

## Data Privacy Impact Assessment – Hereford One Record

Key Information	
Project Name:	Herefordshire One Record
Description of project:	<p>The objective of the project is to share access to the GP primary care record, via EMIS, between the following organisations in Herefordshire and for each of the organisation listed to add data to the patient record in their instance of EMIS community.</p> <ul style="list-style-type: none"> <li>• Herefordshire GP Practices</li> <li>• St Michael’s Hospice</li> <li>• Wye Valley NHS trust</li> <li>• 2Gether NHS Foundation Trust</li> <li>• Taurus Healthcare Ltd</li> </ul> <p>This is in order to:</p> <ul style="list-style-type: none"> <li>• Support the NHS 2020 paperless target</li> <li>• Support the NHS interoperability requirements as part of Five Year Forward View and One Herefordshire Local Deliver Roadmaps</li> <li>• Enrich the GP clinical environment</li> <li>• Increase efficiency and productivity of GP clinical teams</li> <li>• Increase efficiency and productivity of clinical and professional teams supporting patients and their families within community settings by the right data being available at the point of care</li> <li>• Promote and support integrated care pathways</li> <li>• Support new models of care as part of Sustainability and Transformation Programmes within the NHS and social care services within Herefordshire</li> <li>• Support clinical governance and patient safety</li> <li>• Increase common use of the EMIS product set in the shared environment</li> <li>• Standardise reporting</li> <li>• Reduce duplication of records and improved accuracy</li> <li>• Manage pathways and information sharing across system</li> <li>• Improve community teams’ communications</li> <li>• Electronic discharge documentation between organisations (i.e. discharge summaries)</li> <li>• Support mobility and locality working</li> </ul> <p>The benefits of carrying out the project include:</p> <ul style="list-style-type: none"> <li>• Improving the patient experience by minimising repeat questions and offering safer services</li> <li>• Improving communication between services and reliability of referrals</li> </ul>

	<ul style="list-style-type: none"><li>• Reducing attendances/admissions by having awareness of pre-existing conditions and treatment plans</li><li>• Reducing data entry errors</li><li>• Reducing repeat testing with the availability of results across care settings</li><li>• The ability to check previous referrals and appointments</li><li>• Medicine management and optimisation by providing allergy medication history, avoiding re-prescribing and not being dependent on the patient</li><li>• Allowing consistent use of systems and standardisation of practice</li><li>• Allowing remote working opportunities</li><li>• Enhancing transfer of care between services</li><li>• Earlier discharges due to quicker diagnose and treatment</li><li>• Supports mobility and locality working model</li><li>• Easier to collate, access and report on patient information</li><li>• Internal and external partnerships strengthened</li><li>• Can be extended to link with other STPs/systems</li><li>• Can be extended to include care homes/nursing homes/fire/police and other specialty areas</li><li>• Raised profile of partners</li><li>• Sharing personal data and information safely and securely across all care settings</li><li>• A secure, robust and fully auditable system ensuring shared patients data is safe</li></ul>
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## Key Contacts

Project Manager Name & Job Title:

Project Manager Email:

Project Manager Phone:

Key Stakeholder Names & Roles:

- Project Executive - Herefordshire CCG
- GP IT Lead
  - Senior Supplier - Taurus Healthcare
  - Senior Supplier - Hoople
- Senior User - St Michael's Hospice
  - Senior User - Wye Valley NHS Trust
  - Senior User - Wye Valley NHS Trust
  - Senior User - Wye Valley NHS Trust
  - Senior User - 2Gether NHS Foundation Trust

## Screening Questions

YES or NO

Will the project involve the collection of **new** information about individuals?

No

Will the project compel individuals to provide information about themselves?

