs are involved. Where specialist support is required for example to order a drug that comes in solid form in gas or liquid, the medicines management team will order this on behalf of a GP Practice to support your care. The identifiable information is held on the GP systems and the retention period is the as per your patient record in accordance with the Records Management Code of Practice.

The CCGs prescribing services has access to a tool provided by Prescribing Services Ltd a data processor which is under contract with the CCG and your GP to allow for a safe and anonymised review of medication. Your GP and those providing your care will only be able to identify you. The CCG and Prescribing Services Ltd will have an anonymised view. To learn more about the provider of this service click [here](#).

### **Patient Satisfaction**

The CCG will on occasion will use information to assess the effectiveness and appropriateness of its services such as ensuring that patient journeys have been conducted or checking if you were satisfied with the service you received. You should be informed of this when you make contact with the service provider. If you do not wish to take part please discuss this with the service provider. You are entitled to object to this at any time. This information will be retained in line with the duration of the contract.

### **Conflicts of Interest and Declaration of Gifts and Hospitality**

All persons who are required to make a declaration of interest(s) or a declaration of gifts or hospitality should be made aware that the register(s) will be published in advance of publication. This should be done by the provision of a fair processing notice that details the identity of the data controller, the purposes for which the registers are held and published, and contact details for the data protection officer. This information should additionally be provided to individuals identified in the registers because they are in a relationship with the person making the declaration. The register(s) of interests (including the register of gifts and hospitality) must be published as part of the CCG's Annual Report and Annual Governance Statement.

### **Referral Management Services**

The CCG uses the services of South Norfolk Healthcare (SNH) who work on behalf of North Norfolk GP surgeries to support patient choice. They are a Community Interest Company established in 2010 by 16 GP practices within South Norfolk.

The Referral Management Service is dedicated to discussing the choices available to patients and a specialist booking advisor contacts each patient once a referral is received from the GP practice to help them book an appointment at a location and time that are convenient.

## **Recruitment**

When an individual applies to work for NHS North Norfolk CCG, we will use the information they supply to us to process their application and to monitor the recruitment statistics. Where we want to disclose information to a third party, for example to take up a reference or obtain a “disclosure” from the Disclosure and Barring Service, consent is obtained during the application process, unless the disclosure is required by law.

NHS North Norfolk CCG uses the NHS Jobs recruitment platform to process its applications. Any information submitted by an applicant in relation to a vacancy within the organisation is provided with the candidate’s consent with a view to potentially entering into a contract of employment.

The information provided by applicants is held securely on the NHS Jobs platform in accordance with current Data Protection legislation, the EU Data Protection Directive 95/46/EC, the General Data Protection Regulation (Regulation (EU) 2016/679 of the European Parliament and of the Council (GDPR), the Regulation of Investigatory Powers Act 2000, the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000, the Electronic Communications Data Protection Directive 2002/58/EC, the Privacy and Electronic Communications (EC Directive) Regulations 2003 and all applicable laws and regulations relating to Processing of Personal Data and privacy, including where applicable the guidance and codes of practice issued by the Information Commissioner.

Further information on how your information is handled by NHS Jobs can be found [here](#).

**Profiling for Recruitment Purposes** - The information provided by applicants on the NHS Jobs platform will be subject to “profiling”, which means an automated processing of personal data (including qualifications, employment history and professional registrations) based on a scoring matrix to generate an anonymised short list of candidates who have qualified to move to the interview stage.

Personal information about unsuccessful candidates will be held for 12 months after the recruitment process has been completed. It will then be securely destroyed using our confidential waste facilities or deleted from our network. We only retain anonymised statistical information about applicants to help inform our recruitment activities.

Once an individual has taken up employment with us, we will compile a file relating to their employment. The information contained in this will be kept secure and will only be used for the purposes directly related to the individual’s employment. Once their employment has ended, we will retain the file in accordance with the Records Management Code of Practice for Health and Social Care.

## **National Fraud Initiative (2018/19)**

The CCG is required by law to protect the public funds it administers. It may share information provided to it with other bodies responsible for; auditing, or administering public funds, or where undertaking a public function, in order to prevent and detect fraud.

The Cabinet Office is responsible for carrying out data matching exercises under its data matching powers set out in Part 6 of the Local Authority and Audit Act 2014 as part of the National Fraud Initiative (NFI).

