

How we use your information

Your information, what you need to know

This Fair processing notice or privacy notice tells you what to expect, when and how Croydon CCG collects and handles personal information.

This notice is to inform you of the type of information that we, as your clinical commissioning group (CCG), holds, how that information is used, who we may share that information with, and how we keep it secure and confidential.

We hold some information about you and this document outlines how that information is used, who we may share that information with, how we keep it secure (confidential) and what your rights are in relation to this. Your records are used to direct and manage the care you receive to ensure that healthcare professionals have the information they need to be able to assess and improve the quality and type of care you receive, and so that your concerns can be properly investigated if a complaint is raised.

We are responsible for planning, buying and monitoring, health services such as hospitals and GP practices, to serve you and others in Croydon and ensure the highest quality of healthcare. This is known as commissioning. It includes services such as hospitals, community and mental health services as well as non-standard services such as those offered by charities. We also have a performance monitoring role of these services, which includes responding to any concerns from our patients on services offered.

All GP practices in Croydon are members of our Clinical Commissioning Group (CCG). Our role is to make sure that appropriate care is in place for you and others, both today and in the coming years.

How we use personal information can also be found in our [registration with the Information Commissioners Office](#) under the reference number ZA001304.

How we keep your information confidential and safe

Everyone working for the NHS is subject to the Common Law Duty of Confidentiality. This means that any information that you provide in confidence cannot normally be disclosed without your consent. However there are circumstances which may override this duty of confidence, for example where a disclosure is ordered by the courts.

The [NHS Confidentiality Code of Practice](#) requires all our staff to protect your information, tell you how it will be used, and allow you to decide if, and how, it can be shared.

We are also required to comply with other legislation relating to the use of personal information such as the [Data Protection Act 1998](#).

Why we collect information about you

We may need to use information about you to help us respond to your queries or secure specialist services for you where we have a statutory duty to uphold. For these reasons we may keep your information in written form and/or in digital form.

Our records may include basic details about you, such as your name and address. They may also contain more sensitive information about your health, or information such as the outcomes of needs assessments.

Choose an item. Read about the different types of data here:

Definition of data types

This section provides definitions for key terms which are used throughout the text below to describe different data types.

Anonymised data, which is data about you but from which you cannot be personally identified

De-identified data with pseudonym identifier, which is data about you but we are able to track you through the patient pathway without using your personal information, and you cannot be personally identified.

De-identified data with weak pseudonym identifier such as the NHS number. We use this to link two or more types of datasets together using your NHS number. For example, using your NHS number to link and analyse datasets such as acute data with community data to see the full picture of your patient pathway. No other personal information is used during this process and you will not be personally identified. However, there may be times whereby you may be re-identified in the event of patient safety requirements, or re-identified for direct care purposes where we pass on information to your GP to treat you

Anonymised in Context data (for commissioning purposes), which is de-identified data about you but from which you cannot be personally identified within a commissioning (CCG) environment. You may be personally identified if this data was available to a hospital or your GP. Like the above, we replace the NHS number with a locally generated pseudonym like hospital number;

Personal data, information from which you can be personally identified, for example name, address, postcode, date of birth

Sensitive personal data, information about your physical and mental health from which you can be identified

What we use your information for

We may use your information for the following purposes. You can find further details about each use below:

Information that is anonymous to us may be used for:

- Analysis and Risk Stratification
- Paying for and Managing Local Healthcare Services
- Invoice Validation

- Supporting Medicines Management
- Supporting Medicines Optimisation
- Commissioning functions

Information that is identifiable to us may be used for:

- Continuing Healthcare Applications
- Individual Funding Requests
- Safeguarding
- Post Infection Reviews
- Incident Management
- Other healthcare purposes (sharing with other NHS or non-NHS organisations)

To read more detail about what we use your information for click [here](#)

More details on what we use your information for:

Improving, planning and managing care services – population data

We use the above types of data to plan health care services. Specifically, we use it to:

- Check the quality and efficiency of the health services we commission;
- Prepare performance reports on the services we commission;
- Work out what illnesses people will have in the future, so we can plan and prioritise services and ensure these meet the needs of patients in the future; and
- review the care being provided to make sure it is of the highest standard.

Care providers, such as general practices, acute and mental health hospitals, community services, walk in centres and nursing homes, sometimes share information with each other to facilitate your direct care.

The law provides some NHS bodies, particularly NHS Digital, ways of collecting sensitive personal data directly from care providers for secondary purposes, such as evaluating care provided at population level.

