

Fair Processing Notice

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Fair Processing Notice

About Us

NHS Arden & GEM Commissioning Support Unit, commonly referred to as Arden & GEM CSU, are one of several CSU's hosted by NHS England who go through a procurement and tendering process to provide a range of commissioning support services to various Clinical Commissioning Groups (CCGs) in England.

A CCG will be responsible for commissioning Health care services for the predetermined geographical area that it covers, to make sure a full range of services are available to the public living in the CCGs area. These commissioned services range from Acute Trust services (Your local hospital: A&E, Audiology, Orthopaedics, General Surgery, Upper GI, Neurology, Urology and so on), Mental Health Services, GP practice services, Community Health Services (District Nursing, Pharmacies, Dental Practices), as well as many other health related services you may have in your area.

The range of services that the CCGs contract Arden & GEM CSU to provide on behalf of the CCG in order to assist them in their Clinical Commissioning Duties and Obligations includes:

- Data Services for Commissioning Regional Office (DSCRO)
- Business Intelligence: Analysis of Health Related Data Sets
- Management and investigation of complaints
- Supply of Information Technology services
- Handling of Freedom of Information requests
- Communications and engagement activities
- Advice and guidance on access to personal records; Information Governance
- Procurement and Tendering of services
- Recruitment of staff and/or provision of Human Resource function
- Medicines Optimisation
- Management and Planning of Individual Funding Referrals
- Carrying out Continuing Health Care Assessment service
- Financial processing: Invoice validation of requests for payment for Treatment carried out by CCG area Healthcare Providers

As Arden & GEM CSU carry out the services that are provided, some, but not all of these services, will require the CSU staff to process relevant personal information in order to fulfil the contracted work on behalf of the CCG. This information may in turn be provided back to the CCGs and General Practitioners (GPs) to support their commissioning, management and planning decision for healthcare services.

Types of Data used by the NHS	Further clarity
<p>Personal Data:</p> <ul style="list-style-type: none"> • Name • DOB • Address • Contact details • NHS Number 	<p>Sometimes we receive information in a Spreadsheet that will contain the NHS Number only; this is still classed as processing your Personal information</p> <p><i>The Work Area tables gives detail of the Personal data used by Arden & GEM CSU teams</i></p>
<p>Pseudonymised Data: ‘unique code’</p>	<p>This is information that removes the Personal Data which can identify the individual and replaces it with a unique code often referred to as a ‘key’. The lock to this ‘key’ would require a 3rd Party to complete the</p> <p>This ‘key’ enables the data to be re-identified by NHS personnel who require identifiable data to carry out their work i.e. Providers of health care services</p> <p><i>An NHS Number is not classed as Pseudonymised Data</i></p>
<p>Anonymised Data</p>	<p>Anonymised Data: <i>Sometimes called Aggregate information</i>; this type of information has no identifiable data contained within in it that has the capability to trace back to an individual person or even a small group of persons <i>i.e. persons with rare disease</i>. This type of data analysis is usually a large amount of specific information (Data Sets) mostly contained within a Spreadsheet</p>
<p>Sensitive Personal Data or ‘Special Category’</p> <p>‘Special Categories’ are:</p> <ul style="list-style-type: none"> • Race • Ethnic Origin • Politics • Religion • Trade Union Membership • Genetics • Biometrics (where used for ID purposes) • Health • Sex Life; or • Sexual orientation 	<p>Data that relates to ‘Health’ is classed as Sensitive Personal Data or now referred to in law as ‘Special Category’ data</p> <p><i>The Work Area tables give detail of the ‘Special Category’ data used by Arden & GEM CSU teams</i></p>
<p>Corporate Data</p>	<p>Any information relating <u>only</u> to the Business Functions of an organisation</p>

How we use personal information at Arden & GEM CSU

Invoice validation

When we receive invoices for your healthcare, we need to ensure that the invoice is genuine and accurate. To do this we will use limited information about individual patients. This will happen in a secure environment and will be carried out by a limited number of authorised staff. These activities and all identifiable information will remain within the Controlled Environment for Finance (CEFF) which is approved by NHS England.

