

## 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"> <li>• Consent <ul style="list-style-type: none"> <li>◦ Implied (e.g. direct care)</li> <li>◦ Explicit (e.g. 2<sup>o</sup> uses)</li> </ul> </li> <li>• COPI Regulations 2002 (e.g. Reg 5 - "s251")</li> <li>• "overriding public interest" (to safeguard you or another person)</li> <li>• legal obligation (e.g. court order)</li> </ul>	<p><b>Legal obligation</b></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: <b>Article 6(1)(c) – Legal Obligation</b> <b>Article 9(2)(h) – Provision of Health</b></p>
<p><i>Is this:</i></p> <ul style="list-style-type: none"> <li>• Access <b>to</b> your GP record</li> <li>• Extraction of information <b>from</b> your GP record</li> <li>• Access to data held about you <b>by another data controller</b></li> </ul>	<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>

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

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