

Welcome to Operose Health's Privacy Notice

This Privacy Notice applies to the processing of personal data collected by Operose Health.

We may collect personal data via our:

- Websites:
 - www.operosehealth.co.uk
 - www.thepracticegroup.co.uk
 - www.birminghamnhs.uk
 - www.braminghamparkmedicalcentre.com
 - www.broadoakmedicalpractice.nhs.uk
 - www.brooklandshealthcentre.nhs.uk
 - www.kcpcc.co.uk
 - www.kingfishersurgery.org.uk
 - www.kingswayhealthcentre.nhs.uk
 - www.mhbalderton.co.uk
 - www.pathfinderpractice.nhs.uk
 - www.southglademedicalpractice.nhs.uk
 - www.theflyingscotsmanhealthcentre.nhs.uk
 - www.thepracticebeacon.nhs.uk
 - www.thepracticefurzedown.nhs.uk
 - www.thepracticeharehillscorner.nhs.uk
 - www.thepracticehawkwell.nhs.uk
 - www.thepracticejohnsmith.nhs.uk
 - www.thepracticeleeconway.nhs.uk
 - www.thepracticelincolngreen.nhs.uk
 - www.thepracticenorthumberlandave.nhs.uk
 - www.thepracticeoldhill.nhs.uk
 - www.thepracticeprospecthouse.nhs.uk
 - www.thepracticestalbans.nhs.uk
 - www.northkenteyeservice.nhs.uk
 - www.hounsloweyeservice.nhs.uk
 - www.haringeyeyeservice.nhs.uk
 - www.salfordeyeservice.nhs.uk
- GP Service, or other contract as an NHS Business Partner
- Any correspondence with us (by phone, email or otherwise).

1. Important information and who we are

“Operose Health” is the brand name for the Operose Health family of companies

- **Operose Health Limited.** Registered in England & Wales No: 100014577. Registered office: 77 Cavendish Street, London, England, W1W 6XB
- **Operose Health (Group) Limited.** Registered in England & Wales No: 05685937. Registered office: Rose House Bell Lane Office Village, Bell Lane, Little Chalfont, Amersham, Buckinghamshire, HP6 6FA

- **Operose Health Corporate Management Limited.** Registered in England & Wales No: 07666277. Registered office: Rose House Bell Lane Office Village, Bell Lane, Little Chalfont, Amersham, Buckinghamshire, HP6 6FA
- **Operose Health (Group) UK Limited.** Registered in England & Wales No: 05555460. Registered office: Rose House Bell Lane Office Village, Bell Lane, Little Chalfont, Amersham, Buckinghamshire, HP6 6FA
- **The Practice Properties Limited.** Registered in England & Wales No: 05483424. Registered office: Rose House Bell Lane Office Village, Bell Lane, Little Chalfont, Amersham, Buckinghamshire, HP6 6FA
- **The Practice Surgeries Limited.** Registered in England & Wales No: 06545745. Registered office: Rose House Bell Lane Office Village, Bell Lane, Little Chalfont, Amersham, Buckinghamshire, HP6 6FA
- **The Practice U Surgeries Limited.** Registered in England & Wales No: 05770108. Registered office: Rose House Bell Lane Office Village, Bell Lane, Little Chalfont, Amersham, Buckinghamshire, HP6 6FA
- **Phoenix Primary Care Limited** Registered in England & Wales No: 06280242. Registered office: Rose House Bell Lane Office Village, Bell Lane, Little Chalfont, Amersham, Buckinghamshire, HP6 6FA
- **Phoenix Primary Care (South) Limited** Registered in England & Wales No: 07470273 Registered office: Rose House Bell Lane Office Village, Bell Lane, Little Chalfont, Amersham, Buckinghamshire, HP6 6FA
- **Chilvers and MCCrea Limited** Registered in England & Wales No: 04149500 Registered office: Rose House Bell Lane Office Village, Bell Lane, Little Chalfont, Amersham, Buckinghamshire, HP6 6FA

For the purposes of the EU General Data Protection Regulation (GDPR), each of these entities except for The Practice Properties Limited is a Data Controller and responsible for your personal data (collectively referred to as "Operose Health", "we", "us" or "our" in this Privacy Notice). We work closely with other healthcare providers who may also be data controllers of your personal data.

We respect your privacy and are committed to operating the highest standards when it comes to protecting your personal data. We also comply with all applicable NHS and clinical confidentiality guidelines including those published from time to time by regulators and professional bodies.

We will process your personal data "fairly", "lawfully" and "transparently". This means

- we will be open and transparent about how personal data is used
- we will handle data in line with how we say we are going to handle data and
- we will only use or process personal data in accordance with the law

To fulfil these requirements, we set out in this Privacy Notice how Operose Health collects, uses, retains and discloses personal data.

