

## **GP Online Consultation Service Privacy Notices**

### **eConsult FPN (can also be amended for use on GP websites)**

#### **Introduction**

By law, all organisations that use personal information (personal data) must provide a clear description of how it is used and also provide any related information to ensure the processing is carried out lawfully and fairly. Your GPs main Privacy Notice is available on their website (or please contact their reception).

The additional information provided below describes only the use of your information when you use your GPs online consultation service.

**Please ensure you read your GPs main Privacy Notice and if you wish to use their online consultation service here, please also read the supplementary information below:**

#### **Online Consultation Service**

Your GP Practice has engaged a specialised online consultation supplier which is approved to NHS England technical standards and has gone through stringent scrutiny and achieved all necessary requirements to provide Online Consultations. NHS England, on behalf of your GP, contracts with the supplier and acts as a Joint Controller with your GP for this system. However, NHS England will not receive any of your personal information, so your GP remains responsible for your data and will ensure that any data you provide to use this service is used for the online consultation purposes only.

The name of the organisation we have engaged to provide this service is eConsult Health Ltd (eConsult)., who will act as a Processor of your personal data under GDPR.

NHS Digital enables your connection to eConsult, your GPs specialised online consultation supplier through their secure authentication service known as NHS login. NHS Digital does this on behalf of your GP. If you use NHS login, NHS Digital will also act as a Processor under GDPR.

#### **What is the lawful basis for your GPs online consultation service?**

The following legal bases set out in the General Data Protection Regulation (GDPR) and UK Data Protection Act 2018 allow your GP to use your information when you use this online consultation service provided by them:

a. When using your Personal Information (Personal Data)

Article 6 (1) (e) of the GDPR, which permits us to process your personal information that is necessary to provide a service which is in the public interest

b. When using your Sensitive Personal Information (Sensitive Personal Data):

Article 9(2) (h) of the GDPR which permits us to process your health information which is necessary for the provision of health treatment.

#### **What are the purposes of the processing?**

Online consultations allow the GP's patients to contact the Practice without having to wait on the phone or take time to come into the practice in person especially if a patient is not sure whether they need a face to face consultation. Online consultations enable patients to use a secure online system to ask questions, report symptoms and we can then respond by signposting patients to the right person e.g. a Doctor or to appropriate service or support.

### What personal information is used?

Because this service is online, your GP's need to ensure that they continue to provide you with a confidential and high-quality service. To do so, they need to properly identify you, accurately note both your request and their responses. If they were prevented from using this essential information, then they would be unable to provide the service securely and confidentially.

Information which is not needed for the service is not collected. Your GP uses the following information to identify and deal with your request.

- a. Identity and Contact Information: includes name, gender, date of birth, NHS number, email address and telephone number, postal address. If you have created an NHS login account you will already have verified who you are and you can, if you wish, use those details from your NHS login account to save you time and avoid having to manually enter your details to re-identify yourself to use the Online Consultation service.
- b. Special Categories of Personal Information: your health information such as your symptoms, conditions, medication and other details which are already held in your GP records and / or which you provide through the online consultation process.

### Do we share your personal information?

Your GP controls your information and they will only use your information to provide you with health services.

As mentioned earlier, your GP has engaged eConsult, a specialised organisation to provide this online consultation service on their behalf, so your personal data will be shared with them in order for them to provide this service to you.

If you are advised to seek urgent care, your information will not be shared with other health and care providers.

The online consultation service is also made available to our patients who use the NHS App which can be downloaded from the App Store and Google Play. The NHS App is provided by NHS Digital and provides health services such as viewing your medical record. If you are logged into the NHS App, then you will also have access to your GP's online consultation service and the requests you make to them will be securely sent from the NHS App to their Practice system via NHS Digital.

Whenever your GP shares your information, they will always comply with the law.

### Where is your information processed and stored?

It is processed and stored within the United Kingdom.

### How long is your personal information kept?

Your GP practice sets the retention periods for your information and instruct eConsult, their engaged contractor that provides this service on your GP practice's behalf, to comply with these periods. When your information has been copied to your GP's own systems then your sensitive information will be deleted by eConsult. eConsult retain your contact details (name, email) for up to 5 weeks, in order to facilitate communication relating to the consultation, after which they are automatically deleted.

If you have been advised online to seek urgent care elsewhere, then your information will not be transferred to us and will not be retained after you have read the advice given.

## NHS App FPN

### Introduction

By law, all organisations that use personal information (personal data) must provide a clear description of how it is used and also provide any related information to ensure the processing is carried out lawfully and fairly. Our main Privacy Notice is available on our website (or please contact our reception).

The additional information we have provided below describes only the use of your information when you use our online consultation service.

**Please ensure you read our main Privacy Notice and if you wish to use our online consultation service, please also read the supplementary information below:**

### Our Online Consultation Service

We (your GP Practice) have engaged a specialised online consultation supplier which is approved to NHS England technical standards and has gone through stringent scrutiny and achieved all necessary requirements to comply with the Online Consultations. Our contract with the supplier ensures that we remain the Controller of your personal information when you use such services and that your information is used for the online consultation purposes only.

The name of the organisation we have engaged to provide this service is displayed on the NHS App which. The NHS App is provided by NHS Digital and provides health services such as viewing your medical record. It can be downloaded from the App Store and Google Play. If you do not use the NHS App you can contact us to find out who our provider is.

