# Risk Stratification Compliance Protocol

## Scope

This document serves to ensure that PSL staff are aware of the permissions and restrictions associated with the NHS s251 Risk Stratification Programme.

The protocol should be provided to all staff involved with Eclipse Vista and periodically reviewed by the Data Protection Officer for any relevant amendments.

# Context

NHS England, in accordance with their approved 251 request by the Secretary of State to support information sharing for risk stratification activity, is required to provide various assurances in relation to the organisations participating in this activity and inclusion in a register of approved organisations.

To that end, PSL must maintain certain compliance assurances and provide evidence to the CCGs and GPs accordingly.

The restrictions and compliance actions are listed below

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| **Restriction** | **How Does PSL Comply?** |
| This approval only applies to the use of GP, SUS data (In-patient/Out-patient/A&E) and the Mental Health Services Data Set. Inclusion of additional data sets must involve an NHS England / CAG application. | Eclipse Vista currently only includes GP and SUS data.  Any changes to the Eclipse Vista product must include review of this protocol to acknowledge Risk Stratification restrictions |
| There must be a current and signed contract in place with the CCG | PSL undertakes periodic reviews of active contracts to ensure that service contracts do not lapse and are up to date |
| There is a data processing contract in place between the relevant practices as data controllers, the CCG (data controller for SUS/MHSDS data) and one of the named risk stratification suppliers (data processor) and this contract sets out the requirements for adequate controls and provisions for handling patient confidential data, including provisions in place in the event of a data breach and retention and destruction at termination of contract | PSL ensures that processing contracts are reviewed by DPO and confirmed to be in line with Art 28 / s 59.  PSL undertakes periodic reviews of active contracts to ensure that service contracts do not lapse and are up to date |
| The risk stratification supplier (data processor) must meet the Data Security and Protection Toolkit (DSPT) at a minimum level 2 or equivalent standard (e.g. ISO 27001 accredited | PSL submits a compliant toolkit each year |
| Suppliers must have in place a process and mechanisms for handling patient objection | PSL processing contract details how opt out codes are observed for the system  PSL has a protocol in place for handling patient objections on an individual basis and this has been provided to all relevant staff members |
| Suppliers must remove all highly sensitive data set (minimum excluded data set in Annex 3) from the risk stratification data set | PSL periodically review the extracted data set to ensure that none of the identified data points are included  Any changes to data sets are made in conjunction with this protocol to ensure that they adhere with risk stratification assurance requirements |
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| Data must be received in a “de-identified data for limited access” form (i.e. NHS number as the patient identifier) or is pseudonymised on landing and processed within a “closed box” with strict role based access control | PSL ensures that CCG access to data is in de-identified form only – linked by the NHS Number to the extracted patient record  The data is stored in a location whereby PSL access is limited to specified individuals |
| Re-identification is solely for the purpose of direct care and is available only to those with a direct clinical care relationship with the patient | PSL ensures that access to identified data is solely for GP customers |
| Must ensure that all staff handling data for the purpose of risk stratification are made aware and will operate in compliance with the requirements of Section 251 approval | This protocol is provided to all PSL staff involved with Eclipse Vista |
| Staff using risk stratification toolset and reports must receive formal training and can demonstrate they are working in compliance to the written procedure | PSL provide training in relation to risk stratification (including this protocol) to all staff involved with Eclipse Vista.  Compliance with this protocol is periodically audited to ensure that assurance is in place |
| Staff handling patient confidential data must be made aware of and comply with the obligations set out in the confidentiality clauses in their contract of employment | PAL have confidentiality clauses in all employment contracts. During annual training, staff are reminded about the clauses and confidentiality in more detail |