It is important that you read this Privacy Notice so that you understand how and why we are collecting and/or processing personal data about you. If you have any questions, please contact us at the address provided below.

Data Protection Officer

Operose Health has appointed a Data Protection Officer (DPO) who is responsible for overseeing questions in relation to this Privacy Notice.

If you have any questions about this Privacy Notice, including any requests to exercise your legal rights, please contact the DPO at:

- Email address: operosehealth.dpo@nhs.net
- Postal address: 77-79 New Cavendish Street, London, W1W 6XB
- Telephone number: 020 3917 3314

2. How is personal data collected?

Personal data is any information that can identify a person. We collect your personal data in a number of ways. These include:

i. *Direct interactions.*

You may give us your identity and contact data by filling in forms or by corresponding with us by post, phone, online or otherwise.

ii. *Other health care professionals, health care providers and NHS record systems*

Operose Health works in partnership with healthcare professionals and other health care providers who provide healthcare services to you (for example, any other general practitioner or the doctors and nurses of a particular hospital trust)

Operose Health may collect and/or access your patient records as part of this provision of care. For example, where you are under the care of other doctors or clinicians, they may inform us of their consultation records and any observations and/or recommendations they may have for your continued care.

We may also receive information about you from healthcare providers or we may access your patient records through an NHS supported system that stores all records centrally and electronically. These electronic systems, commonly known as Electronic Patient Record (EPR) systems have controls in place to ensure the records are secure and all access is monitored and recorded.

iii. *Your parent or legal guardian*

Your parent or legal guardian may provide us with your information.

- iv. *Cookies and Automated technologies*
As you interact with our Website and Service Directories, we may automatically collect information using cookies. Please see Section 6 of this Privacy Notice for more information about the cookies used on our Website and Service Directories.
- v. *Third parties (for service providers only)*
If you are a service provider, we may collect information publicly available on the internet or our NHS partners may provide us with your information to add onto our Service Directories. Please contact the DPO for information on how to change or delete the information on our Service Directories.

3. The data we collect about you

We may collect, use, store and transfer different kinds of personal data about you, which we have grouped together as follows:

- i. *Identity*
This includes your name.
- ii. *Contact Details*
This includes your address, e-mail address and phone number(s), and in some cases, the organisation you work for.
- iii. *Technical Data*
This includes internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access the Website.
- iv. *Usage Data*
This includes information gathered from cookies about how you use and interact with the Website.
- v. *Special category data*
This includes information about your physical and mental health. This may include your health records as well as information about your physical and mental functioning, any ailments, diseases or disabilities and health and genetic and biometric data.
- vi. *Other sensitive data*
This may include, race or ethnicity, religious or philosophical beliefs, political opinions, sex life, sexual orientation and, sometimes, information about criminal offences.

If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you or those who commission us to provide care, and you fail to provide that data when requested, we may not be able to provide the service.

4. How we use personal data and our legal basis for processing

We have set out below, a description of the types of personal data we collect, what we use it for and our legal basis for doing so.

We will process the categories of personal data listed below for one or more of the following legal bases:

- i. **Consent**
When you give us your consent to process your personal data for one or more purposes listed below
- ii. **Legitimate Interests**
Processing of personal data is necessary for our legitimate interests of managing our relationship with you and administering our Website
- iii. **Legal Obligations**
Processing of personal data is necessary for us to comply with laws and regulations that apply to us
- iv. **Provision of healthcare**
Processing of personal data is necessary for medical diagnosis, the provision of healthcare and management of healthcare systems and services, for example to:
 - verify your identity
 - register you on our system in order to create a patient's record
 - store your information on written records
 - keep our records up to date
 - share your information with other professionals or organisations that are involved or responsible for your care
 - provide care to you
 - ensure you receive the right care in the right place and at the right time (including booking appointments, referrals and follow ups).
- v. **Vital Interests**
Processing of personal data is necessary to protect your vital interests or those of another person
- vi. **Performance of a task carried out in the public interest**
Processing of personal data is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested us
- vii. **Public interest in the area of public health**
Processing of personal data is necessary for reasons of public interest in the area of public health

We may process your data:

