

Regional Health and Social Care Information Sharing Agreement

Information Governance Steering Group 14th December 2021

Contents

Policy – CCGs and Connected Care PID Access	2
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Policy – CCGs and Connected Care PID Access

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It is recognised that from time to time and determined by local service structures and agreements there are teams and staff who are employed by the Clinical Commissioning Group but who are responsible for providing direct care to patients. As a consequence, these teams may from time to time need access to joint processing and sharing systems under the Regional Health and Social Care Information Sharing Agreement for the purposes of accessing the records of the patients on their caseload.

For the purposes of this policy and all agreements, procedures and technical solutions within the scope of the policy, examples of Clinical Commissioning Group teams that may fall within the scope of direct care includes without limitation:

- A. Medicines optimisation teams;
- B. Continuing care teams; and
- C. Integrated care and multidisciplinary care teams.

Having due regard to the Regional Health and Social Care Information Sharing Agreement term 18.6 “Ensure that no restrictions are placed on sharing personal confidential data other than those specified in the agreement and in continuing agreements in effect at the commencement of the agreement” and the requirement to comply with expectations of confidentiality as set out in paragraph 4(2) of Part 2 of Schedule 3 of the Data Protection Act 2018¹, the policy for access to the records of these data subjects is as follows:

1. Direct care teams and staff within Clinical Commissioning Groups are classified within the Regional Health and Social Care Information Sharing Agreement as “healthcare providers”;
2. Where Clinical Commissioning Group team members need access to Connected Care:
 - a. Role based access controls are used to ensure that:
 - i. only those staff with a direct care role have access to Personal Identifiable Data for the data subjects concerned
 - ii. the scope data that is accessible to the user is appropriate to their roles
 - b. The staff concerned are trained in the use of Connected Care before accessing the system
 - c. The staff concerned are up to date with their mandatory IG training;
3. All requests for Clinical Commissioning Group team members to be given access to Personal Identifiable Data require the prior written agreement of:
 - a. The Data Protection Officer for the lead controller of the joint processing and sharing solution concerned
 - b. The Data Protection Officer of the Clinical Commissioning Group concerned;
4. Audit controls are used to detect and discourage inappropriate access; and
5. The organisations concerned comply with the Regional Health and Social Care Information Sharing Agreement qualifying standard.

This policy takes effect from 14th December 2021 and expires on the 30th April 2023.

Version 1 (final).

¹ Controllers must not disclose information:

- (a) “which was provided by the data subject in the expectation that it would not be disclosed to the person making the request,
- (b) “which was obtained as a result of any examination or investigation to which the data subject consented in the expectation that the information would not be so disclosed, or
- (c) “which the data subject has expressly indicated should not be so disclosed.”