



AccuRx Privacy Notice (Patients and Carers)

Version 1.0

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Gwasanaeth Cefnogi
Swyddog Diogelu Data

Data Protection Officer
Support Service



This Privacy Notice will explain how Cadwgan Surgery uses your personal data in relation to **AccuRx**.

Cadwgan Surgery is the data controller for personal information we process. The Practice is committed to protection your personal information and respecting your privacy. We have a legal duty to explain how we use personal information about you as a registered patient at the practice. The purpose of this Privacy Notice is to notify our patients about the AccuRx platform we use to communicate with them about their care and treatment.

What is AccurX?

AccuRx Limited provide software to enable health and social care teams to communicate with each other and with patients. They are a software communication provider for our Practice. As a Practice, we intend to use the AccuRx premium platform for:

- Video consultations between GP (Practice healthcare staff) and our patients
- Message sending to patients for direct response i.e., photographs/ images via text
- Batch/Bulk Text Messaging – i.e., appointment reminders
- Florey Plus – Patient questions and responses
- Patient triage
- All applications are intended to support the GPs clinical decision making. In essence, AccuRx will support the Practice in the remote clinical triage of our patients.

The information collected through AccuRx is done so to aid in the provision of direct care for patients via a remote platform and their treatment. Use of the platform is limited between the GP (Practice's healthcare staff) and our patients.

Therefore, AccuRx Limited are a data processor for the Practice in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

What information do we collect about you within AccuRx?

For the purposes of providing your direct care and treatment through AccuRx, we collect the following personal information:

- Your name
- Address
- Email address and contact telephone number
- Date of birth
- Gender
- NHS number
- Correspondence between you and your healthcare professional
- Data pertaining to your physical and mental health

How is your personal information collected?

The information we hold can be collected through the following routes:

- Direct interactions with you as our patient and direct input by the clinician involved in your direct care and treatment.
- Indirectly from other health care providers. When you attend other organisations providing health or social care services for example out of hours GP appointments or visits to A&E and some interactions with Social Care, they will let us know so that your GP record is kept up to date.

How do we use your information within AccuRx?

We use AccuRx to help support our patients with their direct care and treatment. The data processed by AccuRx are:

- Healthcare staff data (typically name, role, organisation, contact details, identifiers including gender and DoB, messages, metadata, signatures, login and other application-use related data)
- Patient data (typically name, identifiers, contact details - mobile number and email, demographic data, message content, patient images, documents/notes, survey responses, metadata)
- The video and audio communication of any video consultation is only visible to participants on the call and is not recorded or stored on any server. The IP address of call participants may be stored as part of metadata stored, however no other personal information of call participants is collected or stored.

Sharing your information

Although your patient clinical record will not be shared, any information that is sent via AccuRx such as photos and text messages are retained by AccuRx, effectively creating a sharing of information with AccuRx. Information the practice receives is transferred straight into your electronic patient record.

Access and security of your personal information

As a Practice, we ensure the security of your personal information and to protect our patient's confidentiality. The following measures have been implemented to secure your information:

- All users accessing the system will use their own user accounts, with a secure username and password.
- Access to the AccuRx system will be limited to key members of the Practice's staff. Users of the system will only be granted access where it is required for their role and permissions on the system should be appropriate to the role they hold within the Practice.
- AccuRx Limited hold ISO:27001 accreditation, which is the international standard for information security, and UK Government's [Cyber Essentials Plus certification](#).
- Data is stored in AWS cloud and utilising a number of sub processors listed below.
- AccuRx follow the Microsoft Azure Security and Compliance Blueprint for Platform-as-a-Service web applications, specifically designed for NHS services.

Retaining and storing your information within AccuRx

We are required by UK law to keep your information and data for a defined period, often referred to as a retention period. The Practice will keep your information in line with the practice records management policy which can be requested from the Practice Manager Mrs Shelagh Hughes.

AccuRx and the Practice retain information in line with the **Welsh Records Management Code of Practice**. This requires AccuRx to retain patient records on behalf of the Practice until 10 years after death. The data

can be deleted earlier than this if the condition of Article 9(3) GDPR and Section 11(1) Data Protection Act no longer applies. The video consultations' audio and video are not recorded or retained by AccuRx or Whereby. Non identifiable data is retained by Whereby for service evaluation and improvement.

