

DATA PROTECTION OFFICE NEWS

February 2022

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“COPI NOTICE “extended to June 30th, 2022

On 9th February 2022, it was announced that the COPI Notice (Notice under Regulation 3(4) of the NHS Control of Patient Information Regulations 2002) has now been further extended until June 30th, 2022. The COPI Notice provides a temporary legal basis and mandates the sharing and processing of patient data with a Covid-19 purpose. For the purpose of editing your privacy notice, I will send you a copy of the renewed Notice when that becomes available.

NHS Digital DARS – (Data Access Request Service) - NIC-388913-L5D5B-v2.6)

As you will be aware, to support the response to the Covid-19 pandemic, NHS Digital has been directed to collect and analyse healthcare data, by collecting patient data from the GP record for the duration of the COVID-19 emergency period. The “COPI Notice” is the legal basis for this work. For your records, I have attached a copy of the updated Data Sharing Agreement, which now also includes the Vaccination and ethnicity data.

Medical Examiners

From April 2022 Medical Examiners will be scrutinising all non-coronial deaths and it will be a statutory requirement for GP data controllers to allow the Medical Examiner team to access the patient records. Although the deceased don't come into the scope of the Data Protection legislation, we felt it was appropriate to conduct a DPIA (Data Protection Impact Assessment) as the Medical Examiners will be given full access to the clinical system and will require Next of Kin data. DPIAs/ Data sharing agreements will be shared with GP Data controllers via the Information Sharing Gateway in due course. In the meantime, I have attached some slides, which you may find useful.

NHS England Accelerating patient access to health records via NHS App

This programme, which will enable patients over the age of 13 to access the prospective data in their health record via the NHS app is due to be implemented from April 2022.

NHS E shared an update last week, a summary of which I have attached for your information. I was pleased to read that, further to pressure from IG professionals, they now intend to conduct a full DPIA (Data Protection Impact Assessment).

Safeguarding Leads from across Greater Manchester have written to the implementation team outlining their very significant concerns from a safeguarding perspective. The response from NHS E said they would welcome collaborative working with the safeguarding leads, but also made it very clear that the implementation date will still be April 1st, 2022, for EMIS and TPP users.

I have reattached the concise guidance document I have compiled, which lists the risks and contains instructions on redacting specific data items, as a way of mitigating these risks. It also contains instructions on how to set up prospective access on the clinical system. If you require any further information, please do not hesitate to contact me at jane.hilldpo@nhs.net or mobile 07951 530 417

If you haven't already done so, you may wish to attend one of the forthcoming webinars hosted by NHS Digital, dates and further information can be found here: [book onto the session](#)

GM Care Record

Data sharing agreements relating to the GP Practice data flowing into the GM Care Record are detailed below. For your reference, I have attached a list of the current GMCR users and as previously requested, it would be appreciated if you could ensure your privacy notice is updated with the following link:

<https://healthinnovationmanchester.com/the-gm-care-record-privacy/>

Information Sharing Gateway/ GDPR Article 30 requirement

Article 30 of the GDPR dictates that all Data Controllers should have an up-to-date "ROPA" (Register of Processing Activities). The Information Sharing Gateway is a good reference library for tracking data flows in and out of your practice.

Action For practices in Oldham and Tameside & Glossop

Assurance on the ISG has expired for a number of practices. In some cases, it is just a case of updating your ICO registration details. Please will you log in to the Gateway and ensure your practice is up to date?

For practices in Oldham:

Some practices in Oldham still need to please sign off/ give data controller approval of the following agreements, which have been recently uploaded onto the Information Sharing Gateway:

- GM Care Record Direct Care
- GMCR cloud migration
- GM Care Record Business Intelligence

[Home Page - Information Sharing Gateway](#)

For practices in T&G:

The following DPIAs/ Data sharing agreements are now on the ISG and require data controller sign off:

- STOMP- stopping over medication of people with a learning disability, autism, or both with psychotropic medicines. This will involve Clinical Pharmacists from the Pennine Care NHS Foundation Trust accessing patient records.
- Cievert – Covid vaccination appointment booking system for all practice in Tameside & Glossop and flu vaccination booking for Hyde & Stalybridge PCN practices
- My Way Diabetes – a platform to enable improved self-care by diabetic patients
- GM Care Record Direct Care
- GMCR cloud migration
- GM Care Record Business Intelligence

[Home Page - Information Sharing Gateway](#)

If you require any further information about the above, or any other Data Protection issues, please do not hesitate to contact me at jane.hilldpo@nhs.net or westpennine.lmc@nhs.net or mobile 07951 530 417