



## COVID-19 PANDEMIC Data Security and Protection Arrangements: Record of Processing Activities for statutory notice issued under the Control of Patient Information Regulations (COPI) 2002

NHS Buckinghamshire Clinical Commissioning Group (CCG)

Author: Data Protection Officer, Last Updated: March 2021

### Statutory Notice

This notice under the [Control of Patient Information Regulations \(COPI\) 2002](#) permits access to patient identifiable information and includes *delivering services to patients, clinicians, the health services and adult social care services workforce and the public about and in connection with COVID-19.*

This is otherwise known as a legal basis for data processing, and is deemed to apply in relation to all identifiable data processing by CCG staff for the duration whilst the notice remains in place. This notice currently expires on **30 September 2021**, but will likely be further extended. The notice is addressed to *Arm's-length bodies of the Department of Health and Social Care*. Although CCGs are not explicitly named, they are deemed to fall within this category.

### Relevant data security and protection measures

This document confirms other relevant data security and protection compliance measures in place in support of all data processed under this notice.

**Table 1: relevant data security and protection measures in support of identifiable data processing for statutory notice under the Control of Patient Information Regulations (COPI) 2002**

CCG	ICO fee payment	NHS Digital Data Security and Protection Toolkit	Cyber Security Essentials (a Government-backed, industry-supported scheme to help organisations protect themselves against common online threats)
Buckinghamshire	<a href="#">ZA336065</a>	<a href="#">14Y</a>	This is addressed through the certification of NHS South Central and West as supplier to the CCGs of their IT hardware infrastructure <a href="https://www.cyberessentials.ncsc.gov.uk/cert-search/CE-H1RGXJSR7MDH">https://www.cyberessentials.ncsc.gov.uk/cert-search/CE-H1RGXJSR7MDH</a>
Oxfordshire	<a href="#">Z3620231</a>	<a href="#">10Q</a>	
Berkshire West	<a href="#">ZA332155</a>	<a href="#">15A</a>	

### Record of processing

The notice also stipulates that *A record should be kept of all data processed under this notice.* Accordingly this document meets this requirement (Table 1). For further details on any of the data flows referred to within this record, please contact the CCG Data Protection Officer [russell.carpenter@nhs.net](mailto:russell.carpenter@nhs.net)

Supporting notes/key:

- DPIA = Data Protection Impact Assessment – a legal requirement under GDPR and undertaken where a data flow is high risk based on numbers of records processed. A data flow is therefore deemed as not high risk if “No” is stated under DPIA; given a legal basis to process the data already exists under the Statutory Notice.

- PID = Personal Identifiable Data at record level (i.e. includes all or is or combination of name, address, data of birth, NHS number, age, gender etc. – fields to depend on the specific nature of the data flow). This may relate to patients or CCG staff.
- SCD = Special category data at record level (sensitive data concerning Health i.e. fields and description associated with medical conditions)
- For avoidance of doubt, all data flows described below are deemed as personal pseudonymised data at record level (i.e. allows for some form of re-identification through one or more fields – and can be re-identified by the data processor, i.e. CCG)

**Table 1: record additional relevant data security and protection measures in support of identifiable data processing for statutory notice under the Control of Patient Information Regulations (COPI) 2002**

CCG Team receiving data	Data Sender	Processing Purpose	PID	SCD	DPIA
Directors on call	NHS providers	Conduit with other provider organisations to managed delayed transfers of care across cohorts including frail elderly, spinal repatriation etc. Speed up delayed discharge of current admissions to release bed capacity.	Yes	Yes	No
Medicines	Primary Care	Electronic Repeat Dispensing	Yes	Yes	Yes
Medicines	Care Homes	Structured Medication Reviews	Yes	Yes	No
Data Protection Officer	NHS Digital	NHS Digital has published the shielded patients list (SPL), which is enabling partner organisations across government to support and protect those who need shielding at this time.	Yes	No	Yes
Localities	NHS staff	Expanded testing offer to a wider group of staff and household members across the NHS, including individuals working in the NHS outside of acute care, for example, mental health, primary care, community services and other staff as determined locally.	Yes	No	Yes
Buckinghamshire Health & Social Care Staff Vaccination Allocation Bureau	Healthcare workers	To offer COVID-19 vaccination to all healthcare workers working in primary care as well as independent practitioners and independent providers including general practice (including locum staff), community pharmacy, dentistry, optometry and hospices.	Yes	No	Yes

Data receiving CCG team	Data Sender	Processing Purpose	PID	SCD	DPIA
Community Models of Care	Buckinghamshire Council	Daily review of Discharge To Assess (D2A) aka hospital discharge programme list; in order to <ul style="list-style-type: none"> <li>Facilitate contact with domiciliary care providers and negotiate CHC packages of care and related contracts as appropriate for patients discharged from acute hospitals.</li> <li>Monitor payments to providers for commissioned packages</li> </ul>	Yes	Yes	No
Urgent Care	NHS providers	Daily review of Medically Fit for Discharge (MFFD) lists to facility speedy discharge	Yes	Yes	No
Workforce	CCG staff	Redeployment of staff to other system partner provider organisations for a variety of COVID-19 related resilience tasks (e.g. discharge, vaccination programme, project support)	Yes	No	No
Quality	Care Homes	Carry out quality assurance visits to vaccine centres and care home visits at weekends ongoing. Passive observers only; no details retained by the CCG.	Yes	Yes	No
Various	Primary Care / NHS providers	Vaccination bookings – processing identifiable data to schedule appointments at both hospital hubs and Primary Care Network (PCN) hubs, but not at mass vaccination sites. Data flow from primary care relates to patients, whereas data flow from NHS providers relates to health and social care staff.	Yes	No	Yes
COVID-19 Dashboard Report	Primary Care / NHS providers	Localised view of the COVID position containing increased relevance in local trending and change which is not available in the daily COVID reporting in the NHS Foundry and NHS Insights platform. Data is collected and made available for the purpose of assisting with the coordination of the COVID-19 response: Coronavirus (COVID-19): notice under regulation 3(4) of the Health Service COPI (Control of Patient Information) Regulations 2002. It is pseudonymised record level and therefore restricted to named individual circulation.	Yes	Yes	No