NHS Digital connects the NHS App to our online consultation service so that the service can operate within the NHS App. NHS Digital does this on our behalf. Both NHS Digital and our online consultation supplier are our processors.

### Do we have a lawful basis for the processing carried out by our Online Consultation Service?

The following legal bases set out in the General Data Protection Regulation (GDPR) and UK Data Protection Act 2018 allow us to use your information when you use our service:

a. When using your Personal Information (Personal Data)

Article 6 (1) (e) of the GDPR, which permits us to process your personal information that is necessary to provide a service which is in the public interest

b. When using your Sensitive Personal Information (Sensitive Personal Data):

Article 9(2) (h) of the GDPR which permits us to process your health information which is necessary for the provision of health treatment.

### What are the purposes of the processing?

Online consultations allow our patients to contact the Practice without having to wait on the phone or take time to come into the practice in person especially if a patient is not sure whether they need a face to face consultation. Online consultations enable patients to use a secure online system to ask questions, report symptoms and we can then respond by signposting patients to the right person e.g. a Doctor or to appropriate service or support.

### What personal information do we use?

Because this service is online, we need to ensure that we continue to provide you with a confidential and high-quality service. To do so, we need to properly identify you, accurately note both your request and our responses. If we were prevented from using this essential information, then we would be unable to provide the service securely and confidentially. We list the types of information we need later.

Information which is not needed for the service is not collected. We use the following information to identify and deal with your request.

- a. Identity and Contact Information: includes name, gender, date of birth, NHS number, email address and telephone number, postal address. If you have created a NHS login account you will already have verified who you are and you can, if you wish, use those details from your NHS login account (name, age, NHS number, gender, email address) to save you time and avoid having to manually enter your details to re-identify yourself to use the Online Consultation service. If you don't have a NHS login account we will check the details you provide with those we already hold for you to confirm who you are and that you registered at our Practice.
- b. Sensitive Personal Information: your health information such as your symptoms, conditions, medication and other details which are already held in our GP records and / or which you provide through the online consultation process..

#### Do we share your personal information?

As mentioned earlier, we have engaged a specialised and reputable organisation to provide this service on our behalf. If you are advised to seek urgent care, your information will not be shared elsewhere. We control your information and we will only use your information to provide you with our health services.

Our online consultation service is also made available to our patients who use the NHS App which can be downloaded from the App Store and Google Play. The NHS App is provided by NHS Digital and provides health services such as viewing your medical record. If you are logged into the NHS App, then you will have also have access to our online consultation service and the requests you make to us will be securely sent from the NHS App to our Practice system using our online consultation provider.

Whenever we share your information, we will always comply with the law.

#### Where is your information processed and stored?

We process and store your personal information within the United Kingdom.

#### How long is your personal information kept?

We set the retention periods for your information and instruct our engaged contractor that provides this service on our behalf to comply with these periods. When your information has been copied to our systems then your sensitive information will be deleted by eConsult. eConsult retain your contact details (name, email) for up to 5 weeks, in order to facilitate communication relating to the consultation, after which they are automatically deleted.

If you have been advised online to seek urgent care elsewhere, then your information will not be transferred to us and will not be retained after you have read the advice given.

## **NHS England FPN**

### Processing activity

Primary care – online consultations

### Purposes for processing

Online consultations allow a GP's patients to contact their Practice without having to wait on the phone or take time to come into the practice in person especially if a patient is not sure whether they need a face to face consultation. Online consultations enable patients to use a secure online system to ask questions, report symptoms and we can then respond by signposting patients to the right person e.g. a Doctor or to appropriate service or support.

As this service is online, GPs need to ensure that they continue to provide patients with a confidential and high-quality service. To do so, they need to properly identify patients and accurately note their request and responses. If they were prevented from using this essential information, then they would be unable to provide the service securely and confidentially.

NHS England has commissioned the eConsult Health Ltd (eConsult) platform for GPs to use and has instructed NHS Digital to integrate it into the NHS App. NHS England bears responsibility for contracting with and assuring eConsult, but will not receive any patient data from GPs through the provision of this service.

### Sources of data

Data will be captured directly from patients using the eConsult platform, as provided by their GP practice.

### Categories of personal data and recipients

Information which is not needed for the service is not collected. The platform collects and uses the following information relating to their patients to identify and deal with their requests.

- a. Identity and Contact Information: includes name, gender, date of birth, NHS number, email address and telephone number, postal address.
- b. Special Categories of Personal Information: your health information such as your symptoms, conditions, medication and other details which are already held in your GP records and / or which you provide through the online consultation process.

Data provided by patients will be processed by eConsult and, where patients utilise the NHS login or NHS App, NHS Digital. It will then be shared with the patient's GP. NHS England will not receive any personal data associated with the platform.

### Legal basis for processing

For GDPR purposes NHS England's and the GPs' lawful basis for processing is Article 6(1)(e) – '...exercise of official authority...'. For processing special categories (health) data the basis is Article 9(2)(h) – '...health or social care...'.

NHS England and the GP practices are joint Data Controllers for this platform. Under Joint Controller arrangements, NHS England is responsible for managing the commercial relationship with eConsult and undertaking data protection assurance. GPs are responsible for their patients' data and all associated obligations under GDPR.

The data will be processed via eConsult (and NHS Digital, if utilising NHS login or accessing the platform via the NHS App). Both NHS Digital and eConsult have been commissioned as Data Processors on behalf of NHS England.