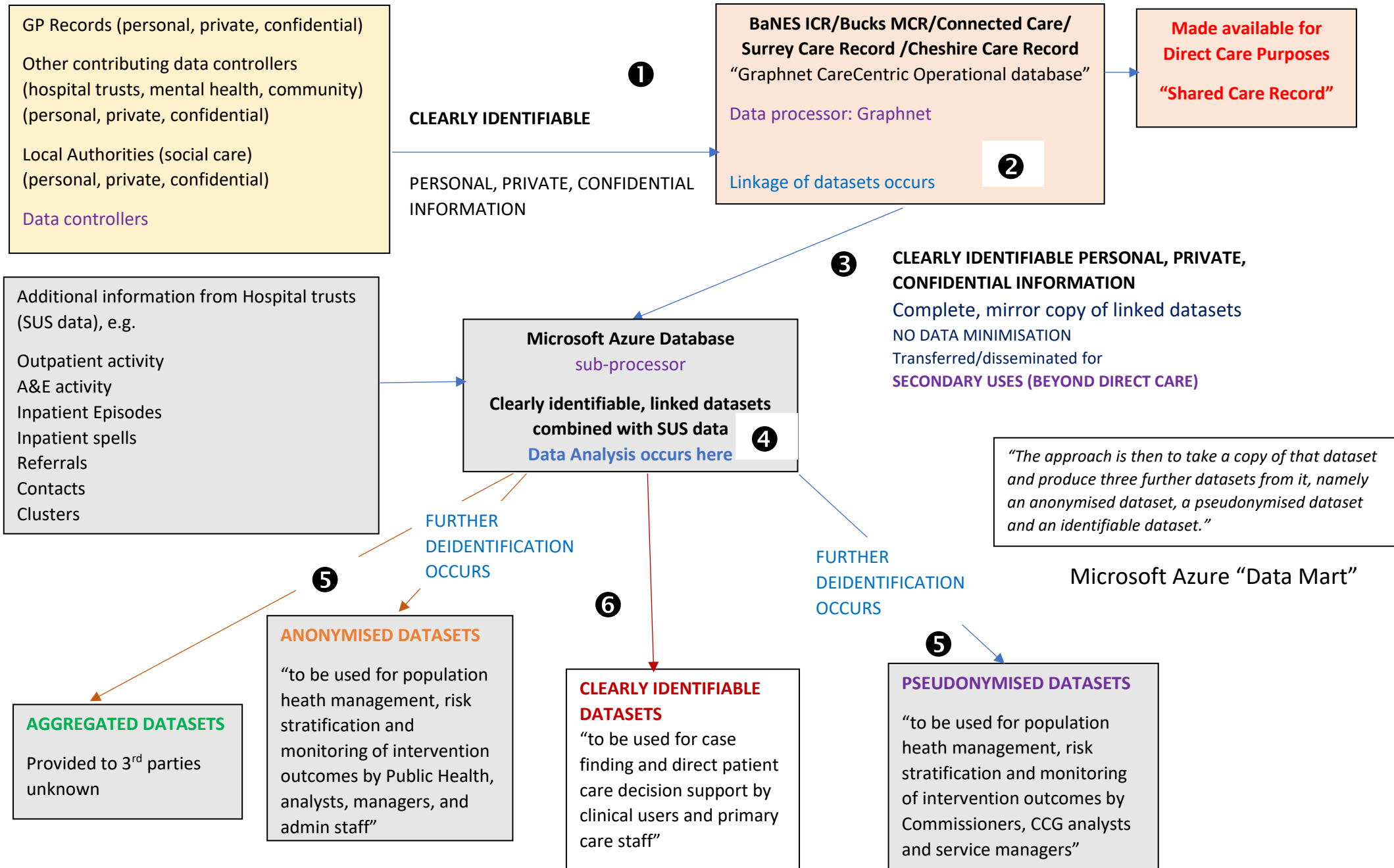


Graphnet Population Health Management/Analysis Data Flows – 7.5 million individuals



- 1 There is no legal basis under CLoC for the disclosure or use of personal confidential information, for secondary purposes, outside of the care team**
No explicit permission of the individual, no legal obligation, not mandated under COPI 3(4)/COVID-19
Not overwhelmingly in the public interest (“life or death”)
There is no approval under Regulation 5 of COPI 2002, by CAG, for any such disclosure (Class 6 support)
“Implied consent” meets the CLoC for the disclosure to Graphnet if for direct care purposes only
- 2 There is no legal basis under CLoC for Graphnet to access, hold, and link personal confidential information for secondary purposes**
No explicit permission of the individual, no legal obligation, not mandated under COPI 3(4)/COVID-19
Not overwhelmingly in the public interest (“life or death”)
There is no approval under Regulation 5 of COPI 2002, by CAG, for any such processing (Class 4, 6 support)
- 3 There is no legal basis under CLoC for the disclosure and use of personal confidential information, for secondary purposes**
This remains clearly identifiable, personal confidential information
No explicit permission of the individual, no legal obligation, not mandated under COPI 3(4)/COVID-19
Not overwhelmingly in the public interest (“life or death”)
This is not a disclosure for direct care purposes
There is no approval under Regulation 5 of COPI 2002, by CAG, for any such disclosure (Class 6 support)
That there might be a “data processing contract” does not in itself meet CLoC
- 4 There is no legal basis under CLoC to access, use, hold, link, and analyse personal confidential information for secondary purposes**
No explicit permission of the individual, no legal obligation, not mandated under COPI 3(4)/COVID-19
Not overwhelmingly in the public interest (“life or death”)
This is not processing for direct care purposes
There is no approval under Regulation 5 of COPI 2002, by CAG, for any such processing (Class 4, 5, 6 support)
- 5 There is no legal basis under CLoC to deidentify personal confidential information for secondary purposes**
This is not processing for direct care purposes
Pseudonymised datasets consisting of very large amounts of linked medical information remain personal confidential information
There is no approval under Regulation 5 of COPI 2002, by CAG, for any such processing (Class 1 support)
- 6 Disclosure for direct care purposes at the end of a processing chain does not legitimise prior, unlawful, disclosure and processing**
That is “layering”, or data laundering
CAG 7-04 (a)/2013 provides authority for risk stratification for case finding. No other purposes are authorised – [see p.2-3 of CAG minutes](#)
And that does not authorise processing to take place within a LHCR/ICR/ShCR