

Freedom of Information Requests

Vespasian House  
Barrack Road  
Dorchester  
DT1 1TG

**REF: ICB 126**

Dr Neil Bhatia

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Tel: 01305 386900

25<sup>th</sup> January 2023

Dear Requester

**Request made under the Freedom of Information Act 2000**

On 25<sup>th</sup> December 2022 you sent a request, made under the Freedom of Information Act, relating to the Dorset Intelligence and Insight Service (DiiS). I now provide this information as an attachment.

I trust that this is the information you require and that your request has been fully discharged.

If you are unhappy with this response, you are entitled to request an internal review of our decision, handled where possible by a member of staff not directly involved in the initial decision. If you wish to request such a review, please write direct to the Data Protection Officer, NHS Dorset, Vespasian House, Barrack Road, Dorchester DT1 1TG. We aim to deal with requests for internal review within three weeks of receipt, although where the issues involved are very complicated this period may be extended up to a total of six weeks.

If you have queries about this response, please do not hesitate to contact me quoting the above reference number.

Yours sincerely

***Signature removed***

**Paddy Baker**  
Data Protection Officer

**Reference: ICB 126**

**Q1:** Please could you provide me with the legal basis for such processing that avoids a breach of confidence, misuse of private information, and so a breach of GDPR. Please note, I am not seeking the "GDPR" legal bases (Article 6 and 9), but how the common law of confidentiality is met.

**Response:**

Our understanding is that DiiS can carry on without implementation of opt outs, as the data entering the DiiS is pseudonymised and contains no exact DoB and/or exact Postcode. This decision has been made due to following the National Data Opt-Out Operational Policy Guidance, which states: *If the information has been anonymised in line with the Information Commissioner's Office Anonymisation Code of Practice, the national data opt-out does not apply. You can share anonymised data, and people do not have the power to opt out of this.* Furthermore, as we are not sharing any identifiable data, we are not breaching any individual's confidentiality.

**Q2:** Please could you kindly send me the latest DPIA undertaken for this secondary uses purposes (processing).

**Response:**

DPIA is provided.

**Q3:** Please could you state the data processor used in this scheme, if not clear from the DPIA.

**Response:**

DiiS is an in-house build. The Data Processor is Dorset HealthCare University NHS Foundation Trust.

**Q4:** The SNOMED or Read Code that GP surgeries can apply to a patient record, that would prevent any such processing from taking place for that individual's confidential information.

**Response:**

We follow [Information for GP practices - NHS Digital](#) and amend the codes within DiiS as needed.

**Q5:** Please could state whether the NHS Data Opt Out applies to such processing.

**Response:**

Please see response to Q1.