Data may be linked by these special bodies so that it can be used to improve health care and development, and monitor NHS performance. 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 and audiology, as well as mental health and community-based services such as IAPT, district nursing and podiatry.

The dataset collected from secondary care providers, for example hospitals, by NHS Digital is referred to the Secondary Uses Service (SUS) is the single, comprehensive repository for healthcare data in England which enables a range of reporting and analyses to support the NHS in the delivery of healthcare services. When a patient or service user is treated or cared for, information is collected which supports their

treatment. For further information, please visit NHS Digital's website:
<http://digital.nhs.uk/sus>

The following are the types of organisations NHS Digital receives data from, and then forwards on to our data processor in an anonymised format or a de-identified format with NHS Number in order to link and analyse the data.

Where data is used for these statistical purposes, stringent measures are taken to ensure individuals cannot be identified.

Types of organisations and types of information we receive:

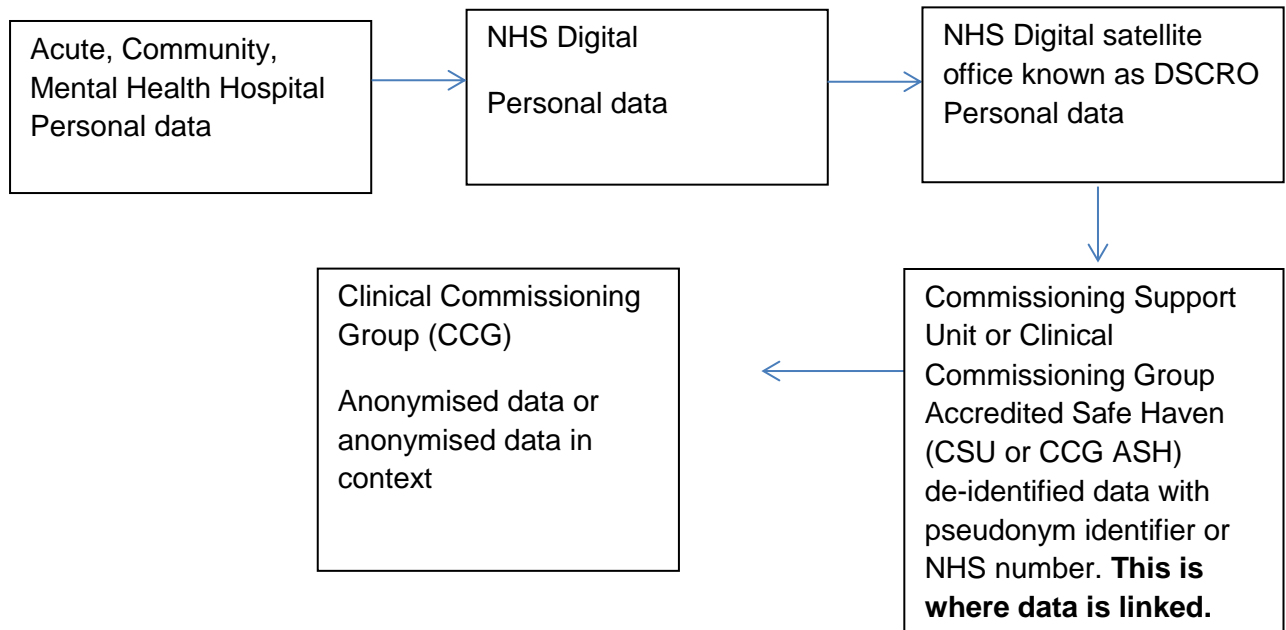
- Acute Trusts – Hospitals, for example [Croydon University Hospital](#) We receive anonymised acute data such as A&E attendances, waiting times, diagnosis, treatments, and follow ups, length of stay, discharge information and next steps.
- Community trusts or community organisations, for example [Purley War Memorial Hospital](#). We receive anonymised community data such as outpatient information, waiting times, diagnosis and treatments, referrals and next steps, domiciliary and district nursing (which includes home visits) and community rehabilitation units.
- Mental Health Trusts or Mental Health organisations, for example [South London and Maudsley NHS Foundation Trust](#). We receive anonymised mental health data such as rehabilitation and outpatient attendances, waiting times, diagnosis, treatment, length of stay, discharge, referrals and next steps.
- Primary Care organisations, for example your local GP practice. We receive anonymised primary care data such as attendances, diagnosis, treatment, GP or GP practice visits, referrals, medication/prescriptions information and follow-ups.

