



Digital Policy Web

1.0 Introduction

At Portland our mission is to help you discover your wellbeing. We are passionate about innovative, empathetic and responsive healthcare. We strive to comply with the General Data Protection Regulation (**GDPR**) and the Data Protection Act 2018 (**DPA**).

This policy explains how we use personal data. We want to help you understand how we work with your data, so that you can make informed choices and be in control of your information. We invite you to spend a few moments understanding this policy. We may update this policy from time to time and, if we make any material changes, we will make this available to you. By continuing to be registered as a patient of Portland Medical and use our digital and non-digital the way we use your personal data will be subject to the terms of this updated policy.

This policy explains how we use your personal data for all our healthcare services. It also governs the use of your data through our associated apps, telephones, website, social media channels, electronic medical record or any of our video services.

This policy covers:

1. Who we are;
2. What personal data we hold and how we get it;
3. What we use your personal data for;
4. Sharing your personal data;
5. Retention;
6. Data security and transfers; and
7. Your rights.

If you have any further questions about how we process your information, please don't hesitate to get in touch by contacting our Data Protection Officer:

Umar Sadat
IG Health
dpo.swl@nhs.net
07894 826 037

2.0 Who we are

Our healthcare services are delivered mainly by Portland Medical which provides you with NHS and private medical treatment. Associated companies provide outsourced services including, online consultations/triage, appointment booking, video services, text services, marketing and social media and our website. The registered place of work and principal place of business for all associated features remains Portland Medical Centre, 184 Portland Road, SE25 4QB.

Our NHS service is called Portland Medical and is provided to patients registered with the NHS GP practice in accordance with its PMS contract. Portland Medical offers the optional Doctor Link service, a digital-first service to its patients, which is provided by Medvivo under a sub-contract arrangement by the SWL STP.

When this policy talks about 'PM', 'us' or 'we', it means Portland Medical. We do not provide your data to other companies within our structure, however individual associated companies will have their own policy governing their use which you may sign up for or use.

Portland Medical are controllers of your personal data provided to, or collected by or for, or processed in connection with our healthcare services. This policy applies to services directly from Portland Medical. In keeping with our specific GDPR/ Data Protection Policy.

Your relationship is with Portland Medical. If for example, you would like to access your data, PM is the entity to which you would make such a request.

What personal data we hold and how we get it

We use the following categories of personal data:

3.0 Personal details

When you register with us, you complete forms and provide us with basic information about yourself, such as your name, date of birth, physical address and email address. You will also provide us with a copy of identification documentation for ID checks to be carried out. You are responsible for the accuracy of the information that you provide to us.

4.0 Health and medical information

The main type of information we hold about you is health and medical information: information about your health, symptoms, treatments, consultations and sessions, medications and procedures. This includes details of your consultations with our doctors, and interactions with our digital services, including interactions with our chatbot, symptom checker, online consultations, telephone consultations, text messaging service and is done in order to provide you with a better experience and for the purposes of providing you health care.

We get some of this information directly from you, when you register with us and when you use our healthcare services we will receive your medical history from your previous GP. If you use our other services (including our private service), and if you have given consent for us to do so, these will be added to your electronic medical record. Any correspondence we receive from you is uploaded electronically to your electronic medical record.

We retain 'recordings' (audio, video or written) of our consultations and interactions with you. This can include your use of our chatbot service, symptom checker, telephone calls, text messages, face to face consultations and emails. This is in order to provide you with an easy way to check your consultations where you wish to, so that we can ensure high quality care is provided to you, and, with your consent, to allow us to learn from them to improve our services. To monitor our service quality, we may retain records of when you contact our various clinical and non-clinical teams via email, phone or our live chat services. Recordings are held securely in accordance with our retention policy. You can access recordings or transcripts of your consultations or interactions with us (depending on the format) for a limited time from us. Please refer to the 'Retention Periods' section of this policy.

We may also hold information about you and your health from other apps, devices and services where you have given your consent to that data being shared with us. Examples include where you decide to share information collected from a smart watch or similar device and online symptoms assessment tool.

5.0 Financial information

If on a rare occasion you make any payments to PM, we only process these via cash, and as such do not keep records of payments or card details.

6.0 Technical information and analytics

When you use our visit our website, or use our associated digital services from contracted partners, we may automatically collect the following information where this is permitted by your device or browser settings:

- technical information, including the address used to connect your mobile phone or other device to the Internet, your login information, system and operating system platform type and version, device model, browser or app version, time zone setting, language and location preferences, wireless carrier and your location (based on IP address); and
- information about your visit (such as when you first used the digital services and when you last used it, and the total number of sessions you have had), including products and services you viewed or used, response times and updates, interaction information (such as button presses or the times and frequency of your interactions with the communications we deliver to you online or otherwise) and any phone number used to call our practice phone number.