Under this legislation the Cabinet Officer:

May carry out data matching exercises for the purposes of assisting in the prevention of and detection of fraud;

- May require certain bodies to provide data for data matching exercises;
- May accept data submissions on a voluntary basis;
- Must prescribe a scale or scales of fees for mandatory data matching exercises;
- May charge a fee for voluntary data matching exercises; and
- Must consult mandatory participants and relevant stakeholders before prescribing the mandatory scale or scales of fees

Data matching involves comparing computer records held by one body against other computer records held by the same or another body to see how far they match. This is usually personal information. Computerised data matching allows potentially fraudulent claims and payments to be identified. Where a match is found it may indicate that there is an inconsistency which requires further investigation. No assumption can be made as to whether there is fraud, error or other explanation until an investigation is carried out.

To enable the NFI to continue its success, the Cabinet Office has recently procured a new IT contract awarded to Synectics Solutions Limited to deliver and enhance the NFI service over the next four years.

The CCG participates in the Cabinet Office's National Fraud Initiative to assist in the prevention and detection of fraud. We are required to provide particular sets of data to the Minister for the Cabinet Office for matching for each exercise, as detailed here.

The Cabinet Office has published a privacy notice in respect of the National Fraud Initiative: [National Fraud Initiative Privacy Notice - 2018/19](#)

The use of data by the Cabinet Office does not require the consent of the individuals concerned under the Data Protection Act 2018.

Data matching by the Cabinet Office is subject to a Code of Practice.

For further information on the Cabinet Office's legal powers and the reasons why it matches particular information, please refer to: [www.gov.uk/government/collections/national-fraud-initiative](http://www.gov.uk/government/collections/national-fraud-initiative)

### **Assuring Transformation for People with a Learning Disability, Autism or both**

The CCG collects information about people with a learning disability, autism or both who are getting care in hospitals for their mental health or because they have displayed behaviour that can be challenging. This is called Assuring Transformation Data. This information tells us:

- How many people with a learning disability and/or autism registered with North Norfolk GP Practices are in hospital
- How long they have been in hospital
- When their care and treatment has been checked
- What kind of hospital they are in

We do this so that we can make sure people are not in hospital if they would be better looked after in the community.

Every month North Norfolk CCG securely submits this information to NHS Digital who publish a report on a monthly basis. No personal information is included in this report.

If you are in hospital but do not want the CCG to use your data for the above purpose, you can let us know by contacting North Norfolk CCG either in writing, via email or by telephone. An “Assuring Transformation Easy Read Leaflet” is available from the CCG which explains the process in more detail. This can be obtained from our website or by contacting Norwich CCG.

### What types of information we hold and use

The CCG can hold various different types of information but does not routinely have access to identifiable information but this section is to assist you as you may hear many different terms used the following are those that the CCG uses:

- Personal Confidential Data – this is information which is sometimes called Identifiable information and is any information which may on its own or combined with others identify you such as your name and address The CCG only has access to identifiable information where a legal basis exists to hold that information.
- Special Data / Sensitive Data this is data that is considered as data that would not usually be disclosed and is personal to you. The list below is the seen as an example of special category data, The CCG with a legal basis will hold personal data which can include health data this is then classed as special data. All personal data the CCG holds is protected and requires a legal basis for it to be held

The following are examples of Special Categories of data

- race;
  - ethnic origin;
  - politics;
  - religion;
  - trade union membership;
  - genetics;
  - biometrics (where used for ID purposes);
  - health;
  - sex life; or
  - sexual orientation.
- 
- Anonymised information – about individuals but with identifying details removed and so cannot be tracked back to you. Where unique identifiers such as your name and full address have been removed so the information is no longer ‘person identifiable’ This information is used to plan health care services. Specifically, it is used to:
    - Check the quality and efficiency of the health services that the CCG commissions
    - Prepare performance reports on the services commissioned
    - Establish what illnesses people will have in the future, so the CCG can plan and prioritise services and ensure these meet the needs of patients in the future.
    - Review the care being provided to make sure it is of the highest standard
  - Pseudonymised data – where personal information about you is replaced with a code. Which allows the CCG to map your treatment through the health care system but only allows the provider / organisations providing treatment to identify you. This can also be shared with third parties who without the key would not be able to identify you. This is often used for example, when information is needed for research purposes.
  - Aggregated information – anonymised information grouped together so that it cannot easily be put back together in order to identify individuals.

