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# Regional Health and Social Care Information Sharing Agreement

Data Flow – PC210003 – Healthy IO Minute Kidney Testing:

**Schedule K – Processing and Sharing Specification (signature required)**

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## Schedule K – PC210003 – Healthy IO Minuteful Kidney Testing

Sharing Requirement Identifier:	PC210003
Sharing Requirement Name:	Healthy IO Minuteful Kidney Testing
Sharing Requirement Start Date:	1st June 2021
Sharing Requirement End Date:	31st May 2022
Sharing Organisation:	{{!org_es_:font(name=calibri,size=10)}}
Direct Care or Other Uses:	Direct care
Risk Sharing and Indemnity:	Out of scope
Sharing Data Controllership:	Joint control with NHS Frimley Clinical Commissioning Group as lead controller
Data Processor(s):	Healthy IO – Google Cloud Services
Status:	Final
Version:	v1

### Summary of the Processing and Sharing Requirement Purpose

This processing enables primary care practices to increase their adherence with the urinary albumin test for people living with conditions that make them at risk of chronic kidney disease, e.g. diabetes or hypertension. The urinary albumin test is one of the 9 NICE recommended annual care processes for patients living with diabetes.

This joint processing arrangement runs for 12 months to prove the concept. On completion of the 12 months period it may be extended for a further 24 months if the concept is proven.

### Summary of the Legal Basis for Processing and Sharing

Unless a patient or client has objected to processing or joint processing and sharing and the sharing organisation has accepted the patient's objection(s) the legal basis for sharing and viewing the shared records includes provisions of Section 251B of the Health and Social Care Act 2012 (as amended by the Health and Social Care (Safety and Quality) Act 2015):

2. The sharing organisation must ensure that the information is disclosed to:
  - (a) persons working for the sharing organisation
  - (b) any other relevant health or adult social care commissioner or provider with whom the sharing organisation communicates about the individual; and
3. So far as the sharing organisation considers that the disclosure is:
  - (a) likely to facilitate the provision to the individual of health services or adult social care in England
  - (b) in the individual's best interests.

Unless a patient has objected to processing or joint processing and sharing and the sharing organisation has accepted the patient's objection the legal basis for viewing the shared records is also provided by General Data Protection Regulation:

1. Article 6(1)e  
"processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller"; and
2. Article 9(2)h  
"processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services, on the basis of Union or Member state laws".

Official authority and member state laws establish the legal bases that organisations rely upon for the need to share and jointly process data to deliver care and to plan and manage the delivery of care.

Where access to confidential data is legitimate, the common law duties of confidentiality are satisfied because consent to view a patient's record is implied where the patient concerned agrees to be referred to a service or where the patient concerned refers themselves or presents to a service. In general patients are made aware of data sharing either via 'fair processing notices', specific discussion with care staff or in most cases by both methods.

Where confidential data has been anonymised in line with the Information Commissioner's Office code of conduct for anonymisation the above legal basis is no longer a pre-requisite for processing the data.

## Summary of the Processing and Sharing Requirement Process

The processing and sharing requirement is described in terms of:

1. The processing, sharing and analytics process;
2. The processing and sharing privacy arrangements;
3. The scope of the organisations involved in the processing and sharing arrangements; and
4. The scope of the data processed and shared.

### The Processing, Sharing and Analytics Process

This processing enables primary care practices to increase their adherence with the urinary albumin test for people living with conditions that make them at risk of chronic kidney disease, e.g. diabetes or hypertension. The urinary albumin test is one of the 9 NICE recommended annual care processes for patients living with diabetes.

For the purposes of this schedule the processing and sharing process is as follows:

1. The technical platform for the processing is Healthy IO's portal solution ("Healthy IO").
2. Healthy IO supports primary care practices with completing the annual urinary albumin screening required as part of the patient's care;
3. Practices use the Connected Care Analytics Platform to identify those patients that have not completed the required annual urinary albumin screening;
4. Once eligible patients are identified by the GP Practice, to support patient choice in how their treatment is provided, a courtesy SMS or letter will be sent which informs the patient that the GP Practice has asked Healthy IO to support them in delivering the service:
  - a. The invitation is supported by a leaflet describing the service
  - b. The leaflet provides the required privacy notice information as well as directions to the practice's own privacy notice and guidance;
5. This provides patients with an opportunity to decide if they are happy to take part in receiving a home urine test or whether they would prefer their diabetes to continue to be monitored via their GP at the practice;
6. The final list, excluding those patients that have chosen not to be contacted, is uploaded to the Healthy IO portal;
7. The Healthy IO onboarding team then contact patients to offer an at home ACR – Kidney Test this can be via SMS or telephone;
8. The patient's name, address and telephone details are passed on to Healthy IO's distribution partner, Precision, who posts the ACR – Kidney Test kit to the patient's home address:
  - a. The kit has been designed to fit through a letter box. Any patient's that decline to receive a kit or who are identified as ineligible are communicated to the practice via nhs.net to ensure continuity of care.
9. Once the patient has downloaded the app and received the ACR – Kidney Test kit, they run the test independently guided by the app:
  - a. Patients are not required to create an account
  - b. The app is downloaded and is linked to the Healthy IO portal by the mobile phone number;
10. At the end of the analysis the test results are captured in the patient record in the Healthy IO portal:
  - a. The results are accessible to be viewed by the patient in the app, for a short period directly after the test is completed, after which the result disappears.
  - b. No data is stored on the mobile device
  - c. Test results are forwarded to the primary care practice electronic health record via the secure message exchange for social care and health (MESH) service; and
11. Test results are then reviewed and managed in the normal manner by the practice concerned.

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### Processing and Sharing Privacy Arrangements

The privacy arrangements are considered satisfactory as:

1. Access to view data is managed in accordance with the RBAC (Role Based Access Control) arrangements;
2. No data is held on the mobile device;
3. No data is made available for shared processing where a patient has indicated to the patient's practice that the patient does not wish to take part in the programme;
4. Only the data as summarised below is loaded into the Healthy IO database;
5. Healthy IO includes an audit trail showing which user accessed a data subject's records; and
6. Healthy IO holds:
  - a. Accredited standards (e.g. ISO27001, Cyber Essentials) achieved by suppliers, covering the physical security of the system infrastructure
  - b. DSPT Standards Met.

### The Scope of the Data Controller Organisations Involved in the Processing

The data controller organisations include all practice and independent sector health care provider organisations that:

1. Have signed the Regional Health and Social Care Information Sharing Agreement; and
2. Is the patient's registered practice or are providing care on behalf of the patient's registered practice.

### The Scope of the Data Processed and Shared

The following data items are processed and shared using the Healthy IO solution:

1. Person details and contact details;
2. Practice details
3. Mobile device details;
4. Clinical details on enrolment:
  - a. Diabetes type
  - b. CKD diagnosis and stage
  - c. Previous ACR test details; and
5. Test details:
  - a. Date of test
  - b. Test result.

### Necessity and Proportionality

It is necessary and proportional to share the above spectrum of confidential data into a shared data repository on the grounds that it is in the best interests of the data subjects concerned and the minimum necessary to provide the testing service.

### Summary of Consultations

As the uses of the identifiable data covered by this sharing requirement are restricted to the provision of care and every patient is consulted in advance of enrolling in the service, no explicit and direct consultation has been carried with the public in respect of this sharing requirement.

### Summary of the Data Protection Impact Assessment

The project has been carefully designed to place the interests of patients uppermost. Concepts of informed consent and compliance with the Caldicott and Data Protection Principles have been incorporated into the software design.

The Data Protection Impact Assessment DPIA0039 has been prepared in respect of this processing and the residual level of all of the identified data security and protection risks is low.

The information governance risks relating to the additional processing arrangements described in the DPIA have also been reviewed by the IG Steering Group and the IG Steering Group is satisfied that all appropriate technical and physical measures against unauthorised or unlawful access, accidental loss or destruction of care data are in place.

### Agreement Implementation Status

On behalf of the Sharing Organisation I confirm that the information sharing arrangements described in this schedule are agreed and the information described in this schedule is to be made available to the User Organisations and individuals identified in this schedule starting on the Sharing Requirement Start Date and ending on the Sharing Requirement End Date.

Agreed by **{{!guardian\_es\_:font(name=calibri,size=10)}}**  
as Caldicott Guardian / Designated Officer / Data Protection Officer / SIRO, for and  
on behalf of **{{!org\_es\_:font(name=calibri,size=10)}}**  
**{{!addr\_es\_:font(name=calibri,size=10)}}**.

**End of Schedule K**

Schedule L – PC210003 – Healthy IO Minuteful Kidney Testing  
**Regional Health and Social Care Information Sharing Agreement**

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**Schedule L – PC210003 – Healthy IO Minuteful Kidney Testing**

Please see DPIA0039.

**End of Schedule L**