We may also contract with other organisations to process this data. We ensure external data processors that support us are legally and contractually bound to operate this process. They must be able to prove security arrangements are in place where data that could or does identify a person is processed.

Currently, the external data processors we work with include (amongst others):

- NHS South East Commissioning Support Unit

This is how all the above processing works:



What are Primary Care Data and Secondary Care Data?

As many people's first point of contact with the NHS, around 90 per cent of patient interaction is with primary care services. In addition to GP practices, primary care covers dental practices, community pharmacies and high street optometrists. Primary Care Data relates to information which has been sourced from these types of services.

Secondary Care covers treatment and care of a specialised medical service by Clinicians, for example, specialist doctors and nurses, within a health facility or hospital on referral by a primary care clinician (e.g. your GP). Secondary Care data relates to information which have been sourced from these types of services.

Analysis and Risk Stratification

Your GP uses your data to provide the best care they can for you. As part of this process, your GP will use your personal and health data to undertake **risk stratification**, also known as case findings.

Risk stratification involves using computer based algorithms or calculations to identify who most is at risk from certain medical conditions. This informs your GP of who will benefit from clinical care to help prevent or better treat their condition.

To identify those at risk manually out of everyone registered with your GP would be a lengthy and time-consuming process. This approach could result in identifying those at risk later on, and reducing the time to provide care. This is why a computerised process is used.

Your GP Surgery uses the services of a health partner, NHS South East Commissioning Support Unit (South East CSU) to identify those most in need of preventative or improved care. We arrange this contract.

Neither we nor NHS South East CSU will at any time have access to your personal or confidential data. They act on behalf of your GP to organise this service with appropriate contractual and security measures only.

South East CSU will automatically process your personal and confidential data without any staff being able to view the data. Typically they will process your data using indicators such as your age, gender, NHS number and codes for your medical health to identify those who will benefit from clinical intervention.

Processing takes place automatically and without human or manual handling. Data is extracted from your GP computer system, automatically processed, and only authorised personnel at your GP practice will be able to view the outcome, matching results against patients on their system.

We have implemented strict security controls to protect your confidentiality and recommend this as a secure and beneficial service to you. At all times, your GP remains accountable for how your data is processed. However, if you wish, you can ask your GP for your data not to be processed for this purpose and your GP will mark your record as not to be extracted so it is not sent to South East CSU for risk stratification purposes.

The lawful basis to use this information for risk stratification has been allowed by s251 NHS Act 2006 and is processed by South East CSU or other approved providers only. For further information on Risk Stratification, please visit <https://www.england.nhs.uk/ourwork/tsd/ig/risk-stratification/> and <http://www.hra.nhs.uk/about-the-hra/our-committees/section-251/>

Paying for and Managing Local Healthcare Services

We use the local Accredited Safe Haven which processes personal data securely on our behalf to allow it to be used without anyone being identified. This **Safe Haven** is located within NHS South East Commissioning Support Unit (CSU), which has been **accredited by the Health and Social Care Information Centre**.

The information used by South East CSU within the Safe Haven will include details such as your NHS number, GP practice, and information about your treatment at hospital or within the community. It may also include other elements of your health record. This allows South East CSU to link information from each area of healthcare to give us a fuller picture of health within Croydon. It helps us understand which services are required to support you and others to stay healthy. As part of this process, any information that might allow us to identify you is removed before it is sent to us at the CCG.

Where we are responsible for care that has been provided, we will need to make a payment to the provider of that care. In most cases limited data is required to make these payments. However, in some instances we will need information to confirm that you are registered at one of our member GPs to make these payments. This is done in line with the **Who Pays Invoice Validation Guidance** issued by NHS England and is explained further below.

Invoice Validation

There may be times where one healthcare organisation will need to invoice another for treatment given to a patient. This can occur, for example, when you need hospital treatment while away from home on holiday. The hospital at which you were seen may need to invoice us for the treatment you received.

Before paying the invoice, we will need to be sure that we are responsible for your treatment costs and not another CCG, as well as checking to ensure that the amount you are being billed for is correct. This process is known as invoice validation. For invoice validation to occur, a limited amount of information about you needs to be shared between us and the hospital where you received treatment. The following table outlines type of information we may share and justification for use of this information.