Where possible, we ensure your information is anonymised / aggregated or pseudonymised (especially when using information for purposes other than for direct patient care).

### **Who we share information with**

In order for NHS North Norfolk CCG to perform its commissioning functions, information is shared from various organisations, which include: general practice, acute and mental health hospitals, other CCGs, the NHS Arden GEM Commissioning Service Unit (AGEM CSU) who process data on our behalf, community services, walk in centres, nursing homes, directly from service users and many others.

The CCG is constantly looking at new ways in which to support its GPs local health community this can involve using alternative care providers such as volunteers and charitable organisations. Only those who are directly involved in supporting your care will be able to access your identifiable information. The CCG ensures that any agencies or support organisations used in this way have a contract to allow them to carry out this work and ensuring they fully understand and maintain the confidentiality of your information at all times.

Where routine information sharing is required with third parties, we will always have a relevant data sharing agreement in place. In exceptional circumstances we do not require your explicit consent to share information. This would be in cases for example, notification of new births, a public interest issue, when the health and safety of others is at risk, fraud, protecting children and vulnerable adults from harm or where the law requires it (a formal court order has been served requiring us to do so). In these cases, permission to share must be given by our Caldicott Guardian and with or the CCG Data Protection Officer, who are both senior persons in the CCG responsible for ensuring the protection of confidential patient and service user information. We are obliged to tell you that we have shared your information unless doing so would put you or others at risk of harm.

The law provides some NHS bodies, particularly NHS Digital, with permission to collect and use patient data to help commissioners to design and procure the combination of services that best suit the population that they serve. The patient data that is supplied is not in a form that will identify you.

### **Linking Data**

Your NHS number, GP practice and treatment details are kept so that your information from each service can be linked together securely within either a secure environment called an accredited safe haven (ASH) or DSCRO which is an arm's length part of NHS Digital. This gives a fuller picture of the health of people and the services required to support them to stay healthy. This allows the CCG to be able to track if there any issues with patient pathways. we use this information to provide and improve health services. This data also enables us to target patients who may benefit from additional preventative care.

When analysing current health services and proposals for developing future services it is sometimes necessary to link separate individual datasets to be able to produce a comprehensive picture. This may involve linking primary care GP data with other data such as secondary uses service (SUS) data (inpatient, outpatient and A&E). In some cases there may also be a need to link local datasets which could include a range of acute-based services such as radiology, physiotherapy, audiology etc., as well as mental health and community-based services such as Improving Access to Psychological Therapies (IAPT), district nursing, podiatry etc.

When carrying out this analysis, the linkage of these datasets is always done using a unique identifier that does not reveal a person's identity as the CCG does not routinely have any access to patient identifiable data.

## Your rights

Under the new Data Protection Legislation you as an individual have a number of rights that are connected to the data the CCG holds the following provides you with more information on each of those rights:

**To be informed** – You have the right to be informed of any processing of your data by the CCG, this notice provides you with a summary of the information that the CCG holds and hopes that this will provide you with enough information that you are fully informed. However, if you wish to know more detail about any aspect of the processing please contact the CCG by using [Contact us](#) On our website or the postal address at the bottom of this section and your enquiry will be directed to the correct department.

**To access** - Under Data Protection Act Legislation you have the general right to see or be given a copy of personal data held about you. This right can be exercised via submission of a Subject Access Request (SAR) to NHS North Norfolk CCG.  
[agcsu.informationgovernancenorfolk@nhs.net](mailto:agcsu.informationgovernancenorfolk@nhs.net)

The CCG does not directly provide healthcare services and as such does not hold personal healthcare records. If you wish to have sight of, or obtain copies of your own personal healthcare records you will need to apply to your GP Practice, the hospital or the NHS organisation which provided your healthcare. However the CCG will hold information in relation to the provision of Continuing Healthcare, the management of a complaint and/or the outcome of an Individual Funding Request (IFR).

