



GENERAL DATA PROTECTION REGULATION

The General Data Protection Regulation (GDPR) is a new law that determines how your personal data is processed and kept safe, and the legal rights that you have in relation to your own data. It supersedes the Data Protection Act and applies anywhere in the world in which data about EU citizens is processed. The main changes for us are:

- We must comply with subject access requests
- Where we need your consent to process data, this consent must be freely given, specific, informed and unambiguous.
- There are new, special protections for patient data
- The Information Commissioner's Office must be notified within 72 hours of a data breach.

The regulation applies from 25 May 2018 and will apply even after the UK leaves the EU.

What is patient data?

Patient data is information that relates to a single person, such as name, age, diagnosis, medical history, etc.

What is consent?

Consent is permission from a patient – an individual's consent is defined as *"any freely given specific and informed indication of your wishes by which the data subject (ie you) signifies your agreement to personal data relating to you being processed."*

The changes in GDPR mean we must get explicit permission from patients when using your data. This is to protect your right to privacy, and we may ask you to provide consent to do certain things, like contact you or record certain information about you for your clinical records. Individuals have the right to withdraw consent at any time.

What GDPR means for patients

The GDPR sets out the key principles about processing personal data, for staff or patients:

- ✓ Data must be processed lawfully, fairly and transparently
- ✓ It must be collected for specific, explicit and legitimate purposes
- ✓ It must be limited to what is necessary for the purpose for which it is processed
- ✓ Information must be accurate and kept up to date
- ✓ Data must be held securely
- ✓ It can only be retained for as long as is necessary for the reasons it was collected.

There are also stronger rights for patients regarding the information that practices hold about them. These include:

- ✔ Being informed about how their data is used
- ✔ Patients to have access to their own data
- ✔ Patients can ask to have incorrect information changed
- ✔ Restrict how their data is used
- ✔ Move their patient data from one health organisation to another
- ✔ The right to object to their patient information being processed (in certain circumstances)

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