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| **Purpose** |
| Some members of society are recognised as needing protection, for example children and vulnerable adults. If a person is identified as being at risk from harm we are expected as professionals to do what we can to protect them. In addition we are bound by certain specific laws that exist to protect individuals. This is called “Safeguarding”.  Sometimes we need to share information so that other people, including healthcare staff, children or others with safeguarding needs, are protected from risk of harm. These circumstances are rare and we do not need your consent or agreement to do this. |

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| **Scope** |
| There are three laws that allow us to do this without relying on the individual or their representatives agreement (unconsented processing), these are:  Section 47 of The Children Act 1989 : (<https://www.legislation.gov.uk/ukpga/1989/41/section/47>),  Section 29 of Data Protection Act (prevention of crime) <https://www.legislation.gov.uk/ukpga/1998/29/section/29>  and  section 45 of the Care Act 2014 <http://www.legislation.gov.uk/ukpga/2014/23/section/45/enacted>.  In addition there are circumstances when we will seek the agreement (consented processing) of the individual or their representative to share information with local child protection services, the relevant law being; section 17 Childrens Act 1989 <https://www.legislation.gov.uk/ukpga/1989/41/section/17> |

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| **Process** |
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| 1**) Data Controller** contact details | Great North Medical Group  Chestnut Avenue  Carcroft  Doncaster  DN6 8AG  01302 723510 |
| **2) Data Protection Officer** contact details | Caroline Million  Caroline.million@outlook.com |
| 3) **Purpose** of the processing | Doctors have a professional responsibility to share data in emergencies to protect their patients or other persons. Often in emergency situations the patient is unable to provide consent. |
| 4) **Lawful basis** for processing | This is a Direct Care purpose. There is a specific legal justification;  *Article 6(1)(d) “processing is necessary to protect the vital interests of the data subject or of another natural person”*  And  *Article 9(2)(c) “processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent”*  Or alternatively  *Article 9(2)(h) ‘necessary for the purposes of preventative 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...”*  We will also recognise your rights established under UK case law collectively known as the “Common Law Duty of Confidentiality”\* |
| 5) **Recipient or categories of recipients** of the shared data | The data will be shared with Healthcare professionals and other workers in emergency and out of hours services and at local hospitals, diagnostic and treatment centres. (if preferred list actual named services) |
| 6) **Rights to object** | You have the right to object to some or all of the information being shared with the recipients. Contact the Data Controller or the practice.  You also have the right to have an “Advance Directive” placed in your records and brought to the attention of relevant healthcare workers or staff. |
| 7) **Right to access and correct** | 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. If we share or process your data in an emergency when you have not been able to consent, we will notify you at the earliest opportunity. |
| 8**) Retention period** | The data will be retained in line with the law and national guidance |
| 9) **Right to Complain**. | You have the right to complain to the Information Commissioner’s Office, you can use this link <https://ico.org.uk/global/contact-us/>  or calling their helpline Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)  There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website) |