## NNPC Asylum Seeker Project – Information Sharing Protocol

The Norfolk and Waveney Health and Social Care Information Sharing Agreement (ISA) is not a legally enforceable document or a contract. The overarching agreement identifies best practice for systematic data sharing of health and social care information between signatories and this Information Sharing Protocol sits beneath the ISA and intends to provide granular detail of specific sharing initiatives agreed to by the parties involved.

The ISP is provided to all parties to support risk mitigation and to provide a consistent approach to managing data flows that may be routinely occurring.

|  |  |  |
| --- | --- | --- |
|   |   |   |
| Name of Project |   | Asylum Seeker Project |
|   |   |  |  |
| Description of Routine Sharing Practice |   | This document provides a formal agreement and associated actions in relation to the sharing of personal and sensitive (special category data) patient data between NNPC and Acle Medical Practice.Due to the relocation of 140+ asylum seekers from London to Badersfield, Norfolk there is a need to ensure that these patients are registered with a GP within the local area and that their immediately health care needs are met.Data Flows;* Acle MP were provided with basic information such as Name and DOB of patient by Norfolk County Council
* Acle MP then created registrations for each individual at the practice
* NNPC are provided with direct access to the patients within EMIS
* On arrival at the site, the NNPC clinician will identify patients in need of a consultation
* NNPC clinician will access EMIS and ICE to facilitate the consultation
* NCC will facilitate the Asylum Seekers Health Screening (taking basic health status information)
* This will be added straight to the GP record (Template to be created)
 |   |
|   |   |   |   |
| Agreed Data Set |   | Individual consultation disclosures and collection of data will vary according to the needs of the patientAsylum Seekers Health Screening data collection is determined by the Home OfficeNNPC will make requests for investigations on onward care as appropriate (using minimum necessary principles) via the GP system Any aggregated reports required for the CCG will be run by Acle MC and provided to NNPC |   |
|   |   |   |   |
| Preferred Secure Transfer Method 1 |   | EMIS / NHS Mail |   |
| Preferred Secure Transfer Method 2 |   |  |
| Other Methods |  |  |
|  |  |  |
| Secure Storage |  | Data will reside within the clinical system |
|   |
| Retention Periods |  | Any data collected will be added to the Acle MC health record |  |
|  |  |  |  |
| Legal Relationships |   | The process will involve sharing information between joint controllers.Joint and Several Responsibility is as follows;* At the point that data is collected from the patient at the Badersfield site, NNPC are the sole Data Controller and are individually responsible for its protection
* At the point that the data is entered into the EMIS record by the NNPC clinician, NNPC and Acle Medical Practice become jointly responsible for the protection of the personal data. Both parties shall ensure the data is accessed appropriately.
* At the point that the Asylum Seeker project is terminated and a ‘business as usual’ approach is adopted, no longer requiring intervention from NNPC clinicians, the data entered into the system by virtue of this project will become the sole responsibility of Acle Medical Practice who will assume individual responsibility for its protection and maintenance.
 |   |
|   |   |   |   |
| Fair Processing / Right to Be Informed |  | In order to satisfy the common law duty of confidentiality and the data protection legislation “right to be informed” there is a requirement to ensure that patients are provided with sufficient information. Individuals must “reasonably expect” disclosures of their confidential information.NCC are supporting with a translation service so that patients can understand the process.Patients ***must*** be provided with a leaflet privacy notice so that they are made aware of their information rights and any disclosures. |
|  |  |  |
| Data Security |  | All signatories must;All signatories have a Data Security Protection Toolkit and have:Implement appropriate technical and organisational measures to protect the Shared Personal Data in their possession against unauthorised or unlawful processing and against accidental loss, destruction, damage, alteration or disclosure, including but not limited to: * Ensuring IT equipment, including portable equipment, is kept in lockable areas when unattended and is encrypted.
* ensuring that staff use appropriate secure methods for logging into systems or databases containing the Personal Data;
* Ensuring that NNPC access to systems is appropriately audited
* Ensuring all staff handling Personal Data have been made aware of their responsibilities with regards to handling of the data, have a copy of this protocol and have undergone Data Protection and Security Training in the last 12 months
 |
|  |  |  |
| Lawful Basis  |   |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Purpose** | **DPA 2018 (personal data)** | **DPA 2018 (special cat)** | **GDPR (personal data)** | **GDPR (special cat)** | **ECHR Art 8** | **Common Law Duty of Confidentiality** |
| Direct care to individual | Sch 9 s 5 (e) Public Task | Sch 10 s 10 8(1) Medical Purposes | Art 6 (1) (e) Public Task | Art 9 (2) (h) Medical Purposes | In accordance with the lawProportionate | Established through raising patient expectations through privacy materials  |

 |

|  |  |  |
| --- | --- | --- |
| Patient Right to Object (Information Sharing Scripts) |  | N/A – provided in privacy materials |

|  |  |  |
| --- | --- | --- |
| Incidents report to: |  | Kafico Ltd (DPO)  |
| Access Rights Requests reported to: |  | The Parties agree that the responsibility for complying with a request from a data subject falls on Acle MC, however NNPC must notify them immediately is a request is made directly to the NNPC clinician. The Parties agree to provide reasonable and prompt assistance (within 5 working days of such a request for assistance) as is necessary to each other to enable them to comply with a Data Subject Request and to respond to any other queries or complaints from Data Subjects. |
| Approved by: |  | A copy of this document should be provided to all staff involved in the project at NNPC and Acle MC and should be logged with the Information Governance Lead / DPO for each participating partner organisation. |
| Approval date:  |  | June 2020 |
| Review date |  | June 2021 |
| In case of queries about the content of this document contact: |  | Emma.cooper@kafico.co.uk |