Croydon CCG uses the services of a health partner, NHS South East Commissioning Support Unit (South East CSU) to process this data on our behalf to enable the appropriate payment to be processed. South East CSU does not use any information from NHS Digital for this process, the information is provided directly from where you received the treatment. Once the invoice has been paid, the limited information about you is deleted, as it is no longer required. If the information is needed again, to respond to a question, it will be requested, the question answered and the information deleted again.

Information Type	Example	Purpose	Justification
Invoice Number	Not PCD	Identifies the relevant invoice and allows associated with backing data	To enable backing data to be matched with the relevant invoice
NHS Number	NHS Number	The unique identifier for the patient	Needed to determine if the individual is the responsibility of the CCG
Unique Patient Event identifier	Hospital Provider Spell Number/AE or OP Attendance identifier unique within Provider for the patient event	To ensure the same episode of care isn't paid for by the commissioner more than once. For example, a patient may have several attendances of treatment on the same day.	To distinguish between multiple events carried out for a particular patient on the same day.
Unique Patient Identifier	Local Patient Identifier, GP Practice identifier	To ensure any issue or payment is attributed to the same patient	To identify the individual to the healthcare provider. Particularly as NHS Number is not always known by the provider.

Continuing Healthcare (CHC) Applications

If you make an application for [Continuing Healthcare](#) (CHC) funding, we will need to use information about you. This includes information that you provide us with. We

may also need to request further information from care providers in order to identify your eligibility for funding.

If funding is agreed, arrangements will be put in place to arrange and pay for the agreed funding packages with appointed care providers. This process is defined nationally and we follow a standard process and use standard information collection tools when assessing eligibility for CHC applications.

Individual Funding Requests (IFR) Applications

If you make an [Individual Funding Request \(IFR\)](#) to fund specialist drugs or rare treatments that are not routinely commissioned, we will need to use information about you. This includes information that you provide us with. We may also need to request further information from care providers in order to identify your eligibility for funding.

If funding is agreed, arrangements will be put in place to arrange and pay for the agreed funding packages with appointed care providers.

We will always seek your consent to use your information for this purpose.

Supporting Medicines Optimisation

CCGs support local GP practices with prescribing queries which generally don't require personal data. Where specialist support is required (eg to order a drug that comes in solid form, in gas or liquid) Croydon CCG's medicines optimisation team will order this on behalf of a GP to support your care.

Supporting Medicines Management

Croydon CCG pharmacists work with the GP practice to provide advice on medicines and prescribing queries, and review prescribing of medicines to ensure that it is safe and cost-effective. This is done with practice agreement. No personal data is removed from the practice and no changes are made to patient's records without permission from the GP. Patient records may be viewed from the CCG's premises and via secure laptops in care homes or patient homes

Safeguarding

Advice and guidance is given to care providers to ensure that adult and child safeguarding matters are managed appropriately.

Access to and sharing of personal data will be required in some limited circumstances where it's legally required for the safety of the individuals concerned.

Post Infection Reviews

We collaborate closely with organisations involved in providing patient care, to jointly identify and agree the possible causes of, or factors that contributed to a patient's infection.

We will lead the Post Infection Reviews within Croydon in the circumstances set out in the [Post Infection Review Guidance](#) issued by NHS England. They will be able to

use the results of the Post Infection Review to inform the mandatory healthcare associated infections reporting system.

Incident Management

We are accountable for effective governance and learning following all **Serious Incidents** (SIs) and we work closely with all provider organisations as well as commissioning staff to ensure they are reported and managed appropriately.

The Francis Report (February 2013) emphasised that commissioners should have a primary responsibility for ensuring quality of care, as well as providers.

Commissioning Functions

In order for us to perform our commissioning functions various organisations share information with us including: GPs, acute and mental health hospitals, other CCGs, community services, walk-in centres, nursing homes, directly from service users and many others.

This information is not personal information and you cannot be identified by it.

Other Healthcare Purposes (Information Sharing With Other NHS Agencies and Non-NHS Organisations)

For other health purposes and for your benefit, we may share your information with other organisations such as Health Authorities, NHS Trusts, and General Practitioners. We may also need to share information with our **partner organisations** or with other non-NHS organisations if you are receiving care from them, such as the Local Authority or Croydon Community Health Services.

Where information sharing is required with other organisations, we will always have a relevant Data Sharing Agreement or Data Processing Deed in place and will not disclose any health information without your explicit consent.

