At this organisation, we see AI as a tool to support our work. However, ownership and accountability will always remain with our staff members who use and double check the product generated by AI, e.g., the accuracy of a clinical note.

**We are required by law to provide you with the following information about how we handle your information:**

|  |  |
| --- | --- |
| **Data Controller** | Odiham and Old Basing Health Centre |
| **Data Protection Officer** | Caroline Sims, Data Protection Officer, Primary Care IG Consultant, caroline.sims5@nhs.net |
| **Purpose of the processing** | In support of direct health or social care to individual patients.  The main types of personal data that will be processed during a consultation or multi-disciplinary meeting would be the patient’s name, contact details, medical history, diagnosis, treatment information, and any other information shared during consultations or the meeting.  This may also include an audio recording of the clinician(s), although this is to detail their professional identifiers such as name and title.  To check and review the quality of the AI use which is called audit and clinical governance. |
| **Lawful basis for processing** | These purposes are supported under the following sections of the GDPR:  ***Article 6(1)(c)*** *‘processing is necessary for compliance with a legal obligation’*  **Article 6(1)(e)** ‘*processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller’*  Should information be gathered by AI for medical research purposes, then there are Article 9 conditions:  ***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…’*  **Article 9(2)(i)** ‘*processing is necessary for reasons of public interest in the area of public health, such as protecting against serious threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices...’*  **Article 9(2)(j) *‘****processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes’*  Furthermore, the **Data Protection Act 2018, Schedule 1: Part 1** describes conditions for processing personal data for health, public health, social care and research purposes. **Part 2** sets out the conditions for processing personal data on the grounds of substantial public interest  Healthcare staff will also respect and comply with their obligations under the common law duty of confidence. |
| **Recipient or categories of recipients of the processed data** | The data will be shared with:   * AI specialised data centre as detailed within the Data Protection Impact Assessment (DPIA) – AccuRx Scribe * Healthcare professionals and staff at this organisation |
| **Right to access and correct** | You have the right to access your medical record and have any errors or mistakes corrected. Please speak to a member of staff or look at our Access to Medical Records Policy.  We are not aware of any circumstances in which you will have the right to delete correct information from your medical record; although you are free to obtain your own legal advice if you believe there is no lawful purpose for which we hold the information and contact us if you hold a different view. |
| **Retention period** | Records will be kept in line with the law and national guidance. Information on how long records are kept can be found in the [Records Management Code of Practice](https://transform.england.nhs.uk/information-governance/guidance/records-management-code/). |
| **Right to complain** | In the unlikely event that you are unhappy with any element of our data-processing methods, do please contact the Practice Manager in the first instance. If you feel that we have not addressed your concern appropriately, you have the right to lodge a complaint with the Information Commissioner’s Office (ICO).  Further details, visit <https://ico.org.uk/for-the-public/> and select “Make a complaint” or telephone: 0303 123 1113. |