We work with partners who provide us with analytics and social media or marketing services (for our services only and not for third party advertising). This includes helping us understand how users interact with our services, providing our advertisements on the internet, and measuring performance of our services and our adverts. Cookies and similar technologies may be used to collect this information, such as your interactions with our services. Our Cookie Policy is available on our website. You can prevent the setting of cookies by adjusting the settings on your browser or your mobile phone.

7.0 Information obtained from third party services

You may choose to connect to our digital services, generating accounts with other providers (such Doctor Link or NHS app), for example, when signing up to make it easier to create an account with us. If you choose to do this, we will receive limited information about you from that provider, such as your email address and name. Provided we are acting in accordance with data protection laws, we may also use information from other sources, to contact you or utilise the data to help us to improve and measure the effectiveness of our services.

8.0 What we use your personal data for

The purposes for which we use your personal data and the legal grounds on which we do so are as follows:

8.1 Providing you a service

- We obtain and use your personal details in order to establish and deliver our patient contract with you.
- We obtain and use your medical information because this is necessary for medical purposes, including medical diagnosis and the provision of healthcare or treatment. This includes the information collected through our consultations with you (such as notes and recordings), our digital services, and medical history from your previous NHS GP. It may also include sharing information with other healthcare professionals as necessary for the provision of care to you, such as referral services, therapists, pharmacists, hospitals, accident and emergency services, pathology service providers, and diagnosis centres for the purpose of imaging request forms. This list is not exhaustive but does give an accurate representation of most points of data sharing.

9.0 Making healthcare accessible

- Where you have provided your explicit consent, associated partner such as Doctor Link will use your medical information (always having removed personal identifiers, such as your name, address and contact details) to improve our healthcare products and services, and our symptom checking system, so that we can deliver better healthcare to you and other users. This medical information (with your personal identifiers removed in the way described above) may include your medical record and your

interactions with their services, such as the symptom checker. This does not involve making any decisions which would have a significant effect on you – it is only about improving their products, services and software so that we can deliver a better experience to you and other users. Strict confidentiality and data security provisions apply at all times. This consent relates to information that can identify you.

10.0 Keeping you up to date

- We use your postal address, email address, phone number and/or details to contact you or present you with occasional updates and messages where you have not opted out, based on our legitimate interest in your access to our health services and is subject to your right to opt out at any time.
- As part of providing you with high quality preventative and occupational health care services, we may contact you by SMS, email and/or other means to offer you helpful information or invite you to make appointments, for example for healthcare screening programmes (such as cervical cancer screening).

11.0 Other uses

- Based on our legitimate interest in managing and planning our medical services, we may analyse data about your use of our services to troubleshoot bugs within the system or our website, forecast demand of service and to understand other trends in use, including which features users use the most and find most helpful, and what features users require from us. This does not involve making any decisions about you that would have a significant legal effect on you – it is only about improving our service provision so that we can deliver better services to you. Strict confidentiality and data security provisions will apply at all times.
- We also store your medical information, such as notes from consultations, recordings of our telephone consultations with you as well as your interactions with our digital services including interactions with our live chat services/chatbot, and all incoming and out going correspondence. At present we do not record video consultations. We may need to review your information and, where necessary, make disclosures in compliance with reasonable requests by regulatory bodies including the General Medical Council, MHRA, and Care Quality Commission, or as otherwise required by law or regulation.
- Where necessary for safety, regulatory and/or compliance purposes, we may audit consultations and your other interactions with our services. Strict confidentiality and data security provisions will apply at all times to any such audit and access.

12.0 Sharing your personal data with others

- We may share your personal data with companies we are contracted or associated with to provide services on our behalf, including those who act as data processors on our behalf, acting strictly under contract in accordance with Article 28 GDPR. Those data processors are bound by strict confidentiality and data security provisions, and they can only use your data in the ways specified by their policies.
- We will not without your consent share any details relating to the content of your consultation with us or your health/medical records.

13.0 Information sharing with other healthcare providers

- We will, where necessary for your treatment or care, share your information with your other health and social care providers. For example other NHS bodies, specialist referral services, therapists, pharmacists, hospitals, accident and emergency services, pathology service providers, diagnosis centres for the purpose of imaging requests, and other health and care bodies. This may include sharing information with such services for safeguarding purposes in accordance with our legal obligations.

