

# PRACTITIONER HEALTH MATTERS

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## Practice Privacy Statement May 2018

Practitioner Health Matters wants to ensure the highest standard of medical care for our patients. We understand that this health programme is governed by an ethic of privacy and confidentiality. Our approach is consistent with the Medical Council guidelines and the privacy principles of the Data Protection Regulations. It is not possible to undertake medical care without collecting and processing personal data and data concerning health. In fact, to do so would be in breach of the Medical Council's "Guide to Professional Conduct and Ethics for Doctors". This leaflet is about advising you of our policies and practices on dealing with your medical information.

## Legal Basis for Processing Your Data

PHMP has voluntarily signed up for the ICGP Data Protection Guideline for doctors. The processing of personal data is necessary in order to protect the vital interests of the patient and for the provision of health care and public health. You can access the Guideline at <http://www.icgp.ie/data>. In most circumstances we hold your data until 8 years after your death or 8 years since your last contact with PHMP. There are exceptions to this rule and these are described in the Guideline referenced above.

### 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.
- All persons in the PHMP (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 PHMP. In this regard, patients should understand that PHMP staff may have access to their records for:
  - Typing referral letters to hospital consultants or allied health professionals.
  - Opening letters from hospitals and consultants. The letters could be scanned into their electronic patient record.
  - Scanning clinical letters, radiology reports and any other documents not available in electronic format.
  - Photocopying or printing documents for referral to consultants.
  - 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 doctor.
  - Handling, printing, photocopying and postage of medico legal and life assurance reports and of associated documents.
  - Sending and receiving information via Healthmail, secure clinical email.
  - Other activities related to the support of medical care appropriate for PHMP support staff.

### **Disclosure of Information to Other Health and Social Care Professionals**

- We may need to pass some of this information to other health and social care professionals in order to provide you with the treatment and services you need. Only the relevant part of your record will be released. These other professionals are also legally bound to treat your information with the same duty of care and confidentiality that we do.

### **Disclosures Required or Permitted Under Law**

- The law provides that in certain instances personal information (including health information) can be disclosed, for example, in the case of infectious diseases.
- Disclosure of information to Employers, Insurance Companies and Solicitors:
  - In general, work related Medical Certificates from your doctor 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, Department of Social Protection sickness certs 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 doctors to discuss patient case histories as part of their continuing medical education or for the purpose of training doctors and/or medical students. In these situations the identity of the patient concerned will not be revealed.

### **Use of Information for Research and Audit**

- It is usual for patient information to be used for research and audit in order to improve services and standards of practice. Doctors on the specialist register of the Medical Council are required to perform yearly clinical audits. Information used for such purposes is done in an anonymised or pseudonymised 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 PHMP

was involved in external research we would discuss this further with you before we proceeded and seek your written informed consent. Please remember that the quality of the patient service provided can only be maintained and improved by training, teaching, audit and research.

### **Your Right of Access to Your Health Information**

- You have the right of access to all the personal information held about you by PHMP. If you wish to see your records, in most cases the quickest way is to discuss this with your doctor who will review the information in the record with you. You can make a formal written access request to the practice and receive a copy of your medical records. These will be provided to you within thirty days, without cost.

### **Transferring to Another Service Provider**

- If it is necessary to transfer your care to another service provider 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.

### **Other Rights**

- You have other rights under data protection regulation in relation to transfer of data to a third country, the right to rectification or erasure, restriction of processing, objection to processing and data portability. Further information on these rights in the context of general practice is described in the Guideline available at <http://www.icgp.ie/data>. You also have the right to lodge a complaint with the Data Protection Commissioner.

**We hope this leaflet has explained any issues that may arise. If you have any questions, please speak to the practice secretary or your doctor.**