



## Privacy Notice

We understand how important it is to keep your personal information safe and secure and we take this very seriously. We have taken steps to make sure your personal information is looked after in the best possible way and we review this regularly. Please read this privacy notice ('Privacy Notice') carefully, as it contains important information about how we use the personal and healthcare information we collect on your behalf.

### WHY WE ARE PROVIDING THIS PRIVACY NOTICE

We are required to provide you with this Privacy Notice by Law, which comes into effect on 25th May 2018. It explains how we use the personal and healthcare information we collect, store and hold about you.

If you are unclear about how we process or use your personal and healthcare information, or you have any questions about this Privacy Notice or any other issue regarding your personal and healthcare information, then please do contact us directly

The Law says:

- A. We must let you know why we collect personal and healthcare information about you;
- B. We must let you know how we use any personal and/or healthcare information we hold on you;
- C. We need to inform you in respect of what we do with it;
- D. We need to tell you about who we share it with or pass it on to and why; and
- E. We need to let you know how long we can keep it for.

### 2. THE DATA PROTECTION OFFICER

As we are a small business we do not have a designated data protection officer Laura England & Lizzy Sander have registered the MyPhysio Practice with the ICO ( Information Commissioners Office) and are accredited and uphold their data protection standards  
You can contact us directly if:

- You have any questions about how your information is being held;
- If you require access to your information or if you wish to make a change to your information;
- If you wish to make a complaint about anything to do with the personal and healthcare information we hold about you;
- Or any other query relating to this Policy and your rights as a patient.

**3. ABOUT US** We, at MyPhysio situated at Elite Fitness 26-30 St Mary Street Thornbury BS35 2AT are a Data Controller of your information. This means we are responsible for collecting, storing and handling your personal and healthcare information when you register with us as a patient. There may be times where we also process your information. That means we use it for a particular purpose and, therefore, on those occasions we may also be Data

Processors. The purposes for which we use your information are set out in this Privacy Notice.

**4. INFORMATION WE COLLECT FROM YOU** The information we collect from you will include:

- A. Your contact details (such as your name, home address and email address, including best daytime and evening contact numbers)
- B. Details and contact numbers of your next of kin ( we rarely ask for this)
- C. Your age gained by asking your Date of Birth
- D. Details in relation to your medical history;
- E. The reason for your visit to the Practice
- F. Medical notes taken by us with your explicit consent
- G. We may ask to share/ write a letter back to your GP/ Consultant if we need to communicate with them

#### **5. INFORMATION ABOUT YOU FROM OTHERS**

We also collect personal information about you when it is sent to us from the following:

- A. a hospital, a consultant or any other medical or healthcare professional, or any other person involved with your general healthcare that needs to share information with us ( for example your healthcare insurer).

#### **6. YOUR NOTES**

Your Notes is an electronic record of your Physiotherapy and massage history (and other relevant personal information) held on a national healthcare records database provided and facilitated by PPS ( Private Practice Software, operated by Rushcliff). This record may be shared with other healthcare professionals relevant to your care who you have given consent to view and additions to this record may also be made by relevant healthcare professionals and organisations involved in your direct healthcare if you give us your written consent; otherwise it remains strictly confidential between you and your Therapist (s). You may have the right to demand that this record is not shared with anyone who is not involved in the provision of your direct treatment. If you wish to enquire further as to your rights in respect of not sharing information on this record then please contact us directly.

#### **7. WHO WE MAY PROVIDE YOUR PERSONAL INFORMATION TO, AND WHY**

We may pass your personal information on to the following people or organisations with your consent, because these organisations may require your information to assist them in the provision of your direct healthcare needs. It, therefore, may be important for them to be able to access your information in order to ensure they may properly deliver their services to you:

- A. Hospital professionals (such as doctors, consultants, nurses, etc);
- B. Other GPs/Doctors;
- C. Any other person that is involved in providing services related to your general healthcare.

#### **8. OTHER PEOPLE WHO WE PROVIDE YOUR INFORMATION TO**

- A. Commissioners of Onecare
- B. Clinical Commissioning Groups (Onecare)

C. For the purposes of complying with the law e.g. Police, Solicitors, Insurance Companies;  
D. Anyone you have given your consent to, to view or receive your record, or part of your record.

Please note, if you give another person or organisation consent to access your record we will need to contact you to verify your consent before we release that record. It is important that you are clear and understand how much and what aspects of, your record you give consent to be disclosed.

All of these organisations are fully signed up to the principals of the GDPR.

## **9. YOUR RIGHTS AS A PATIENT**

The Law gives you certain rights to your personal and healthcare information that we hold, as set out below:

A. Access and Subject Access Requests You have the right to see what information we hold about you and to request a copy of this information. If you would like a copy of the information we hold about you please contact us directly. We will provide this information free of charge however, we may in some circumstances have to make an administrative charge for any extra copies if the information requested is excessive, complex or repetitive. We have one month to reply to you and give you the information that you require. We would ask, therefore, that any requests you make are in writing and it is made clear to us what and how much information you require.

