

# Cardiff and Vale Regional Clinical In-reach to GP Practices

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## Our commitment to privacy

Your privacy is important to us and we want you to let us know if we are not protecting your privacy to the best of our ability. Please also let us know if you have any other comment or complaint about the way we use personal data. We always try to work within the law, especially the UK General Data Protection Regulations (GDPR) and the Data Protection Act 2018 (DPA).

## What Health Board clinics are provided in GP practices?

A range of clinics is provided by the Cardiff & Vale University Health Board. These include:

- Musculoskeletal clinic
- Vaccination clinics
- Wound care clinic
- Urgent Primary Care clinic

In the past, these clinics have been provided in the large hospitals and other major buildings across Cardiff and the Vale of Glamorgan. More of these clinics are now being made available to patients within their GP practices, which are usually more accessible than hospitals.

In order to make sure your GP is able to arrange for clinics to be held in their practices, it will be necessary to share some personal data between your GP practice and the health board clinic staff.

This document explains how we will do this securely and confidentially.

## What does 'personal data' mean?

Personal data includes basic details about you, including your name and address. It also includes a range of other data about your health, or data about any examination or treatment you have with one of the Health Board clinics.

## Who are we and why are we sharing information about you?

Your GP practice is working with Cardiff and Vale University Health Board to make sure you get safe and effective support and services.

Your GP will want to make sure you have the best assessment and treatment. This means your GP may want to refer you to a health board clinic, providing a small amount of information to

request you are seen. Your GP is also the person who must keep all your health information together. This means that the health board must report to your GP what staff discussed with you in clinics held at the practice.

We will be using a specialist health software company to help us to make sure the right information is available at the right time in the right place. Further on in this document, we will explain more about this.

Your GP and the health board will work to protect your personal data and follow all the laws that are made to protect personal data. We will also make sure that our use of the health software company will protect your personal data and your privacy.

## What data is being shared?

### *Booking*

Your GP practice will organise attendance at a clinic with the health board and you will receive a letter about this in the same way as you would for a hospital clinic appointment. The request for a clinic appointment will include your name, date of birth and address, as well as a brief description of why the clinic is being asked to see you by your GP.

### *Preparing for the clinic appointment*

When you arrive for your clinic appointment at your GP Practice, the person who is going to see you will be able to look at a very limited amount of information taken from your GP record using a special computer program.

The information that is accessed is limited to short notes about these medical topics:-

- Medical observations and conditions
- Test results
- Allergies
- Vaccinations
- Medications

Please note: the clinic staff **do not have access to your full GP record**: that remains secure.

This information is made available to ensure that any safety information can be noted, such as if you have a severe allergy which could be triggered by being examined, or to ensure if the clinic wants

you to have new medication, they will be able to suggest this more safely by knowing medicines that you already take.

(In former days, the GP would have put any important information like this into a referral letter.)

### ***Following your clinic appointment***

After your appointment, the person examining or treating you will make notes about what they have agreed or discussed with you. When they have saved their notes, they are automatically sent to the specialist health software company. They will send the data directly into your GP's information system. This is much quicker than waiting for a clinic letter.

The clinic will also keep a copy of the data that has been recorded and sent to your GP.

If you believe that information has been used differently to the way described here, please let us know so we can deal with it.

### **How will we collect this data?**

Data will be recorded using secure computers and provided to your GP using the best security available.

### **Who will see your data?**

The following are the people who will see data related to you – but they will each see different things.

- GP practice staff who are organising clinics will be able to see the clinic bookings.
- Staff attending clinics at GP practices will have access to some of your GP data (for safety and appropriate care).
- Staff in the clinics and your GP will be able to see the reports made during and after clinic.

Anyone who has access to your personal data will do so only if they need to know about it to do their job, or to make decisions about support / services for you.

When staff share your data, they are bound by relevant laws and rules to protect personal data from being accessed by anyone who does not have the right to access it.

We will be monitoring staff use of the systems described in this leaflet. Staff will be reminded that there could be serious consequences for accessing data they are not entitled to. These

could include loss of job, loss of career and even a criminal conviction.

### **Does the law allow us to do this?**

We have to tell you what laws we are relying on to use your personal data.

To allow the use of your personal data under [UK GDPR](#), the NHS Wales Health Boards are using the provisions known as 'public task', [Article 6 \(1\) \(e\)](#) which means we are carrying out our duties set out in law.

For health services, this law is found in Section 3(1) of the [National Health Service \(Wales\) Act 2006](#). Section 53 of this Act gives Cardiff and Vale University Health Board the power to help your GP practice.