Risk stratification

Risk stratification is a process that supports your family doctor (GP) to help you manage your health.

By using selected information from your health records, a secure NHS computer system will look at any recent treatments you have had in hospital or in the surgery, and any existing health conditions that you have. This will alert your doctor to the likelihood of a possible deterioration in your health. The clinical team at the surgery will use the information to help you get early care and treatment where it is needed.

NHS Arden & GEM Commissioning Support Unit (CSU) supports GP Practices with this work. NHS security systems will protect your health information and patient confidentiality at all times.

Right to opt out of Risk stratification processing

Patients have a right to object to their information being used for risk stratification. The GP practice must make patients aware that their information is being used for this purpose and that they have a right to object. This information is required for compliance with Data Protection Legislation 'The Right to be informed'. NHS England guidance is that GP practices should provide information to patients explaining how their data will be used and what to do if they have any concerns or objections.

Reasons for processing personal information without gaining your consent in the first instance

Where personal information is shared with others we will normally seek to gain your consent to do this, however there may be certain circumstances in which we are legally required to share your personal information without first gaining your consent for example:

- by a court order
- safeguarding of a Child or Vulnerable adult
- prevention or detection of crime
- notifiable diseases
- Carry out a specific task in the 'public interest' as set out by law

Job applicants, current and former employees

When individuals apply to work at NHS Arden & GEM Commissioning Support Unit, we will use the information they supply to us to process their application and to monitor recruitment statistics. Where we want to disclose information to a third party, for example where we want to take up a reference or obtain a 'disclosure' from the Disclosure Barring Service, consent is obtained during the application process unless the disclosure is required by law.

Rights of the Individual under Data Protection Legislation

Right to be informed, of the processing that takes place at an organisation that might require the processing of Persons Personal or Sensitive Personal 'Special Category' information

Right of Access, You are entitled to Access the personal information we hold on you and the right of this information in a **Data Portability** format; electronic format of this information. This type of access is referred to as a Subject Access Request. Any requests made will be jointly managed by both CCG and CSU staff unless you specifically state in your request that you do not wish this to happen.

Right to rectification, You have the right to have accurate and up to date records held on you by an organisation. If you are aware of a mistake in the information held on you contact the service you supplied your information to for rectification of your record

Right to Object, If you do not wish to consent to your personal information being shared with us, or have any concerns or questions about the use of your personal information, please contact: Arden & GEM Data Protection Officer at agcsu.dpo@nhs.net

Right to erasure, You have the right to 'be forgotten' unless there is an overriding legal requirement to retain the information held on you. It is a statutory responsibility for the NHS to retain a record of Health care events; i.e. a medical record. All Health related records are held in line with the NHS Records Management Code of Practice 2016 retention schedules unless otherwise stated

If you wish to discuss the content of your medical record then please contact the medical record holding organisation to address your concerns.

Right to restrict processing, or suppress the use of your personal data. It is a statutory responsibility for the NHS to retain a record of Health care events; i.e. a medical record

If you wish to discuss the content of your medical record then please contact the medical record holding organisation to address your concerns.

Withdraw Consent, if you wish to withhold your consent to share your personal information it may seriously impact on the services and responses we can offer you. The individual teams that have requested your consent for processing will be able to help with any concerns you may have with the use of your personal information

How Arden & GEM Staff keep personal information confidential

Under the NHS Confidentiality Code of Conduct, all of our staff are required to protect your information, inform you of how your information will be used, and allow you to decide if and how your information can be shared. This will be recorded in your records.

The NHS Care Record Guarantee

The NHS Care Record Guarantee for England sets out the rules that govern how patient information is used in the NHS and what control the patient can have over this. It covers people's access to their own records; controls on others' access; how access will be monitored and policed; options people have to further limit access; access in an emergency; and what happens when someone cannot make decisions for themselves.