There may be exceptional circumstances where we are required to share you information without your consent such as; when your health or the health or safety of others is at risk; where the law requires it; or where it is required in order to carry out a statutory function.

Our guiding principle is that we are holding your records in strictest confidence. We follow both the Data Protection Principles and the Caldicott Principles as a guide for handling and sharing information.

Managing conflicts of interest

We manage conflicts of interest as part of our day-to-day activities. Effective handling of conflicts of interest is crucial to give confidence to patients, tax payers, healthcare providers and parliament that CCG commissioning decisions are robust, fair, transparent and offer value for money. It is essential in order to protect healthcare professionals and maintain public trust in the NHS. Failure to manage conflicts of interest could lead to legal challenge and even criminal action in the event of fraud, bribery and corruption.

Section 14O of the National Health Service Act 2006 (as amended by the Health and Social Care Act 2012) (“the Act”) sets out the minimum requirements of what both NHS England and CCGs must do in terms of managing conflicts of interest.

Any persons who are included in the declaration of interest registers can contact the Data Protection Officers for Croydon CCG at

NHS Croydon CCG

Bernard Wetherill House

8 Mint Walk

Croydon CR0 1EA

Tel 020 8663 1300

Email: secsu.informationgovernance@nhs.net

What we do not use your information for

We do not sell personal data about you to individuals or organisation.

We also have robust technical solutions in place to protect against malicious attempts to access information.

How your records are used to help the NHS

Your information may be used to help assess the needs of the general population and make informed decisions about the provision of future services. Information can also be used to conduct health research and development as well as monitor NHS performance.

Where information is used for statistical, research and auditing purposes, strict measures are taken to ensure that you and others cannot be identified. Anonymous statistical information may also be passed to organisations with a legitimate interest, including universities, community safety units and research institutions.

If it is for an essential NHS purpose and it is not sufficient to use anonymised information, identifiable information may be used. This will only be done with your consent unless the law requires information to be passed on to improve public health.

To ensure that your information is appropriately and effectively anonymised we follow [HSCIC anonymisation standards](#).

Decommissioning of services

We will retain legal responsibility for the information held about you until it is formally dissolved or the responsibility is appropriately transferred.

Your right to withdraw consent for us to share your personal information (Opt-Out)

There are choices you can make about how your information is used, and you can choose to opt out of your information being shared or used for any purpose beyond providing your care. Please note that not choosing to share your information may

have an impact on your care and by sharing your information will improve NHS services and the experience of treatment and care for our patients.

If you do not want your information to be used for any purpose beyond providing your care you can choose to opt-out. If you wish to do so, please inform your GP practice and they will mark your choice in your medical record.

Further details about opting out

There are two types of opt-out. You can withdraw either opt-out at any time by informing your GP practice.

Type 1 opt-outs

If you do not want information that identifies you to be shared outside your GP practice, for purposes beyond your direct care, you can register a type 1 opt-out with your GP practice. This prevents your personal confidential information from being used other than in particular circumstances required by law, such as a public health emergency like an outbreak of a pandemic disease.

Type 2 opt-outs

NHS Digital collects information from a range of places where people receive care, such as hospitals and community services. If you do not want your personal confidential information to be shared outside of NHS Digital, for purposes other than for your direct care, you can register a type 2 opt-out with your GP practice.

Please note that to opt out of participation in national programmes such as the [Summary Care Record](#) or [Care.Data](#), you must contact your General Practice.

How long we will keep your information and how we will destroy information

There are different retention schedules for different types of information and types of record. In the NHS, all commissioners and providers apply retention schedules in accordance with the Information Governance Alliance's Records Management Code of Practice for Health and Social Care. For more information, you can access the document here: <http://systems.digital.nhs.uk/infogov/iga/rmcop16718.pdf> . The retention schedules start on page 53.

When destroying data we ensure that we, or third parties we contract to destroy data on our behalf, meet guidelines set out within principle 7 of the Data Protection Act 1998, the European Standard EN 15713 for paper copies and CESG standards (www.cesg.gov.uk) for secure destructions of electronic data.

CCG oversight

We have assigned a [Caldicott Guardian](#) and Senior Information Risk Owner who have oversight of the handling of information within our CCG as well as support organisations that we may buy services from. The Caldicott Guardian has the role of overseeing and making decisions on information sharing. The Senior Information Risk Owner is accountable for information risk. Both roles are supported by the Information Governance Steering Group (IGSG) which meets regularly to discuss issues related to information governance. The group is formed of senior

representatives from each team within our CCG and is chaired by the Senior Information Risk Owner.