B. Online Access You may ask us if you wish to have online access to your medical record. However, there will be certain protocols that we have to follow in order to give you online access, including written consent and production of documents that prove your identity. Please note that when we give you online access, the responsibility is yours to make sure that you keep your information safe and secure if you do not wish any third party to gain access.

C. Correction We want to make sure that your personal information is accurate and up to date. You may ask us to correct any information you think is inaccurate. It is very important that you make sure you tell us if your contact details including your mobile phone number has changed.

D. Removal You have the right to ask for your information to be removed however, if we require this information to assist us in providing you with appropriate medical services and diagnosis for your healthcare, then removal may not be possible.

E. Objection We cannot share your information with anyone else for a purpose that is not directly related to your health, e.g. medical research, educational purposes, etc. We would ask you for your consent in order to do this however, you have the right to request that your personal and healthcare information is not shared by the Surgery in this way. Please note the Anonymised Information section in this Privacy Notice.

F. Transfer You have the right to request that your personal and/or healthcare information is transferred, in an electronic form (or other form), to another organisation, but we will require your clear consent to be able to do this.

**10. THIRD PARTIES MENTIONED ON YOUR MEDICAL RECORD** Sometimes we record information about third parties mentioned by you to us during any consultation. We are under an obligation to make sure we also protect that third party's rights as an individual and to ensure that references to them which may breach their rights to confidentiality, are removed before we send any information to any other party including yourself. Third parties can include: spouses, partners, and other family members.

**11. HOW WE USE THE INFORMATION ABOUT YOU** We use your personal and healthcare information in the following ways:

A. when we need to speak to, or contact other doctors, consultants, nurses or any other medical/healthcare professional or organisation during the course of your diagnosis or treatment or on going healthcare;

B. when we are required by Law to hand over your information to any other organisation, such as the police, by court order, solicitors, or immigration enforcement.

We will never pass on your personal information to anyone else who does not need it, or has no right to it, unless you give us clear consent to do so.

**12. LEGAL JUSTIFICATION FOR COLLECTING AND USING YOUR INFORMATION** The Law says we need a legal basis to handle your personal and healthcare information.

**CONSENT:** Sometimes we also rely on the fact that you give us consent to use your personal and healthcare information so that we can take care of your healthcare needs. Please note that you have the right to withdraw consent at any time if you no longer wish to receive services from us.

**NECESSARY CARE:** Providing you with the appropriate healthcare, where necessary. The Law refers to this as 'protecting your vital interests' where you may be in a position not to be able to consent.

**LAW:** Sometimes the Law obliges us to provide your information to an organisation (see above).

**13. SPECIAL CATEGORIES** The Law states that personal information about your health falls into a special category of information because it is very sensitive. Reasons that may entitle us to use and process your information may be as follows:

**PUBLIC INTEREST:** Where we may need to handle your personal information when it is considered to be in the public interest. For example, when there is an outbreak of a specific disease and we need to contact you for treatment, or we need to pass your information to relevant organisations to ensure you receive advice and/or treatment;

**CONSENT:** When you have given us consent;

**VITAL INTEREST:** If you are incapable of giving consent, and we have to use your information to protect your vital interests (e.g. if you have had an accident and you need emergency treatment);

**DEFENDING A CLAIM:** If we need your information to defend a legal claim against us by you, or by another party;

**PROVIDING YOU WITH MEDICAL CARE:** Where we need your information to provide you with medical and healthcare services

**14. HOW LONG WE KEEP YOUR PERSONAL INFORMATION** We carefully consider any personal information that we store about you, and we will not keep your information for longer than is necessary for the purposes as set out in this Privacy Notice.

**15. IF ENGLISH IS NOT YOUR FIRST LANGUAGE** If English is not your first language you can request a translation of this Privacy Notice. Please contact us.

**16. COMPLAINTS** If you have a concern about the way we handle your personal data or you have a complaint about what we are doing, or how we have used or handled your personal and/or healthcare information, then please contact us. However, you have a right to raise any concern or complaint with the UK information regulator, at the Information Commissioner's Office: <https://ico.org.uk/>.

**17. OUR WEBSITE** The only website this Privacy Notice applies to is the MyPhysio website. If you use a link to any other website from the Practice website then you will need to read their respective privacy notice. We take no responsibility (legal or otherwise) for the content of other websites.

**18. SECURITY** We take the security of your information very seriously and we do everything we can to ensure that your information is always protected and secure. We regularly update our processes and systems and we also ensure that our staff are properly trained. We also carry out assessments and audits of the information that we hold about you and make sure that if we provide any other services, we carry out proper assessments and security reviews.

**19. TEXT MESSAGING AND CONTACTING YOU** Because we are obliged to protect any confidential information we hold about you and we take this very seriously, it is imperative that you let us know immediately if you change any of your contact details. We may contact you using SMS texting to your mobile phone in the event that we need to notify you about appointments and other services that we provide to you involving your direct care, therefore you must ensure that we have your up to date details. This is to ensure we are sure we are actually contacting you and not another person.

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