Everyone who works for the NHS, or for organisations delivering services under contract to the NHS, has to comply with this guarantee. The NHS Care Record Guarantee was first published in 2005 and is regularly reviewed by the National Information Governance Board, to ensure it remains clear and continues to reflect the law and best practice. It was last reviewed in January 2011

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You can access the NHS Care Record Guarantee version 5 (2011) at:

<http://systems.hscic.gov.uk/rasmartcards/documents/crg.pdf>

The NHS Constitution

The NHS is founded on a common set of principles and values that bind together the communities and people it serves – patients and public – and the staff who work for it.

The NHS Constitution establishes the principles and values of the NHS in England. It sets out rights to which patients, public and staff are entitled, and pledges which the NHS is committed to achieve, together with responsibilities, which the public, patients and staff owe to one another to ensure that the NHS operates fairly and effectively.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/170656/NHS_Constitution.pdf

Who Arden & GEM CSU receive and Share data with	
Who we receive information from	<ul style="list-style-type: none"> • NHS England • NHS Digital • Clinical Commissioning Groups • Commissioning Support Units • Healthcare Providers • Public Authorities or Public Bodies • Patients and their families • Members of the Public • Information in connection with Employment of staff • NHS Shared Business Support (SBS)
Who we share information with	<ul style="list-style-type: none"> • NHS England • NHS Digital • Clinical Commissioning Groups • Commissioning Support Units • Healthcare Providers • Public Authorities or Public Bodies • Information in connection with Employment of staff • NHS Shared Business Support (SBS)
Purposes for processing Personal or Sensitive Personal Data	<ul style="list-style-type: none"> • Requirement under contract • Request made by member of the public <i>e.g. Complaint</i> • Required for under obligations as an employer • Required for Recruitment purposes • A Statutory requirement • Required for Safeguarding Children/Vulnerable Adults • Required by Court Order • Required for the Detection and Prevention of Crime; fraud

The below tables set out the information processed by Arden & GEM CSU Teams

Area of work	Medicines Optimisation Team
Processed on behalf of	CSU/CCG
Purpose/s for Processing	To provide a safe and robust service with authorised access to GP clinical systems to enable medicines optimisation pharmaceutical support for practices and patients
Format used	<ul style="list-style-type: none"> • Electronic • Paper
Legitimate Interests	N/A
Personal Data processed:	<ul style="list-style-type: none"> • Name • DOB • Address • NHS Number • Local identifier within clinical system • Hospital number
'Special Category' Data Processed:	<ul style="list-style-type: none"> • Health
Transfer of Data outside the UK	No
Transfer of Data outside the EU	No
Retention Period Criteria used:	<ul style="list-style-type: none"> • NHS Records Management Code of Practice 2016 • Category of record applied: e.g. Patient record
The source the personal data originates	<ul style="list-style-type: none"> • GP Practice • Acute • Patient
Whether the provision of personal data part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data	<ul style="list-style-type: none"> • Contractual • Statutory • By failing to provide the data , the commissioned medicines optimisation service will not be able to facilitate safe and efficient health care
The existence of automated decision making	<i>To be confirmed</i>

Area of work	Individual Funding Request & Prior approval services
Processed on behalf of	CSU/CCG
Purpose/s for Processing	To provide administrative support to manage and process individual funding requests and/ or prior approval for funding
Format used	<ul style="list-style-type: none"> • Electronic • Paper

Legitimate Interests	N/A
Personal Data processed:	<ul style="list-style-type: none"> • Name • DOB • Address • NHS Number • Local identifier within clinical system • Hospital number
'Special Category' Data Processed:	<ul style="list-style-type: none"> • Health • Sexual orientation
Transfer of Data outside the UK	No
Transfer of Data outside the EU	No
Retention Period Criteria used:	<ul style="list-style-type: none"> • NHS Records Management Code of Practice 2016 • Category of record applied: e.g. Patient record
The source the personal data originates	<ul style="list-style-type: none"> • GP Practice • Acute
Whether the provision of personal data part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data	<ul style="list-style-type: none"> • Contractual • Statutory • By failing to provide the data , the commissioned service will not be able to process the funding request and therefore the application would stop
The existence of automated decision making	<i>To be confirmed</i>