Use	Type of Data	Legal Basis
To answer your queries and comments with respect to our business relationship	Identity Contact Details	Legitimate Interests
To respond to you and take action when you report a problem with our Website or Service Directories	Identity Contact Details	Legitimate Interests
To provide and improve the Website or Service Directories	Usage Data Technical Data	Consent Legitimate Interests
To include you on our list of service providers on the Service Directories	Identity Contact Details	Consent Legitimate Interests
To respond to your request to exercise your data protection rights	Identity Contact Details	Legal Obligations
To verify your identity	Identity Contact Details	Provision of healthcare
To register you on our system in order to create a patient's record	Identity Contact Details Information about your physical and mental health and patient records Other sensitive data	Provision of healthcare
To store your information on written records and keep our records up to date	Identity Contact Details Information about your physical and mental health and patient records Other sensitive data	Provision of healthcare
To provide care to you	Identity Contact Details Information about your physical and mental health and patient records	Provision of healthcare
To share your information with other professionals or organisations that are involved or responsible for your care	Identity Contact Details Information about your physical and mental health	Provision of healthcare

	and patient records	
To ensure you receive the right care in the right place and at the right time (including booking appointments, referrals and follow ups)	Identity Contact Details Information about your physical and mental health and patient records	Provision of healthcare
To protect you where we have any safeguarding concerns	Identity Contact Details Information about your physical and mental health and patient records	Vital interests
To respond to your request in connection with the exercise of your rights under Data Protection Laws (for more information about your rights please see section 14 below)	Identity Contact Details	Legal obligation
To comply with our legal and regulatory requirements (including NHS requirements) and related disclosures	Identity Contact Details Information about your physical and mental health and patient records	Legal obligation
To prevent, detect and investigate crime	Identity Contact Details	Legal obligation
To improve the quality of services we provide and check and report how effective our services are	Identity Contact Details	Performance of a task carried out in the public interest
To make sure services are planned to meet patients' needs now and, in the future,	Identity Contact Details	Reasons of public interest in the area of public health
To ensure that our services are provided safely and in compliance with our regulatory obligations and to protect the public against dishonesty, regulatory concerns, malpractice or other serious improper behaviour (for example, investigations in response to a safeguarding concern, clinical concerns, a member's complaint or a regulator (such as the Care	Identity Contact Details Information about your physical and mental health and patient records	Reasons of public interest in the area of public health

Quality Commission or the General Medical Council) telling us about an issue)		
To ensure that Operose Health and its commissioners act within their contractual terms	Identity Contact Details	Legitimate interests
To make sure that Operose Health gives the NHS value for money	Identity Contact Details	Legitimate interests
To answer your queries and comments in relation to the Website	Identity Contact Details	Legitimate interests
To respond to you and take action when you report a problem with our Website	Identity Contact Details	Legitimate interests
To use data analytics to improve our website, products/services, customer relationships and patient experiences	Technical Usage Data	Legitimate interests
To respond to your request to exercise your data protection rights	Identity Contact Details	Legal obligation

Marketing

We do not process your personal data for any marketing purposes. Should this change we will notify you in accordance with applicable laws.

Automated decision making and profiling

Automated decision-making takes place when an electronic system uses personal data to make a decision without human intervention. We do not carry out any automated decision making including profiling. Should this change we will notify you in accordance with applicable laws.

5. Change of purpose

We will only use your personal data for the purposes described in this Privacy Notice. If we need to use your personal data for an unrelated purpose, we will update this Privacy Notice and notify you in accordance with the applicable laws.

6. Cookies

General information about Cookies

A cookie is a small piece of data, that is sent to your computer or mobile phone browser from a website's computer and is stored on your device's hard drive. Many

websites do this whenever a user visits their website in order to track traffic flows and page visits.

Our use of Cookies

This website (in common with the many other websites) uses cookies. We use cookies to provide us with visitor information, enable certain elements of our website to work and improve your experience.

Where we use it	Cookie	Why we use it
Service Directory	XSRF-TOKEN	A token (a string) that is generated by the application platform (Laravel) for each active user session, that is used to verify that the authenticated user is the one actually making the requests to the application and makes it easier to protect the application from Cross-site request forgery (CSRF).
	[_ga, _gat, _gid]	Google Analytics generated cookies are used to gather information allowing us to understand your interactions with our sites and improve your experience. For more information about the use of Google Analytics and how it collects and processes data, please see "How Google uses information from sites or apps that use our services" (www.google.com/policies/privacy/partners/)
	Font-preference	Used to store your preference of font-size.
	Cookie-accepted	Cookie that checks whether you accept the cookie notice.
	Laravel session	Cookie generated by the application to identify a session instance for a user.
	Subdomain	Cookie that checks whether you accept the cookie notice.
GP surgery website	__utma Cookie	A persistent cookie - remains on a computer, unless it expires or the cookie cache is cleared. It tracks visitors. Metrics associated with the Google __utma cookie include: first visit (unique visit), last visit (returning visit).
	__utmb Cookie & __utmc Cookies	These cookies work in tandem to calculate visit length. Google __utmb cookie demarks the exact arrival time, then Google __utmc registers the precise exit time of the user. Because __utmb counts entrance visits, it is a session cookie, and expires at the end of the session, e.g. when the user leaves the