National initiatives

If you would like to find out about national initiatives that may affect you, please visit:

- Care.Data: NHS England <http://www.england.nhs.uk/ourwork/tsd/care-data/>
- HSCIC Centre: <http://www.hscic.gov.uk/article/3525/Caredata>
- Coordinate My Care: <http://www.coordinatemycare.co.uk/>
- Summary Care Record: <http://systems.hscic.gov.uk/scr>

Employee information

We collect information about individuals who work for us for the following purposes:

- the administration of prospective, current and past employees including self-employed, contract personnel, temporary staff or voluntary workers
- the recruitment and selection process
- administration of non-CCG staff contracted to provide services on our behalf
- planning and management of our workload or business activity
- occupational health service
- administration of agents or other intermediaries
- pensions administration
- payment administration
- disciplinary matters, staff disputes, employment tribunals
- staff training and development
- ensuring staff are appropriately supported in their roles
- vetting checks
- assessing our performance against equality objectives as set out by the Equality Act 2010

Members of staff can apply for a copy of the records we hold about them by following the same processes outlined below in 'Accessing your information held by NHS Croydon CCG'

Accessing your information held by NHS Croydon CCG

Under the Data Protection Act 1998, you have the right to see or be given a copy of personal data held about you. To gain access to your information you will need to make a Subject Access Request. Please be aware that we can only provide information held by us at the CCG and not information held by any other NHS organisation e.g. your GP.

We may charge a fee for the administration of the request, as prescribed within the Data Protection Act 1998 and in line with ICO guidelines:

- If the information is only held electronically we may charge up to £10
- If the information is only held wholly or partly in paper format we may charge up to £50

If you wish to make a Subject Access Request, would like to contact the Caldicott Guardian, or have any other concerns or questions please contact the Information Governance Team c/o:

NHS South East Commissioning Support Unit

1 Lower Marsh

London SE1 7NT

Email: secsu.informationgovernance@nhs.net

Please note that in order to respond to a Subject Access Request we will need to share information about you with South East CSU.

Freedom of information requests (FOI)

The Freedom of Information Act (2000) gives every Individual the right to request information held by Government Agencies. Private Companies are not subject to this act. Please note that a Freedom of Information Request is not the same as a Subject Access Request.

For postal requests, please send to the Freedom of Information Team at:

Freedom of Information Manager

C/O NHS South East Commissioning Support Unit

1 Lower Marsh

London SE1 7NT

You can also email your request to: SECSU.FOI@nhs.net

Your request for information must be made in writing and you are entitled to a response within 20 working days.

Complaints

If you have a comment, compliment or complaint about how your information has been used in Croydon then please contact the complaints team:

Email: SECSU.Complaints@nhs.net

South East CSU Complaints Team

1 Lower Marsh

London SE1 7NT

Records of complaints will not be kept within your clinical file and will be handled in line with the [NHS Records Management Code of Practice](#).

If you are not happy with our responses about your use of information and data and have exhausted all the avenues in the CCG Complaints Process and wish to take

your complaint to an independent body, you can do this by contacting the Information Commissioner's Office in writing to the following address:

Wycliffe House

Water Lane

WILMSLOW

Cheshire SK9 5AF

You can also telephone their helpline on 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number. Or email: casework@ico.org.uk

The Information Commissioner's Office also provide independent advice.

Relevant links to associated documents or organisations can be found here:

If you would like to find out more information on the wider health and care system approach to using personal information or other useful information, please click on the following links:

NHS Constitution:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/480482/NHS_Constitution_WEB.pdf

NHS Care Record Guarantee:

<http://systems.digital.nhs.uk/rasmartcards/strategy/nhscrg>

NHS Digital's Guide to Confidentiality:

<http://systems.digital.nhs.uk/infogov/confidentiality>

Information Commissioner's Office: <https://ico.org.uk/>

Health Research Authority: <http://www.hra.nhs.uk/>

Health Research Authority Confidentiality Advisory Group (CAG):

<http://www.hra.nhs.uk/about-the-hra/our-committees/section-251/>

For more information about care records and how to access them see NHS Choices

<http://www.nhs.uk/NHSEngland/thenhs/records/healthrecords/Pages/overview.aspx>.

For details about how public bodies must make information available, see the model publication scheme published by the Information Commissioner's Office.

<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/publication-scheme/>