Area of work	Child Health, IT Services
Processed on behalf of	Derbyshire CCGs
Purpose/s for Processing	Recording of children 0-19 years who reside in Derbyshire or belong to a Derbyshire GP practice
Format used	<ul style="list-style-type: none"> • Paper • Electronic • National Database
Legitimate Interests	N/A
Personal Data processed	<ul style="list-style-type: none"> • Name • DOB • Address • NHS Number • Vaccinations and immunisations • Birth notification details • Newborn screening information
'Special Category' Data Processed:	<ul style="list-style-type: none"> • Ethnicity • Genetics: Congenital anomalies and new born blood screening positive results
Transfer of Data outside the UK or EU	No
Retention Period Criteria used:	<ul style="list-style-type: none"> • NHS Records Management Code of

	Practice 2016 <ul style="list-style-type: none"> • Category of record applied: e.g. Patient record for children retained up to the age of 25 years
The source the personal data originates	<ul style="list-style-type: none"> • GP Practice • NHS Digital • Acute • Community Trust Providers
Whether the provision of personal data part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data	Statutory requirement to supply
The existence of automated decision making	<i>n/a</i>

Area of work	Contracting
Processed on behalf of	CCG
Purpose/s for Processing	<ul style="list-style-type: none"> • Nationally mandated data submission for invoice validation (working with CCG finance teams) • Data validation and raising of data quality and coding practises of Providers
Format used	<ul style="list-style-type: none"> • Electronic
Legitimate Interests	<i>N/A</i>
Personal Data processed:	<ul style="list-style-type: none"> • Hospital spell ID • Pseudonymisation code • Age • Admission and Discharge dates • Treatment codes
'Special Category' Data Processed:	<i>N/A</i>
Transfer of Data outside the UK	No
Transfer of Data outside the EU	No
Retention Period Criteria used:	<ul style="list-style-type: none"> • Records are not retained only DSCRO data submitted
The source the personal data originates	<ul style="list-style-type: none"> • Acute • Community Trust Providers • GP • Private providers of NHS services (e.g. BMI Group)
Whether the provision of personal data part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data	<ul style="list-style-type: none"> • Statutory requirement to supply to DSCRO (SUS Data)

The existence of automated decision making	N/A
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Area of work	Freedom of Information
Processed on behalf of	e.g. CSU, CCG CCG/Trust
Purpose/s for Processing	<ul style="list-style-type: none"> • Processing requests for information from members of the public
Format used	<ul style="list-style-type: none"> • Paper • Electronic • National Database
Legitimate Interests	N/A
Personal Data processed:	<ul style="list-style-type: none"> • <i>Name</i> • <i>Email address</i> • <i>Telephone number</i> • <i>Physical address</i>
'Special Category' Data Processed:	<i>None</i>
Transfer of Data outside the UK	No
Transfer of Data outside the EU	No
Retention Period Criteria used:	NHS Records Management Code of Practice 2016
The source the personal data originates	Members of public
Whether the provision of personal data part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data	Statutory requirement to supply
The existence of automated decision making	<i>None</i>

Area of work	Transactional HR i.e. recruitment and payroll
Processed on behalf of	CSU and CCGs
Purpose/s for Processing	<ul style="list-style-type: none"> • Recruitment • Employment • Payroll purposes
Format used	<ul style="list-style-type: none"> • Paper • Electronic • National Database
Legitimate Interests	N/A
Personal Data processed:	<ul style="list-style-type: none"> • Name • DOB • Address