		page. A timestamp of 30 minutes must pass before Google cookie __utmc expires. Given __utmc cannot tell if a browser or website session ends. Therefore, if no new page view is recorded in 30 minutes the cookie is expired. This is a standard 'grace period' in web analytics. Ominture and WebTrends among many others follow the same procedure.
	__utmz Cookie	Cookie __utmz monitors the HTTP Referrer and notes where a visitor arrived from, with the referrer siloed into type (Search engine (organic or cpc), direct, social and unaccounted). From the HTTP Referrer the __utmz Cookie also registers, what keyword generated the visit plus geolocation data. This cookie lasts six months
	__utmv Cookie	Google __utmv Cookie lasts "forever". It is a persistant cookie. It is used for segmentation, data experimentation and the __utmv works hand in hand with the __utmz cookie to improve cookie targeting capabilities.
	cookieAccepted	Cookie lasts "forever". Indicates that user has acknowledged the 'cookie information' banner and so prevent the banner being shown again.
	apps	Cookie lasts until the next time the creating form is opened. It is created when user ticks the box to request that form data is retained for next time in the appointments or appointments cancellation forms. Prevents user having to type in all their details again.
	dList1, dList2, repeatPrescriptions, repeatPrescriptions2	Cookies last until the next time the no-registration verion of the prescriptions form is used. Cookies are created at request of user to retain form data for next time. Prevents user having to type in all their details again.
	userPoll	Cookie lasts 30 days. Records that user poll has been answered so that the poll is not displayed again.
	other cookies	Other cookies are used when editing or when logged on to the staff section to enable the editor to function correctly and to assist with retaining state.

Blocking and deleting Cookies

You can block the download of cookies by altering the privacy settings on your web browser, however, please note that if you do this you may not be able to use the full functionality of this website. If you want to remove previously stored cookies, you can manually delete the cookies at any time.

For comprehensive information on how to do this on a wide variety of browsers, please visit:

- www.aboutcookies.org
- www.networkadvertising.org/managing/opt_out.asp
- To opt out of being tracked by Google Analytics across all websites, please visit:
<http://tools.google.com/dlpage/gaoptout>

7. Disclosure of personal data

Third party recipients

We may have to share your personal data for the purposes set out in in section 4 above with:

- those involved in your care, such as: doctors, clinicians and other health-care professionals, hospitals, clinics and other health-care providers healthcare professionals, NHS providers.
- service providers or NHS EPR service providers, acting as processors who provide IT and systems administration services.
 - Such as Futurs, our IT service provider that are based in Spain.
- people or organisations we have to, or are allowed to, share your personal data with by law for example, NHS or other regulators, for fraud-prevention or safeguarding purposes, or for regulatory investigations, including with the Care Quality Commission and medical regulators such as the General Medical Council.
- with your medical insurer about your treatment, its clinical necessity and its cost, only if they are paying for all or part of your treatment with us. We provide only the information to which they are entitled. If you raise a complaint or a claim we may be required to share personal data with your medical insurer for the purposes of investigating any complaint/claim.
- a third party if we restructure or transfer our contracts, business or its assets or have a merger or re-organisation (in which case personal data we hold about our patients or visitors to the Website may be one of the assets the third party takes over);
- any member of the family of companies.

- vii. our affiliate company Centene Corporation.
- viii. where necessary to comply with our obligations or as permitted by law and with our legal and other professional advisors including our solicitors and other professional consultants and advisors.

We require all third parties who process data on our behalf to respect the security of your personal data and to treat it in accordance with the law.

We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

We may share your personal data with more parties than the ones listed above. Should this be the case, we will inform you of the change in accordance with applicable laws and regulations.

Transfers of personal data outside the EEA

Your personal data may be transferred outside the UK and the EEA for the purposes set out above.

For example, our Website is hosted in the US by our parent company Centene Corporation and your personal data may be transferred to the US as part of the operation of the Website.

We take steps to ensure that, when we transfer your personal data outside the EEA, we have adequate safeguards in place in line with applicable data protection laws.

For more information about this protection, please contact our DPO.

8. National data opt-out

In addition to the protections under the Data Protection Laws, your health records are also subject to duties of confidentiality. In the NHS, health and care information may sometimes be used as part of projects to improve care to all patients – this occurs under strict regulatory guidelines.

