

NHS Digital : COVID-19 Data Collections

<p><i>Identity and contact details of the data controller and the data protection officer</i></p>	<p>Data Controller: Oakley Health Group Data Protection Officer: Dr Neil Bhatia</p>
<p><i>How does this comply with the Common Law Duty of Confidentiality?</i></p> <ul style="list-style-type: none"> • Consent <ul style="list-style-type: none"> ○ Implied (e.g. direct care) ○ Explicit (e.g. 2^o uses) • COPI Regulations 2002 (e.g. Reg 5 - "s251") • "overriding public interest" (to safeguard you or another person) • legal obligation (e.g. court order) 	<p>Legal obligation</p> <p>This means that we are compelled by law to share your data in this way</p>
<p><i>Purpose of the processing and the lawful basis for the processing</i></p>	<p>NHS Digital has been instructed to collect and analyse data in connection with COVID-19 to support the Secretary of State's response to COVID-19 and support various COVID-19 purposes set out in the COVID-19 Public Health Directions 2020, 17 March 2020 (COVID-19 Direction). This data collection is a mandatory data extraction under s259 of the HSCA 2012.</p> <p>Lawful bases: Article 6(1)(c) – Legal Obligation Article 9(2)(h) – Provision of Health This data collection is a mandatory data extraction under s259 of the HSCA 2012</p> <p>Lawful bases: Article 6(1)(c) – Legal Obligation Article 9(2)(h) – Provision of Health</p>
<p><i>Is this:</i></p> <ul style="list-style-type: none"> • Access to your GP record • Extraction of information from your GP record • Access to data held about you by another data controller 	<p>Extraction of information from the GP record</p>
<p><i>The recipient(s), or categories of recipients, of your personal data</i></p>	<p>NHS Digital</p>

<p><i>Retention period of the data (or criteria used to determine the retention period)</i></p>	<p>Data retained in line with NHS Digital policies on storing identifiable data https://digital.nhs.uk/keeping-patient-data-safe/how-we-look-after-your-health-and-care-information</p>
<p><i>The existence of each of your rights</i></p>	<p>You are able to exercise certain rights in relation to your personal data that we process. These are set out in more detail at: https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/</p>
<p><i>The right to lodge a complaint with a supervisory authority</i></p>	<p>Yes: The Information Commissioner</p>
<p><i>The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences</i></p>	<p>No</p>
<p><i>Further information</i></p>	<p>This is a mandatory data extraction under s259 of the HSCA 2012</p> <p>COVID-19 Public Health Directions (instructing NHS Digital to collect such data) https://digital.nhs.uk/about-nhs-digital/corporate-information-and-documents/directions-and-data-provision-notices/secretary-of-state-directions/covid-19-public-health-directions-2020</p> <p>NHS Digital Data Provision Notice to GP surgeries: https://digital.nhs.uk/binaries/content/assets/website-assets/corporate-information/directions-and-data-provision-notices/data-provision-notices/covid-19-at-risk-patients-data-provision-notice</p>

	<p>Further information about GP records and confidentiality can be found in our "Your Medical Records" booklet:</p>
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<http://www.oakleyhealth.org/website/X25416/files/YMR%20booklet.pdf>

[Back to Index](#)