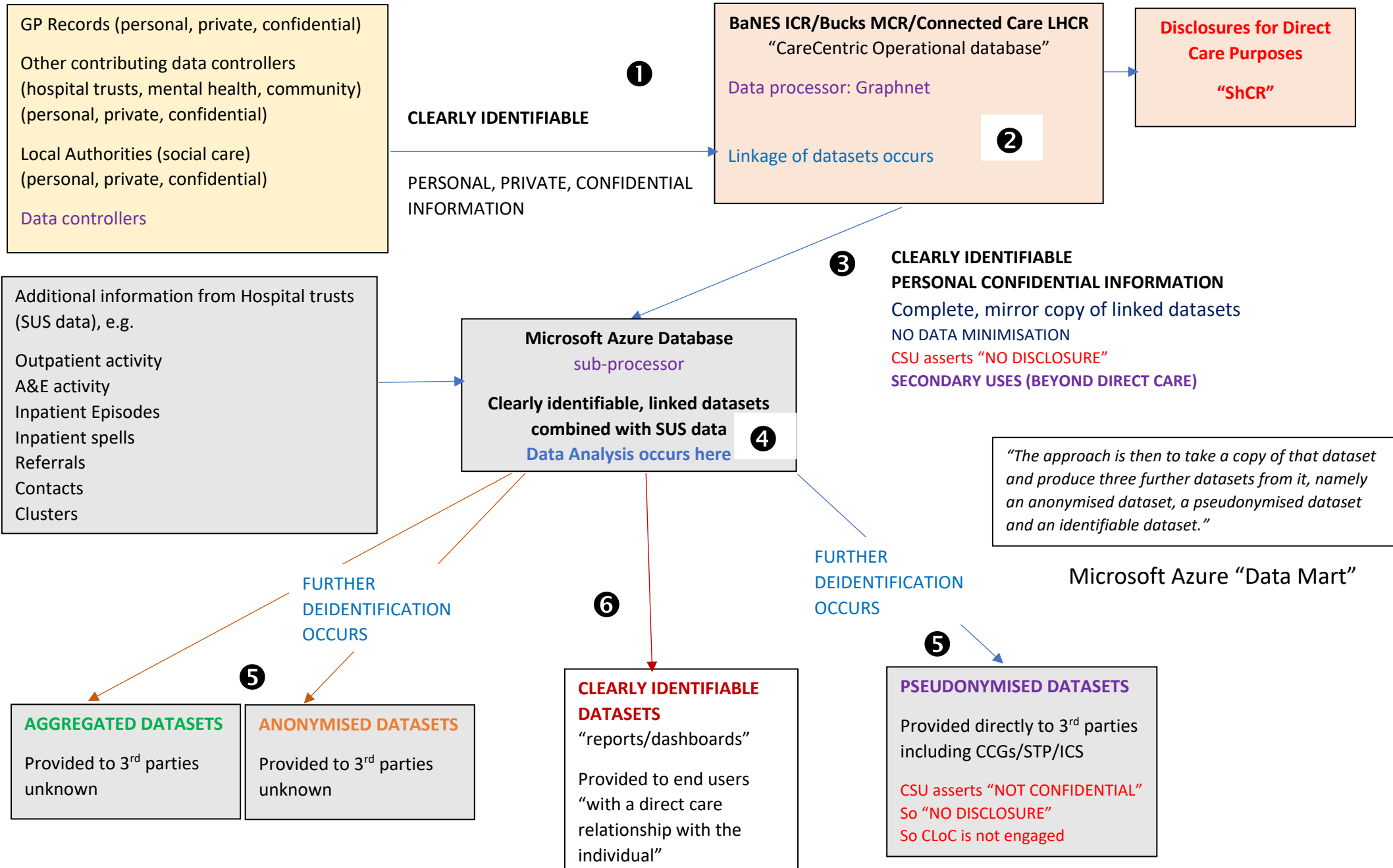


Graphnet Population Health Management/Analysis Data Flows – 2.7 million individuals



- 1 There is no legal basis under CLoC for the disclosure of personal confidential information, *for secondary uses*, 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”)  
*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)  
*“Implied consent” meets the CLoC for the disclosure to Graphnet 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”)  
*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, 6 support)
- 3 There is no legal basis under CLoC for the disclosure of personal confidential information, for secondary uses, to Microsoft**  
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 for Microsoft to access, 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 for Microsoft to deidentify personal confidential information for secondary purposes**  
*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 1 support)

**5 There is no legal basis under CLoC for Microsoft to disclose 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 6 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

The only “direct care” purpose proposed is risk stratification for case finding

But that does *not* have CAG approval *for processing to take place within a LHCR*