Data processors and sub-processors

For the purposes of AccuRx, AccuRx Limited are our data processor as per the Data Protection Act 2018. To help provide us with the support we require, our data processor has contracted with the following **sub-processor** to support the products they deliver to practices:

- **Firetext communications Ltd** (UK Hosted/UK Backup) – utilised for video consultation and text message service. Fire Text communications is utilised for the delivery of SMS messages.
- **BT Lt** (UK Hosted/ UK Backup): utilised for patient triage and SMS text messages.
- **Microsoft Azure** (UK Hosted/ UK Backup): utilised for patient triage, storage of patient images. Secure cloud hosting in both UK data centres (London/ Cardiff).
- **Whereby Ltd** (EEA Hosted): utilised for video consultations. Standard contract clauses in place.
- **SendGrid** (US hosted): is used to automatically send password recovery emails to existing AccuRx users when they use the 'Forgot password' link on the AccuRx website. The only personal data categories processed in this platform are name and email address.
- **Team Viewer UK Ltd** (UK Hosted): provide remote support and access.
- **ActiveCampaign** (US hosted): Standard contract clauses in place. ActiveCampaign is used to send messages about the platform (e.g. important changes) to AccuRx users on a large scale. The only personal data categories processed in this platform are staff name, email address, job role, affiliated organisation, AccuRx admin status, and other 'user segmentation' categories AccuRx creates and applies to them.
- **Intercom UK ltd** (US hosted): Standard contractual clauses in place. Intercom is a platform that AccuRx uses to provide technical support through live chats or email conversations with AccuRx users (employees of organisations that we supply software services to). AccuRx employees are trained to minimise the personal patient data processed on the platform, only processing what is necessary to resolve the problem. In line with ICO guidance published after the Schrems II ruling, AccuRx have conducted a risk assessment and received additional assurances from Intercom about the way they protect rights of UK and EEA citizens. In addition to signing an addendum the Data Processing Agreement with Intercom that implements the Standard Contractual Clauses.

Legal basis for processing your information in AccuRx

The legal basis used to process your personal information, for the purposes of AccuRx, relates to your direct care and treatment. We rely on the following condition to lawfully process your information:

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.

For the purposes of AccuRx we also process special category information, for example data concerning your health, and we need to meet an additional condition in the UK GDPR to process this information. We rely on the following condition to lawfully process your information:

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 service.

Your rights in relation to AccuRx

The UK GDPR includes a number of rights for individuals. We must generally respond to requests in relation to your rights within one month, although there are some exceptions to this. The availability of some of these rights depends on the legal basis that applies in relation to the processing of your personal data. For AccuRx, the following rights are listed and how they apply are described below.

Right to be Informed

Your right to be informed is met by the provision of this privacy notice, and similar information when we communicate with you directly – at the point of contact.

Right of Access

You have the right to obtain a copy of personal data that we hold about you and other information specified in the UKGDPR, although there are exceptions to what we are obliged to disclose. A situation in which we may not provide all the information is where in the opinion of an appropriate health professional disclosure would be likely to cause serious harm to your, or somebody else's physical or mental health.

Right to Rectification

You have the right to ask us to rectify any inaccurate data that we hold about you.

Right to Restriction of Processing

You have the right to request that we restrict processing of personal data about you that we hold. You can ask us to do this for example where you contest the accuracy of the data.

Right to Object

You have the right to object to processing of personal data about you on grounds relating to your particular situation. The right is not absolute, and we may continue to use the data if we can demonstrate compelling legitimate grounds, unless your object relates to marketing.

Right to complain to the Information Commissioner

You have the right to complain to the Information Commissioner if you are not happy with any aspect of Practices processing of personal data or believe that we are not meeting our responsibilities as a data controller. The contact details for the Information Commissioner are:

Information Commissioner's Office
Wycliffe House
Water Lane,
Wilmslow SK9 5AF

Website: www.ico.org.uk

Tel: 0303 123 1113

Contact Details of our Data Protection Officer and Further Information

The Practice is required to appoint a Data Protection Officer (DPO). This is an essential role in facilitating practice accountability and compliance with UK Data Protection Law.

Our Data Protection Officer is:

Digital Health and Care Wales,
Information Governance, Data Protection Officer Support Service
4th Floor, Tŷ Glan-yr-Afon
21 Cowbridge Road East
Cardiff
CF11 9AD
Email: DHCWGMPDPO@wales.nhs.uk