MELROSE SURGERY, READING

Data Protection Impact Assessment (DPIA) for Accuscribe and Heidi ambient voice technology use (Real-Time Consultation Transcription)

Controller: Melrose Surgery, Reading

Data Protection Officer: Dr Nadeem Ahmed

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DPIA version 1.0

Approved by: All the partners of Melrose Surgery, Reading

Description of Processing Activity:

Accurx Ambient Scribe and Heidi ambient voice technology are used as transcription tools, by clinicians, in Melrose Surgery, Reading, to transcribe live clinician-patient consultations in real time. These tools listen to the conversation between the clinician and patient, generating consultation notes based on that interaction. Information about the use of these tools is available to the patients in the common areas of both the branches, on the website, on social media platforms (Facebook and Instagram) and when they call the surgery.

Explicit verbal patient consent is gained at the beginning of the consultation. More information on how their data will be processed and used is provided, if requested.

1. Purpose and Scope of the DPIA

This DPIA assesses the data protection and privacy implications of using these tools to capture real-time clinician-patient interactions for transcription. The scope includes assessing GDPR compliance, obtaining patient consent, and managing data securely within NHS standards.

2. Nature of Data Processed

- **Data Type**: Spoken interactions between clinician and patient, which may contain patient-identifiable information (PII), such as names, health

conditions, treatments, and other personal information relevant to the consultation.

- **Data Sensitivity**: High, as this is identifiable patient health information.

3. Processing Basis and Lawful Grounds

The lawful basis under UK GDPR for processing patient information in this way is:

- Article 6(1)(e) (necessary for the performance of a task carried out in the public interest)

- Article 9(2)(h) (for the provision of healthcare and treatment management).

As this involves recording identifiable data from patient interactions, **explicit patient consent** is required under Article 6(1)(a), which allows for processing based on the individual's consent.

4. Consent Process

- **Consent Requirement**: Patients are fully informed of the purpose, scope, and nature of the recording, with clear explanations, if requested, about data usage and retention.

- **Documentation**: Consent is not documented, routinely, before each consultation, either via digital signature, verbal confirmation recorded in the patient record, or a signed consent form.

- **Withdrawal**: Patients are informed they may withdraw consent at any time, and this will stop the recording immediately.

- **Privacy Notice:** Information relation to the use of these tools must be included on the practice Privacy Notice which is available on the practice web site.

5. Data Collection and Minimisation

- **Data Collection**: Real-time recording of patient-clinician interactions with the minimum necessary information captured for accurate clinical documentation.

- **Minimisation**: Only relevant clinical information is recorded, ensuring that personal and sensitive data beyond the scope of medical care is avoided where possible.

6. Data Security

- Both AI tools adhere to NHS Digital standards for data protection and encryption.

- **Access Control**: Only the clinician has access to the transcriptions during the consultation, and the transcriptions are securely stored in accordance with GDPR and NHS requirements.

7. Risk assessment

Risk	Likelihood	Impact	Mitigation
Recording sensitive patient interactions without consent	Low	High	Explicit consent is required prior to recording each session
Data breach or unauthorized access	Medium	High	NHS-approved security protocols and encryption ensure data protection and controlled access
Inaccurate transcription	Medium	Medium	Clinician reviews all transcriptions for accuracy before entry into the patient's medical record

8. Data Retention and Disposal

Accurx Ambient Scribe is configured to delete recordings after 30 days and Heidi AI after 1 day. After clinician review, relevant notes are entered into the Electronic Health Record (EHR) system (EMIS), with any remaining data removed according to the provider settings.

9. Rights of the Data Subjects

Patients are informed of their rights to access, rectify, and object to the use of their data under GDPR. They are also informed of their right to withdraw consent at any time

during the consultation. If consent is withdrawn, recording ceases, and any data captured is promptly deleted.

10. Mitigation Actions

- Ongoing Monitoring: Regularly review providers' compliance status and updates to NHS and GDPR guidelines.

- Staff Training: Ensure clinicians and staff are trained on obtaining consent and securely handling patient data.

11. Documents used to prepare this DPIA

- Guidance on the use of AI-enabled ambient scribing products in health and care settings
  - https://www.england.nhs.uk/long-read/guidance-on-the-use-of-ai-enabled-ambient-scribing-products-in-health-and-care-settings/

- UK GDPR Privacy Policy
  - https://www.heidihealth.com/uk/legal/ukgdpr-compliance-policy

- Accurx Ambient Scribe DPIA template
  - https://www.accurx.com/security-for-healthcare-professionals