

# DATA PROTECTION OFFICE NEWS

March 2020

## **Contact Details**

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## **DPO Newsletter 10**

### **News**

#### **AccuRX**

#### **Additional functionality, allowing pre appointment screening and video consultations**

The LMC recently emailed all practices, advising them that AccuRx have developed additional functionality to support practices' needs during the COVID 19 pandemic. There are of course different providers on the market and while the LMC doesn't necessarily endorse the use of AccuRx over other products, by request, we have checked the related Information Governance considerations. We are satisfied it is GDPR compliant and could therefore provide a good solution for remote consultations.

#### **COVID -19 contingency plans**

The LMC has been working closely with the CCGs to ensure there are appropriate contingency plans in place in case, for example, a practice needs to close and redirect patients. To ensure the necessary Information Governance is in place, a GP-GP data sharing agreement has been drafted.

#### **ICO advice on data protection and information sharing in relation to coronavirus**

Please find the following link to the ICO's FAQs about data protection and information sharing in relation to the coronavirus. Please do take the time to review this important information.

<https://ico.org.uk/for-organisations/data-protection-and-coronavirus/>

#### **DPO approval of data sharing initiatives**

##### **GP Connect**

The DPO function has recently approved the DPIA (Data Protection Impact Assessment)/ Data Sharing Agreement to allow NHS 111 to book 1 appointment per 3000 (as dictated by the GP contract) via GP connect.

GP Connect can also enable the additional functionality of access to the clinical record. It should be made very clear though that this is a *choice* given to the data

controller. As DPO, I would advise against allowing NHS 111 to access the clinical record at this stage.

### **Oldham GP Practice – Dr Kershaw’s Hospice**

We have also this week approved the Data Sharing Agreement, which proposes GP practices in Oldham share read only data with Dr Kershaw’s via the EMIS system. We have worked closely with Mark Bradley, the DPO for Dr Kershaw’s and there is a robust agreement in place, which would allow the sharing of read only data to enhance seamless End of Life care for patients at Dr Kershaw’s.

### **NHS Data Security and Protection Toolkit**

As I’m sure you’re aware, the deadline for the completion of the DSPT is 31st March 2020. The ICO recently flagged that ALL data breaches (regardless of the impact they have had/ could have) should be recorded on the DSPT, forming the practice’s data breach register.

### **National Data opt-out compliance**

NHS Digital wrote out to all GP Practices in August 2019 explaining the practice compliance requirements for the National Data opt-out programme. By way of reminder, I have attached this letter, as well as the GP Practice compliance checklist. The deadline for compliance is 31st March 2020.

Type 2 opt out codes were previously in use and these codes must now be replaced. Please follow the link for instructions on how to run this search on EMIS/TTP:

<https://digital.nhs.uk/services/national-data-opt-out/information-for-gp-practices#practices-must-no-longer-record-type-2-opt-outs->



National Data  
Opt-out GP Practice



GP Compliance  
Preparation Assessrr

### **Health Checks in Glossopdale - update**

There is currently a pause on NHS Healthchecks provision in the Glossopdale area. TCR have been contracted by Derbyshire County Council to carry out the Health Checks, but unfortunately TCR’s data processing proposal is not GDPR compliant. TCR have requested that they extract the *full* medical record for *all* registered patients. Clearly this is excessive and not necessary for the Health checks. We flagged this with TCR, who informed us that the agreement was passed off by NHS Digital. We continue to liaise with NHS Digital and hopefully this issue can be resolved promptly.

If you require any further information about any of the above, or any other data protection issues, please do not hesitate to contact me at [westpenninelmc@btconnect.com](mailto:westpenninelmc@btconnect.com), or mobile 07951 530 417.