No

Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information?	Yes
Are you using information about individuals for a new purpose or in a new way that is different from any existing use?	No
Does the project involve you using new technology which might be perceived as being privacy intrusive? For example, the use of biometrics or facial recognition.	No
Will the project result in you making decisions about individuals in ways which may have a significant impact on them? e.g. service planning, commissioning of new services	Yes
Is the information to be used about individuals' health and/or social wellbeing?	Yes
Will the project require you to contact individuals in ways which they may find intrusive?	No

## Privacy Impact Assessment – Questionnaire

Use of personal information	
<p><b>1. Description of data:</b></p>	<p>The personal data to be processed under the data sharing agreement may consist of:</p> <ul style="list-style-type: none"> <li>• Title</li> <li>• Forename</li> <li>• Surname</li> <li>• Gender</li> <li>• Date of Birth</li> <li>• Telephone Number</li> <li>• Address</li> <li>• NHS number</li> <li>• Ethnicity</li> <li>• Disability</li> <li>• Religion</li> <li>• Sexual Orientation</li> <li>• Health data</li> </ul>
<p><b>2. What is the justification for the inclusion of identifiable data rather than using de-identified/anonymised data?</b></p>	<p>Patient identifiable data is required to staff from the Herefordshire organisations listed in this DPIA to treat patients at point of care by enabling data sharing of the GP health care record. Organisations will have read or contribute access. Those that have contribute access will be able to add clinical information pertinent to the patient or within EMIS and this will be viewable by the organisations listed in this DPIA.</p>
<p><b>3. Will the information be new information as opposed to using existing information in different ways?</b></p>	<p>The existing GP health care record (when patient consent has been gained) will be viewable through the EMIS system. The GP health care record itself will not be amended but organisations listed in this DPIA will be able to both read contribute information against the patient record that is then viewable by the organisations listed in the DPIA.</p>

<p><b>4. What is the legal basis for the processing of identifiable data?</b></p> <p><b>If consent, when and how will this be obtained and recorded?</b></p>	<p>For direct care. All aspects of information sharing and disclosure relating to the DSA shall comply with legislation that protects personal data.</p> <p>Both The Data Protection Act 2018 and The Common Law Duty of Confidentiality and Human Rights Act 1998 protect the use of individual's data</p> <p>As per schedule 2 of the Data Protection Act 1998 'the individual who the personal data is about has consented to the processing'. Consent will be achieved directly from the patient at the point of contact. They will be informed that they can withdraw consent.</p> <p>The information will be:</p> <ul style="list-style-type: none"> <li>• Used fairly and lawfully</li> <li>• Used for limited, specifically stated purposes</li> <li>• Used in a way that is adequate, relevant and not excessive</li> <li>• Accurate</li> <li>• Kept for no longer than is absolutely necessary</li> <li>• Handled according to people's data protection rights</li> <li>• Kept safe and secure</li> <li>• Not transferred outside the European Economic Area</li> </ul> <p>Only organisations that have signed the data sharing agreement will have access to the data.</p> <p>All information shared will be for the purpose to:</p> <ul style="list-style-type: none"> <li>• To enable joined up, patient-centred quality care at point of care</li> <li>• Improving the patient experience by minimising repeat questions and offering safer services</li> <li>• Promote better communication of the patient's care and to provide real time information</li> </ul> <p>Each organisation will have a process for patient subject access requests.</p>
<p><b>5. Who will be able to access identifiable data?</b></p>	<p>Individuals listed in the DPIA with legitimate relationship with the patient will have access to the data in identifiable format.</p> <p>Information will not be transferred to another system and stored within the EMIS systems. Data in the EMIS cloud is stored within the UK.</p>

<p><b>6. Will the data be linked with any other data collections?</b></p>	<p>N/A</p>
<p><b>7. How will this linkage be achieved?</b></p>	<p>N/A</p>
<p><b>8. Is there a legal basis for these linkages?</b></p>	<p>N/A</p>
<p><b>9. What security measures will be used to transfer the data?</b></p>	<p>Data is encapsulated within EMIS systems and accessed via the N3 secure network</p>
<p><b>10. What confidentiality and security measures will be used to store the data?</b></p>	<p>EMIS sits on the secure N3 network. It is fully auditable system. Access to patient confidential information will be governed by legitimate relationships and will only be justified if necessary for the primary purpose i.e. direct patient care. All access will be logged.</p>
<p><b>11. How long will the data be retained in identifiable form? And how will it be de-identified? Or destroyed?</b></p>	<p>The following retention period have been deemed appropriate 'Event &amp; Transaction Records, Clinical Audit, retained for 5 years from creation and destroyed if no longer needed' following review of the NHS Retention Schedule (<a href="https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016">https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016</a> ). DSCRO will retain the data for a minimum of 3 years unless specifically mentioned in the contract that it can be kept longer.</p>