	<ul style="list-style-type: none"> • NI Number • Employment Assignment number
'Special Category' Data Processed:	<ul style="list-style-type: none"> • Race • Ethnicity • Religion • Sexual Orientation • Disability • Relationship status
Transfer of Data outside the UK	No
Transfer of Data outside the EU	No
Retention Period Criteria used:	<ul style="list-style-type: none"> • NHS Records Management Code of Practice 2016 • Category of record applied: Staff Records and Occupational Health
The source the personal data originates	<ul style="list-style-type: none"> • NHS Jobs - application form • ID • Right to work documents • Applicant/Employee
Whether the provision of personal data part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data	Statutory requirement to supply – Require personal data to establish individual's right to work status/carry out pre-employment checks Require personal data to input new employee's details onto Electronic Staff Record (ESR) to receive salary
The existence of automated decision making	N/A

Area of work	Finance
Processed on behalf of	CCG
Purpose/s for Processing	Invoice Validation in Ceff (<i>Controlled environment for Finance</i>)
Format used	<ul style="list-style-type: none"> • Electronic • Internal/CCG Database
Legitimate Interests	N/A
Personal Data processed:	NHS Number
'Special Category' Data Processed:	<i>None</i>
Transfer of Data outside the UK	No
Transfer of Data outside the EU	No
Retention Period Criteria used:	No longer than 12 months after Invoice paid
The source the personal data originates	<ul style="list-style-type: none"> • Acute • Community Trusts Providers
Whether the provision of personal data part of a statutory or contractual requirement or obligation	<ul style="list-style-type: none"> • Statutory Section 251. For invoice validation • Obligation; cannot verify Invoice for

and possible consequences of failing to provide the personal data	payment without limited personal data
The existence of automated decision making	N/A

Area of work	AGEM CSU Clinical Services – Continuing Health Care
Processed on behalf of	CSU, CCG
Purpose/s for Processing	Full continuing Healthcare Process
Format used	<ul style="list-style-type: none"> • Paper • Electronic • Database
Legitimate Interests	N/A
Personal Data processed:	<ul style="list-style-type: none"> • Name • DOB • Address • Location Data • NHS Number • Email address
‘Special Category’ Data Processed:	<ul style="list-style-type: none"> • Race • Ethnic origin • Politics • Religion • Gender • Sexual orientation • Health
Transfer of Data outside the UK	Yes; Ad-hoc Outcome letters and invites to families who may live outside the UK
Transfer of Data outside the EU	Yes; Ad-hoc Outcome letters and invites to families who may live outside the EU
Retention Period Criteria used:	<ul style="list-style-type: none"> • <i>NHS Records Management Code of Practice 2016</i> • <i>Category of record applied: Patient record</i>
The source the personal data originates	<ul style="list-style-type: none"> • GP Practice • NHS Digital • Acute • Community Trust Providers • Patient • Member of public etc. • Family and other representatives of the patient. • Local Authorities • Legal representatives
Whether the provision of personal data part of a statutory or contractual requirement or obligation	Consent or application of the ‘best interests’ of the individual that is likely to facilitate provision of Health care

and possible consequences of failing to provide the personal data	
The existence of automated decision making	<i>N/A</i>

Visitors to our website

When someone visits our website – www.ardengemcsu.nhs.uk – we collect standard internet log information, location, and details of behaviour patterns. We do this to find out things such as the number of visitors to the various parts of the site. We collect this information in a way which does not identify anyone. We collect identifiable information from visitors to our website who register in order to comment on forum threads or to receive further information on specific topics. This information is held securely and only used for the purposes provided.

We do not make any other attempt to find out the identities of those visiting our website. We will not associate any data gathered from this site with any personally identifying information from any source. If we do want to collect personally identifiable information through our website, we will make it clear when we collect the personal information and will explain what we intend to do with it.

Links to other websites

This Fair Processing Notice does not cover links to other websites. We encourage you to read the Fair Processing/Privacy statements on other websites you visit in particular the organisation type listed in who we receive and share information with i.e. NHS England, Clinical Commissioning Groups, your GP Practice and so on