

GPES data extraction for pandemic planning and research (COVID-19)

King Edward Street Medical Practice, in common with all other GP surgeries, is legally obliged to extract personal confidential data from our patients' GP records and upload them to NHS Digital for COVID-19 pandemic planning and research purposes.

Will I be asked for my permission before this happens?

NO. The requirement to obtain the explicit permission of patients before any such extraction is set aside by means of the legal obligation, enacted under [s259 of the Health and Social Care Act 2012](#).

What information about me is uploaded?

The data which NHS Digital will collect and analyse contains NHS Number, postcode, address, surname, forename, sex, ethnicity, date of birth and date of death. It will also include coded health data which is held in your GP record such as details of diagnoses and findings, medications and other prescribed items, investigations, tests and results, treatments and outcomes, vaccinations and immunisations.

What happens to my information once uploaded to NHS Digital?

That information can then be provided to organisations (such as CCGs and researchers) for purposes related to COVID-19. Applications to access that information will be strictly controlled. NHS Digital will do this through their Data Access Request Service ([DARS](#)) with advice on requests for data from this collection from the Independent Group Advising on the Release of Data ([IGARD](#)) along with consultation with profession representatives at the [RCGP](#) and the [BMA](#).

Does my surgery have to comply with this?

YES. We are legally mandated to.

Do I have to allow my records to be processed in this way?

NO. You have the right to object (i.e. to opt-out).

This type of data processing is a “secondary use” of personal data, that is for purposes *other than your direct medical care*, and as such:

- 1) The legal basis (to meet the Common Law of Confidentiality) for this data extraction is section 259 of the Health and Social Care Act
- 2) GP surgeries are required by law to make fair processing information available to patients about this data extraction (such as this leaflet)
- 3) Patients have the right to object to this use of their data (i.e. to *opt-out*). This will not affect your entitlement to medical care in any way, either from the surgery or from any hospital.

What if I opt-out?

Your data will not be extracted and uploaded to NHS Digital for this purpose. Your data remains fully available to your GP surgery and, in all the other ways that we share your GP record, to external organisations such as NHS 111, the GP out-of-hours service, the ambulance service, A&E etc.

So how do I opt-out?

You can opt-out of *all* secondary uses of your GP information, including this data extraction, by filling in an opt-out form available at:

<http://www.nhsdatasharing.info/>

If you have already opted out of secondary uses (e.g. if you had opted out of *risk stratification for case finding*) then your data will automatically be prohibited from extraction and uploading to NHS Digital for this particular purpose. You do not need to opt-out again. If you are not sure whether you have already opted-out of secondary uses, then you can simply opt-out now, to be certain.

A Type 1 secondary use objection will in no way affect how healthcare professionals provide you with direct medical care or prevent them from accessing your medical record if and when appropriate, and with your explicit permission.

Secondary uses are not about information sharing between healthcare professionals.

Where can I find more information?

- [NHS Digital has produced a transparency notice about this](#)
- The [data provision notice](#) to GP surgeries is available
- More information about Type 1 secondary use objections can be found in our dedicated factsheet



Type 1 opt out
9NuO.docx

- Detailed information about your medical records and how your practice processes your information can be found in our privacy notice at:
<https://www.kingedwardst.nhs.uk/media/content/files/2020%20KESMP%20Privacy%20Notice.pdf>

If you would like any further information about primary or secondary uses of your GP record, opting out, the NHS Databases, access to your medical record, confidentiality, or about any other aspect of NHS data sharing or your medical records, then please do contact the surgery's Caldicott Guardian/Information Governance lead/Data Protection Officer:

edwardst.manager@nhs.net

OPT OUT FORM – MEDICAL RECORDS

Dear King Edward St Medical Practice,

I do not wish to allow my medical records to be used for any purpose other than my medical care.

Please ensure my dissent to secondary uses is recorded by whatever means possible, which includes adding the following code to my GP record:

- Uploading information from my GP record

Type 1 objection: 9Nu0

I understand that I can opt back in to any or all of these at any time in the future.

Name:

Signature:

DOB:

Your name/signature & relationship if applying on behalf of another person (e.g. parent/legal guardian):

Please hand this form into reception, or post it to the surgery,
or email it to the Practice Manager (edwardst.manager@nhs.net)