**Privacy Notice – National screening programmes**

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| **Plain English explanation**  The NHS provides national screening programmes so that certain diseases can be detected at an early stage. These currently apply to bowel cancer, breast cancer, aortic aneurysms and diabetic retinal screening service. The law allows us to share your contact information with Public Health England so that you can be invited to the relevant screening programme.  More information can be found at: <https://www.gov.uk/topic/population-screening-programmes> or speak to the practice | |
| **Data Controller**  contact details | Langbank Medical Centre  101, Broadlane  Norris Green Liverpool L11 1AD  [0151 226 1976](tel:0151%20226%201976) |
| **Data Protection Officer**  contact details | **Helen Kershaw**  **Head of Information Governance**  **NHS Informatics Merseyside**  **Information Governance Team**  **Hollins Park**  **Winwick**  **Warrington**  **WA2 8WA**  [**DPO.IM@imerseyside.nhs.uk**](mailto:DPO.IM@imerseyside.nhs.uk) |
| **Purpose of the processing** | The NHS provides several national health screening programs to detect diseases or conditions earlier such as cervical and breast cancer, aortic aneurysm and diabetes. More information can be found at <https://www.gov.uk/topic/population-screening-programmes> The information is shared so as to ensure only those who should be called for screening are called and or those at highest risk are prioritised. |
| **Lawful basis** for processing | The following sections of the GDPR mean that we can share information when the law tells us to.  Article 6(1)(c) – ‘processing is necessary for compliance with a legal obligation to which the controller is subject…’  Article 9(2)(h) – ‘processing is necessary for the purpose of preventative…medicine…the provision of health or social care or treatment or the management of health or social care systems and services...’  We will also recognise your rights established under UK case law collectively known as the “Common Law Duty of Confidentiality”\* |
| **Recipient or categories of recipients** of the processed data | The data will be shared with:  • The Merseyside and North Cheshire bowel cancer screening centre  • National Cervical Screening Programme (Primary Care Services England)  • Liverpool Diabetic Eye Screening (St Paul's Eye Unit) • Liverpool Breast Screening Unit (Broadgreen Hospital)  • NHS Abdominal Aortic Aneurysm Screening Programme - Cheshire & Merseyside (Vascular unit of The Royal Liverpool) |
| **Rights to object and the national data opt-out** | There are very limited rights to object when the law requires information to be shared but government policy allows some rights of objection as set out below.  **NHS Digital**  • You have the right to object to information being shared with NHS Digital for reasons other than your own direct care.  • This is called a ‘Type 1’ objection – you can ask your practice to apply this code to your record.  • Please note: The ‘Type 1’ objection, however, will no longer be available after 2020.  • This means you will not be able to object to your data being shared with NHS Digital when it is legally required under the Health and Social Care Act 2012.  **Public health**  • Legally information must be shared under public health legislation. This means that you are unable to object.  **Care Quality Commission**  • Legally information must be shared when the Care Quality Commission needs it for their regulatory functions. This means that you are unable to object.  **Court order**  • Your information must be shared if it ordered by a court. This means that you are unable to object. |
| **Right to access and correct** | * You have the right to access your medical record and have any errors or mistakes corrected. Please speak to a member of staff or look at our ‘subject access request’ policy on the practice website –   <https://www.storrsdalemedicalcentre.nhs.uk/>   * We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view. |
| **Retention period** | GP medical records will be kept in line with the law and national guidance. Information on how long records are kept can be found at:  <https://digital.nhs.uk/article/1202/Records-Management-Code-ofPractice-for-Health-and-Social-Care-2016> or speak to the practice. |
| **Right to complain** | You have the right to complain to the Information Commissioner’s Office. If you wish to complain follow this link  <https://ico.org.uk/global/contact-us/> or call the helpline **0303 123 1113** |

\* “Common Law Duty of Confidentiality”, common law is not written out in one document like an Act of Parliament. It is a form of law based on previous court cases decided by judges; hence, it is also referred to as 'judge-made' or case law. The law is applied by reference to those previous cases, so common law is also said to be based on precedent.

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The general position is that if information is given in circumstances where it is expected that a duty of confidence applies, that information cannot normally be disclosed without the information provider's consent.

In practice, this means that all patient information, whether held on paper, computer, visually or audio recorded, or held in the memory of the professional, must not normally be disclosed without the consent of the patient. It is irrelevant how old the patient is or what the state of their mental health is; the duty still applies.

Three circumstances making disclosure of confidential information lawful are:

• where the individual to whom the information relates has consented;

• where disclosure is in the public interest; and

• where there is a legal duty to do so, for example a court order