Everyone has the right to see, or receive a copy of information held that can identify them, with some exceptions. You do not need to give a reason to see your information. Further information on Subject Access Requests can be found via the Information Commissioners Office (ICO): <https://ico.org.uk/for-the-public/personal-information/>

Any requests made to the CCG will be jointly managed by both the CCG and NHS Arden GEM Commissioning Service Unit (AGEM CSU) staff unless you specifically state in your request that you do not wish this to happen. You do not need to give a reason.

We will not charge for complying with your request unless it is deemed to be “manifestly unfounded or excessive”. In these circumstances we will work with you to moderate your request to avoid a charge or give you reasonable notice of the potential cost before we proceed with your request.

If you have made your request in an electronic form (i.e. via email) and wish to receive the response in the same format, we will take all reasonable measures to comply with your request. Where we cannot provide information in the format of your choosing, we will notify you before proceeding with the request.

We will endeavour to respond to your request within one calendar month. However this may be extended to 40 calendar days if the request is particularly complex.

Under the current Data Protection Legislation, we reserve the right as data controller to withhold personal data if disclosing it would “adversely affect the rights and freedoms of any third party referred to in information held about you”. We will of course advise you of our rationale for withholding any information, whilst observing the right of confidentiality of the third party.

The CCG will not publish any information that identifies you or routinely disclose any information about you without your express permission.

**To Erasure** - You have the right to ‘be forgotten’ unless there is an overriding legal requirement to retain the information held on you. Within the NHS It is a statutory

responsibility to retain a record of Health care events; i.e. a medical record. All Health related records are held in line with the NHS Records Management Code of Practice 2016 retention schedules unless otherwise stated

If you wish to discuss the content of your medical record then please contact the medical record holding organisation to address your concerns.

**To rectification** - You have the right to have accurate and up to date records held on you by an organisation. If you are aware of a mistake in the information held on you contact the service you supplied your information to for rectification of your record. If the information is not part of your health record (these will follow specific DOH Records Management Code of Practice 2016 guidance) the CCG will work with you to rectify the inaccurate information.

**Right to restrict processing** - or suppress the use of your personal data. It is a statutory responsibility for the NHS to retain a record of Health care events; i.e. a medical record. If you wish to discuss the content of your medical record then please contact the medical record holding organisation to address your concern. If you wish to discuss this right in relation to the data the CCG holds please contact the CCG using the details at the bottom of this section.

**To Object** - You have the right to consent / refuse & withdraw consent to information sharing at any moment in time. There are possible consequences to not sharing but these will be fully explained to you to help you with making your decision.

The National Opt-Out Programme in 2018 provides you with information on how you can control your information being used for research and planning. The programme has simplified this splitting this into two, One is information being used for your individual care and the second is for information being used for research and planning. You can log on to NHS Choices websites <https://www.nhs.uk/your-nhs-data-matters/> where you will see all options and allows you to manage the choices available to you.

Information from other places where you receive care, such as hospitals and community services is collected nationally by NHS Digital. There are some specific situations where your data may still be used. Data that does not identify you may still also be used and where your confidential patient information will still be used to support your individual care. Any preference you set using this service will not change this.

If the CCG holds information about you in an identifiable form on the basis of consent and you no longer wish us to hold this data please contact the CCG and stating that you wish the CCG to stop holding and processing your data. The CCG will explain if this is possible. I.e. if there is no other overriding legal or statutory reason but will always explain this to you.

**To Data Portability** - Where you have provided information directly to the CCG or the CCG has collected your information for the performance of a contract, you can exercise your right to data portability, this means that if you can use your own personal data for your own purpose. In practice this means that you could transfer your information to another source and that this is provided in format which would allow you to do this. The CCG will assist you explain where this is possible such as where it is held electronically and if it is in an easily readable format.

### **To Complain**

If you believe NHS North Norfolk CCG has not complied with the legislation either in responding to a request or in the way we process your personal information, and if you are not satisfied with the response from the CCG Senior Governance Manager, you should contact the CCG's Data Protection Officer.