14.0 Anonymised information

- We may display on our website or share with our commercial partners aggregated and anonymised data that does not personally identify you, but which shows general trends, for example, the number of users of our service.

15.0 NHS Commissioning and Partners

- If you use our service, this may also include sharing personal data to support medicines management. This is because Croydon Clinical Commissioning Groups (or other Clinical Commissioning Groups that oversee Portland Medical services) use pharmacist and prescribing advice services to support local GP practices with prescribing queries, which may require identifiable information to be shared. These pharmacists work with PM to provide advice on medicines and prescribing queries, and review prescribing of medicines to ensure that it is appropriate for your needs, safe and cost-effective. Where specialist prescribing support is required, the CCG medicines management team may provide support relating to obtaining medications on behalf of PM to support your care.
- If you use PM, we will share your records with Croydon CCG Integrated Care (or other systems for other locations in which PM will operate), which provides other members

of the scheme (such as, amongst others, NHS Trusts and the ambulance services) with access to your data to promote integrated care for you, and for research and statistical purposes, based on medical purposes and public interest research. You may contact us at any time to opt out of this data sharing.

- We may share your records with Summary Care Records, which is an electronic record of important patient information, created from GP medical records based on medical purposes. Your data Summary Care Records can be accessed by authorised staff in other areas of the health and care system involved in your direct care. You can contact us at any time to opt out of this data sharing by completing and sending the form contained in the section ‘Security and the SCR’ in the following link: <https://digital.nhs.uk/services/summary-care-records-scr> (where more information about Summary Care Records can also be found).
- We may preserve or disclose information about you to comply with a law, regulation, legal process, or governmental request; to assert legal rights or defend against legal claims; or to prevent, detect, or investigate illegal activity, fraud, abuse, violations of our terms, or threats to the security of our services or the physical safety of any person.

Except as described above, we will never share your personal information with any other party without your consent.

16.0 Retention periods

We retain your medical records in accordance with national best practice guidance – in particular, advice provided by the Department of Health (2006) Records management: NHS code of practice, and summary guidance issued by the British Medical Association. The below is a summary of our retention policy, but we may retain records that do not identify you for legitimate business purposes such as managing or planning our business, or records for other periods as required by law or regulation.

Type of record	Retention period
GP records	<p>GP Records retained for 10 years after death or after the patient has permanently left the country unless the patient remains in the European Union. In the case of a child, if the illness or death could have potential relevance to adult conditions or have genetic implications for the family of the deceased, the advice of clinicians should be sought as to whether to retain the records for a longer period.</p> <p>Electronic patient records (EPRs) must not be destroyed, or deleted, for the foreseeable future. GP records include medical records, consultations with GPs and chatbot interactions.</p>
Video consultations	Currently not recorded – subject to change.

E-Mails	Retained for a period of 12 months.
Chatbot	Retained for a period of 12 months.
Digital Consultations/Triage	Retained as per GP records.
Recorded telephone calls	Retained for a period of 3 years
Text Messages, Emails and Letters	Retained as per GP records.

Data storage, security and transfers

We store all your personal health data, including your primary care information, medication information and diagnostic information, on secure servers.

Where you have chosen a password that enables you to access certain parts of your medical record, you are responsible for keeping this password confidential. We ask you not to share the password with anyone.

We encrypt data transmitted to and from the associated partners. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy policy.

Your data may be processed or stored via destinations outside of the UK and the European Economic Area (EEA), but always in accordance with data protection law, including mechanisms to lawfully transfer data across borders, and subject to strict safeguards. For example, we work with third parties who help deliver our services to you, whose servers may be located outside the UK or EEA. For further information on the safeguards we take if we transfer data outside of the EEA, contact our DPO.

17.0 Your rights

As indicated above, whenever we rely on your consent to process your personal data, you have the right to withdraw your consent at any time by contacting us.

You also have specific rights under the GDPR and DPA to:

- wherever we process data based on your consent, withdraw that consent at any time.
- understand and request a copy of information we hold about you. Subject to our retention periods, recordings of your appointments with us and other medical notes. For other information, you can make a request by email;

- ask us to rectify or erase information we hold about you, subject to limitations relating to our obligation to store medical or health records for medical diagnoses and treatment for prescribed periods of time;
- ask us to restrict our processing of your personal data or object to our processing; and
- ask for your data to be provided on a portable basis.

You may also contact the Information Commissioners Office (the data protection regulator in the UK): Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, telephone: 0303 123 1113 (local rate).

18.0 Contact us

For any questions or concerns, you can contact us through our website where there is an option to contact the team.

For any questions or concerns, you can contact us by sending an email to our Data Protection Officer: dpo.swl@nhs.net

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