<p><b>12. What governance measures are in place to oversee the confidentiality, security and appropriate use of the data and manage disclosures of data extracts to third parties to ensure identifiable data is not disclosed or is only disclosed with consent or another legal basis?</b></p>	<p>Each organisation signed up to this Agreement will:</p> <ul style="list-style-type: none"> <li>1.1 comply with its obligations under the Data Protection Legislation, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 and comply with Data Guidance. The Parties acknowledge that once a Party has received data under this Agreement it will be responsible for ensuring that its own Processing of that data complies with this clause;</li> <li>1.2 use the information shared solely for the purposes identified and shall not Process the information for any other purposes;</li> <li>1.3 agree to treat the data received by them under the terms of this Agreement as confidential and shall safeguard it accordingly. Respect for the privacy of individuals will be afforded at all stages of Processing;</li> </ul> <p>EMIS systems all sit on the N3 secure network.</p> <p>The Caldicott Guardian is ultimately responsible for all organisations for ensuring data is accurate and current. Each party to this agreement should decide the individual responsible for the data quality of the information shared.</p> <p>Access to patient confidential information will be governed by legitimate relationships and will only be justified if necessary for the primary purpose i.e. direct patient care. All access will be logged.</p> <p>The data controller's party to this agreement will remain responsible for the quality and accuracy of the information provided and shared</p> <p>All staff that have access will be provided with the relevant IG training to IGSOC Level 2.</p>



<p><b>13. If holding personal i.e. identifiable data, are procedures in place to provide access to records under the subject access provisions of the DPA?</b></p> <p><b>Is there functionality to respect objections/ withdrawals of consent?</b></p>	<p>Each organisation will place onto their website the rules around subject access requests and contact details for the subject access officer. This will ensure that patients are made aware of their subject access rights.</p> <p>Any Data Subject Access Request (or purported Data Subject Access Request) or request to rectify, block or erase any Personal Data connected with Personal Data processed under this Agreement will be made to the GP practice to which that patient is registered.</p>
<p><b>14. Are there any plans to allow the information to be used elsewhere either in the CCG, wider NHS or by a third party?</b></p>	<p>The CCG will not access patient data. The data will not be shared outside of the organisations listed in this DPIA and the rules set out in the associated data sharing agreement.</p>
<p><b>Describe the information flows</b></p> <p>The collection, use and deletion of personal data should be described here and it may also be useful to refer to a flow diagram or another way of explaining data flows.</p>	
<p><b>15. Does any data flow in identifiable form? If so, from where, and to where?</b></p>	<p>No. Data will not be shared outside of EMIS Web.</p>
<p><b>16. Media used for data flow?</b></p> <p><b>(e.g. email, fax, post, courier, other – please specify all that will be used)</b></p>	<p>N/A</p>

The Caldicott Guardian for each organisation will be consulted.

### Privacy Risks

List any identified risks to privacy and personal information of which the project is currently aware. Risks should also be included on the project risk register.

<b>Risk Description (to individuals, to the CCG or to wider compliance)</b>	<b>Proposed Risk solution (Mitigation)</b>	<b>Is the risk reduced, transferred, or accepted? Please specify.</b>	<b>Further detail if required</b>
System Outage	Business continuity plans	Reduced	
Breach of patient data	EMIS Web Community training. IG training for all staff using EMIS	Reduced	
Loss of data	Recovery of data via EMIS support	Reduced	
Inaccurate data input	EMIS Web Community training and	Reduced	

	application support		
Organisation withdrawing from EMIS Web Community	Access to EMIS Web Community to be terminated	Accepted	Data sharing agreements will need to be revised

**Further information**

Please provide any further information that will help in determining privacy impact.