

## Privacy Notice- Care Quality Commission (CQC)

### Plain English explanation

The Care Quality Commission (CQC) is an organisation established in English law by the Health and Social Care Act. The CQC is the regulator for English health and social care services to ensure that safe care is provided. They inspect and produce reports on all English general practices in a rolling 5 year program. The law allows CQC to access identifiable patient data as well as requiring this practice to share certain types of data with them in certain circumstances, for instance following a significant safety incident. For more information about the CQC see: <http://www.cqc.org.uk/>

1) <b>Data Controller</b> contact details	Keston Medical Practice Purley War Memorial Hospital 856 Brighton Road Purley Surrey CR8 2YL
2) <b>Data Protection Officer</b> contact details	Umar Sabat, IG-Health. <a href="mailto:Umar.sabat@ig-health.co.uk">Umar.sabat@ig-health.co.uk</a>
3) <b>Purpose</b> of the processing	To provide the Secretary of State and others with information and reports on the status, activity and performance of the NHS. The provide specific reporting functions on identified
4) <b>Lawful basis</b> for processing	The legal basis will be  <i>Article 6(1)(c) "processing is necessary for compliance with a legal obligation to which the controller is subject."</i>  And  <i>Article 9(2)(h) "processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;"</i>
5) <b>Recipient or categories of recipients</b> of the shared data	The data will be shared with the Care Quality Commission, its officers and staff and members of the inspection teams that visit us from time to time.
6) <b>Rights to object</b>	You have the right to object to some or all of the information being shared with NHS Digital. Contact the Data Controller or the practice.
7) <b>Right to access and correct</b>	You have the right to access the data that is being shared and have any inaccuracies corrected. There is no right to have accurate medical records deleted except when ordered by a court of Law.
8) <b>Retention period</b>	The data will be retained for active use during the processing and thereafter according to NHS Policies and the law.
9) <b>Right to Complain.</b>	You have the right to complain to the Information Commissioner's Office,

	you can use this link <a href="https://ico.org.uk/global/contact-us/">https://ico.org.uk/global/contact-us/</a> or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)
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\* “Common Law Duty of Confidentiality”, common law is not written out in one document like an Act of Parliament. It is a form of law based on previous court cases decided by judges; hence, it is also referred to as 'judge-made' or case law. The law is applied by reference to those previous cases, so common law is also said to be based on precedent.

The general position is that if information is given in circumstances where it is expected that a duty of confidence applies, that information cannot normally be disclosed without the information provider's consent.

In practice, this means that all patient information, whether held on paper, computer, visually or audio recorded, or held in the memory of the professional, must not normally be disclosed without the consent of the patient. It is irrelevant how old the patient is or what the state of their mental health is; the duty still applies.

Three circumstances making disclosure of confidential information lawful are:

- where the individual to whom the information relates has consented;
- where disclosure is in the public interest; and
- where there is a legal duty to do so, for example a court order.