

LMC Law - Information to be added to Practice Privacy Notices re COVID-19 pandemic

1. Practice Privacy Notice Update
2. Employee Privacy Notice Update

1) PRACTICE PRIVACY NOTICE UPDATE:

Coronavirus (COVID-19) pandemic and your information

The ICO recognises the unprecedented challenges the NHS and other health professionals are facing during the Coronavirus (COVID-19) pandemic.

The ICO also recognise that 'Public bodies may require additional collection and sharing of personal data to protect against serious threats to public health.'

The Government have also taken action in respect of this and on 20th March 2020 the Secretary of State for Health and Social Care issued a Notice under Regulation 3(4) of The Health Service (Control of Patient Information) Regulations 2002 requiring organisations such as GP Practices to use your information to help GP Practices and other healthcare organisations to respond to and deal with the COVID-19 pandemic.

In order to look after your healthcare needs during this difficult time, we may urgently need to share your personal information, including medical records, with clinical and non clinical staff who belong to organisations that are permitted to use your information and need to use it to help deal with the Covid-19 pandemic. This could (amongst other measures) consist of either treating you or a member of your family and enable us and other healthcare organisations to monitor the disease, assess risk and manage the spread of the disease.

*Please be assured that we will only share information and health data that is **necessary** to meet yours and public healthcare needs.*

The Secretary of State for Health and Social Care has also stated that these measures are temporary and will expire on 30th September 2020 unless a further extension is required. Any further extension will be will be provided in writing and we will communicate the same to you.

Please also note that the data protection and electronic communication laws do not stop us from sending public health messages to you, either by phone, text or email as these messages are not direct marketing.

It may also be necessary, where the latest technology allows us to do so, to use your information and health data to facilitate digital consultations and diagnoses and we will always do this with your security in mind.

If you are concerned about how your information is being used, please contact our DPO using the contact details provided in this Privacy Notice.

2) EMPLOYEE PRIVACY NOTICE UPDATE FOR PRACTICES:

Practices will need to update their Employee Privacy Notices in order to inform their employees/staff as follows:

Coronavirus (COVID-19) pandemic and your information

We have an obligation to protect all our staff and employees' health. For this reason, it is reasonable for us to ask you to tell us if you are experiencing COVID-19 symptoms. In such circumstances we may need to collect specific health data about you. Where we need to do so, we will not collect more information than we require and we will ensure that any information collected is treated with the appropriate safeguards.

It is unlikely that Practices will be asked to share information with authorities about you specifically but if this is necessary then data protection law will allow us to do so.