The Data Protection Officer for the CCG is:

Judith Jordan, Arden & Gem  
Head of Integrated Governance  
Telephone: 0121 611 0730  
Email: [agem.dpo@nhs.net](mailto:agem.dpo@nhs.net)

You always have the right to complain to, appeal to or raise your concerns with the Information Commissioner by writing to:

Information Commissioner Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF  
Enquiry Line: 01625 545700  
[www.ico.gov.uk](http://www.ico.gov.uk)

To exercise any of the above rights please contact

[agcsu.informationgovernancenorfolk@nhs.net](mailto:agcsu.informationgovernancenorfolk@nhs.net)

or by writing to

Senior Manager - Corporate Governance and Planning  
NHS North Norfolk Clinical Commissioning Group  
Lakeside 400, Old Chapel Way  
Norwich, Norfolk  
NR7 0WG

Phone: 01603 257100

### **How we keep your information secure**

It is everyone's legal right to expect that information held and used about you is safe and secure, and is only used for the agreed purpose(s).

The CCG only uses information that may identify you in accordance with the Data Protection Legislation. This requires that we process personal data only if there is a legitimate basis for doing so and that any such processing is fair and lawful.

### **Confidentiality and security of information**

Everyone working for the NHS has a legal duty to keep information about you confidential and comply with the Common Law Duty of Confidence. The information we do hold about you, whether in paper or electronic form, is therefore protected from unauthorised access. Under the NHS Confidentiality Code of Conduct, all our staff are also required to protect your information, inform you of how your information will be used, and allow you to decide if and how your information can be shared. All CCG staff receive annual training on how to do this. This is monitored by the CCG and can be enforced through disciplinary procedures.

The CCG, working with our service provider, NHS Arden GEM Commissioning Service Unit (AGEM CSU), ensure that information is held in secure locations with restricted access to authorised persons only. We protect any personal information that is held on our systems with encryption so that it cannot be accessed by those who do not have access rights.

Information held about you, whether on paper or computerised, is protected from unauthorised access. NHS North Norfolk CCG has an IT Security and Information Governance policy.

### **Retention and destruction of records**

All records held by the CCG will be kept for the duration specified by National guidance from the Department of Health, NHS Records Management Code of Practice and in line with local CCG Information Governance Policies.

The NHS Care Record Guarantee is a commitment that all NHS organisations (and other organisations which provide NHS-funded care) will use your records in ways that respect your rights and promote your health and wellbeing. The NHS Constitution establishes the principles and values of the NHS in England. It provides a summary of your legal rights and contains pledges that the NHS is committed to achieve, including certain rights and pledges concerning your privacy and confidentiality.

### Who you can contact for more information

This notice does not give a full explanation of the law. If it doesn't answer your questions or you would like more detailed information, contact in the first instance the CCG Senior Governance Manager

Should you wish to know more about any information that is held about you as a patient, please contact your local health care provider.

### Key Roles in the CCG

The CCG have a number of key roles which support the protection of your data:

- **Caldicott Guardian** - The CCGs Caldicott Guardian is a senior person responsible for protecting the confidentiality of patient and service-user information and enabling appropriate information sharing. The Guardian actively supports work to enable information sharing where it is appropriate to share, and advises on options for lawful and ethical processing of information. The Caldicott Guardian can be contacted by using the contact us section of the website.
- **Senior Information Risk Owner (SIRO)** – A SIRO is a CCG Executive Director or member of the Senior Management Board of an organisation with overall responsibility for an organisation's information risk policy. The SIRO is accountable and responsible for information risk across the organisation. The SIRO ensures that everyone is aware of their personal responsibility to exercise good judgement, and to safeguard and share information appropriately. The SIRO can be contacted by contact us section of the website.
- **Data Protection Officer**  
The CCG has appointed a Data protection Officer as required by the updated Data Protection Legislation, this is provided by NHS Arden & Greater East Midlands Commissioning Support Unit ensuring that your rights are respect and the CCG is compliant with the law. If you have any concerns or questions about how the CCG looks after your personal information, please contact the Data Protection Officer by using the contact us section of the website.

### Registration

The CCG is registered with the Information Commissioners Office (ICO) as a data controller to collect information (data) for a variety of purposes. A copy of the registration is available through the ICO website link to ICO register of data controllers (search by CCG name).

Further information can also be obtained from the following links:

- [Data Protection Act 2018](#)
- [General Data Protection Regulations](#)
- [NHS Confidentiality Code of Practice](#)
- [HSCIC \(NHS Digital\) Guide to confidentiality in health and social care](#)
- [Information Commissioners Office](#)
- [Health Research Authority](#)

- [NHS England](#)
- [NHS Constitution](#)