There is a national data opt-out programme that gives patients more control over how their identifiable health and care information is used in this way. Patients who do not want their personally identifiable data to be used for planning and research purposes will be able to set their national data opt-out choice online or via a non-digital alternative for patients who do not want to use an online system.

For further details and how to manage your opt-out options please access:

- <https://www.nhs.uk/your-nhs-data-matters/manage-your-choice/>

9. Data anonymisation and aggregation

Your personal data may be anonymised or converted into statistical or aggregated data which cannot be used to identify you, and then used to produce statistical research and reports. This aggregated data may be shared and used in all the ways described in this Privacy Notice.

10. Data security

At Operose Health we take our duty to protect personal data and our confidentiality obligations seriously. We are committed to taking all reasonable measures to ensure the confidentiality and security of personal data for which we are responsible, whether computerised or on paper.

We have appointed a **Senior Information Risk Owner (SIRO)** who is accountable for the management of all information assets and any associated risks and incidents.

We have appointed a **Caldicott Guardian** who is responsible for the management of patient information and patient confidentiality.

We have appointed a **Data Protection Office (DPO)** who has professional experience and knowledge of Data Protection law, specifically in relation to the type of processing that Operose Health carries out.

Everyone who works for us is required to undertake annual information governance training and are provided with information governance policies that they are required to read, understand and agree to follow.

Our policies ensure that all our staff who provide our services are aware of their information governance responsibilities and follow best practice guidelines ensuring the necessary safeguards and appropriate use of person-identifiable and confidential information.

We have put in place appropriate security measures, including encryption and using anonymisation tools where necessary, to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties on a “need to know” basis. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality.

We have in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach in accordance with applicable laws and regulations.

11. Information flows and information assets

Operose Health maps each individual data flow in and out in order to understand what data it holds and processes. These data flow maps are reviewed and updated annually as part of the requirement to complete a Data Security Protection Toolkit.

Operose Health also holds an Information Asset Register which describes where and how these data flows are stored. Please contact the DPO for further details.

12. Data Protection Impact Assessment (DPIA)

We carry out DPIAs on processing that is likely to result in high risk to individuals to help identify and minimise data protection risks.

If you would like a copy of a specific DPIA, please contact our DPO.

13. Data retention

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Records are maintained in line with the NHS Records Management Code of Practice, where it applies to us, which determines the length of time records should be kept. We may keep your personal data for longer if we cannot delete for legal or technical reasons.

Details of retention schedules are available in our Retention Policy which you can request by contacting our DPO.

14. Your Legal Rights

You have the following rights in relation to your personal data.

- i. *Request access to your personal data*
You can ask us to see what personal data we hold about you.

We will confirm whether we are processing your personal data and we will provide you with additional information including what type of data we have, where we collected it from, whether we send it to others, including any transfers outside the EEA, subject to the limitations set out in applicable laws and regulations. We will provide you free of charge with a copy of your personal data, but we may charge you a fee to cover our administrative costs if you request additional copies of the same information.

- ii. *Request correction of your personal data*
You can ask us to correct any incomplete or inaccurate data we hold about you, although we may need to verify the accuracy of the new data you provide to us.

- iii. Request erasure of your personal data*
You can ask us to delete or remove personal data where there is no good reason for us continuing to process it. However, that we may not always be able to comply with your request of erasure for legal reasons, and we will let you know if this is the case, at the time of your request.
- iv. Object to processing of your personal data*
You can object to the processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. However, that we may not always be able to comply with your request for legal reasons, and we will let you know if this is the case, at the time of your request.
- v. Request restriction of processing your personal data*
You can ask us to restrict the processing of your personal data in certain cases.
- vi. Request transfer of your personal data*
You can ask us to transfer your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Please note this this right only applies in certain cases.
- vii. Right to withdraw consent*
You can withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to or for you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact the DPO. We may ask you to provide additional information e.g. your full name, address, date of birth, etc. so that your identity can be verified.

No fee usually required

You will not have to pay a fee to exercise any of your rights. However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

In so far as it is practicable, we will notify the third parties we shared your personal data with of any correction, deletion, and/or limitation on processing of your personal data.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you of the reasons for the delay and keep you updated.

15. Questions

If you have any questions about our Privacy Notice, information we hold about you or complaints about how we process your personal information please contact the DPO.

Complaints can also be made to the Information Commissioner's Office, the UK Supervisory Authority for Data Protection issues:

- www.ico.org.uk

15. Changes to our Privacy Notice

This Privacy Notice may be updated to reflect changes to our personal data processing policy and legal obligations. In the event there is a material change to this Privacy Notice, we will inform you via the Operose Health website.