To allow sharing of more sensitive data, such as health-related information, [Article 9\(2\)\(h\)](#) of the UK GDPR tells us we can share personal data to provide health care or social care to an individual or for the management of health or social care systems and services.

We have also prepared a formal agreement and legal contracts with Black Pear Software Ltd. This agreement sets out what the company can and cannot do with your personal data in working on behalf of your GP and the health board. They will be unable to do anything with your data other than to hold it (temporarily) and to pass the data between us. They will not have the right to access or re-use any of your personal data.

### **How else might your data be used?**

You should be aware that we will always have to share information if it is needed to protect life or to ensure that people are safeguarded against exploitation, abuse or neglect.

The partners may use your personal data for administrative tasks which are allowed by GDPR / DPA, such as to make sure staff are not misusing their access to your data or to look after the software in use.

The partners may also use your data to develop reports about the effectiveness of services. Please note that data used in this way would **not** contain your personal data and we will always take precautions to ensure such data is anonymised.

Any use of your personal data in a way that is different to what we describe in this document

will be considered very closely and advice will be sought from data specialists.

## What are your rights over the personal data we hold about you?

The GDPR gives a series of rights to citizens in regard to their personal data. These rights are

slightly changed because data processed by the NHS is a 'public task'.

As such, your rights over this personal data are altered slightly and are described in the following table.

GDPR Citizen Right	Applies?	Notes
The right to access data	Yes	People have a right to see personal data but we can only provide data to an individual entitled to see it. We will seek to maximise the amount of material we can share with you within the relevant law.
The right to erasure	No	This right does not apply to data gathered within a 'public task' so data held by your Health Board or your GP cannot be erased. Exceptional circumstances can be considered on a case-by-case basis.
The right to correct inaccuracies	Yes	Each request will be considered individually. The law allows us to refuse if it would be against the law or would harm you, the service or other people.  Only factual mistakes can be corrected. Changes to professional opinions are usually only considered if the opinions are based on inaccurate facts.
The right to restrict processing	Yes	Each request will be considered individually. The law allows partners to refuse if it would be against the law or would harm you, the service or other people.
The right to object to processing	Yes	We do not use any automated decision-making processes.  Each request will be considered individually. If you wish to object to the use of your personal data as described in this document, please speak to your GP in the first instance so that this can be discussed with you. There is a process to allow you to prevent your data being used in this way.
The right to data portability	Sometimes	This right does not apply to public task data. However, where exercising rights to access data, we can provide data to you in an electronic format.
The right to know how long data will be kept	Yes	Your GP will continue to be the principal holder of all your personal health data. This will continue for your whole life, and 100 years if you lose contact with your GP and no new GP is identified.  Black Pear Software Limited will hold audit records of which staff member has accessed which patient's records. This information will be kept by Black Pear until the end of their contract.  Black Pear Software Limited will hold details of your clinic consultation written by clinic staff for 3 months. The health board will download this clinic data every 3 months, and the data will be deleted by Black Pear Software Ltd at that time.  The health board will download the audit data from Black Pear every month in order to carry out checks of appropriate system use.  The health board will keep clinic records and the audit information for 8 years.

Additional rights include:

- The right to be informed about the regulator to whom complaints can be made (see below);
- The right to be informed about any transfers of data overseas: no personal data will leave the United Kingdom;

## How do you ask a question about your rights over your data or complain about how your rights have been handled?

Please contact us if you wish to apply any of the rights set out above or if you wish to discuss any issues relating to personal data used to support the health board's work with GP Practices.

You may contact us using the following details.:-

Organisation	Contact Role / Address	Contact Number / Email
<a href="#">Cardiff and Vale University Health Board</a>	Data Protection Officer Cardiff and Vale UHB Ground Floor, Woodland House Maes-y-Coed Road CF144XW	<a href="mailto:cav.ig.dept@wales.nhs.uk">cav.ig.dept@wales.nhs.uk</a> <b>029 2074 4870</b>
Your GP Practice		

**We will respond to your request within a month to explain what we intend to do.**

## How do you contact the regulator?

If you remain unhappy with the way we have processed your personal data, you may also wish to contact the national regulator.

You can also find out more about your personal data rights by going to the Information Commissioner's Office (ICO) website at <https://ico.org.uk/your-data-matters/>.

For further independent advice about data protection, and your personal data rights, you can contact:-

Information Commissioner's Office – Wales

2nd Floor, Churchill House

Churchill Way

Cardiff

CF10 2HH

Tel: 02920 678400 Fax: 02920 678399

E-mail: [Wales@ico.gov.uk](mailto:Wales@ico.gov.uk)

Web: <https://ico.org.uk/>

In addition, if you remain unhappy, you may request a Court to assert your rights.

*Version 1.0: 24 December 2024*