



Date: 19 November 2020  
Our reference: N/20/3133

Dear Requestor

RE: Freedom of Information Request

With reference to your request for information I can confirm in accordance with Section 1 (1) of the Freedom of Information Act 2000 that we do hold the information that you have requested. A response to each part of your request is below.

Please note, as of 1st April 2020 the following Clinical Commissioning Groups (CCGs), NHS Mansfield & Ashfield CCG, NHS Newark & Sherwood CCG, NHS Nottingham City CCG, NHS Nottingham North & East CCG, NHS Nottingham West CCG and NHS Rushcliffe CCG, merged to become NHS Nottingham and Nottinghamshire CCG. More information around the new NHS Nottingham and Nottinghamshire CCG can be found on our website - <https://nottscg.nhs.uk/about-us/our-ccg/>

In the request you asked:

I am interested in the governance around Connected Nottinghamshire (shared care record), and simply request 3 items of information that you no doubt hold:

- Please could you kindly send me the *latest DPIA undertaken for direct care purposes* (processing) of Connected Nottinghamshire, with respect to the disclosure of, and subsequent access to, personal confidential information from contributing data controllers

- Please see attached document – Doc 1. GPRCC PIA – (Direct Care) v7.6

The GPRCC PIA (Direct Care) relates to the predecessor CCGs NHS Mansfield & Ashfield CCG, NHS Newark & Sherwood CCG, NHS Nottingham North & East CCG, NHS Nottingham West CCG, NHS Rushcliffe CCG and separately NHS Bassetlaw CCG.

Page 4 of GPRCC PIA (Direct Care): Exemption Section 40(3A) 3<sup>rd</sup> Party Personal Information applied. To disclose the information would contravene one of the data protection principles set out in article 5 of the GDPR. This is an absolute exemption and a Public Interest Test is not required.

- Please could you kindly send me the *latest DPIA undertaken for any secondary uses purposes* (processing) of Connected Nottinghamshire (e.g. population health, commissioning, “data analytics” etc) , with respect to the disclosure, and subsequent processing for purposes other than direct care, of personal confidential information from contributing data controllers (whether such processing is actually happening or being planned)

- Please see attached documents:

Doc 1. GPRCC PIA – Phase 2 (Secondary Use) Feb 2018 v2.3

Page 5 of GPRCC PIA (Secondary Use): Exemption Section 40(3A) 3<sup>rd</sup> Party Personal Information applied. To disclose the information would contravene one of the data protection principles set out in article 5 of the GDPR. This is an absolute exemption and a Public Interest Test is not required.

Doc2. RIG Best Practice Guide (embedded document)

- Please could you kindly send me the *latest data processor contract* that GP surgeries contributing to Connected Nottinghamshire must be signatories and parties to, with the data processor (please clarify who that is), and which provides the necessary instructions for direct care and any secondary care processing – in line with, and as legally required under, Article 28 of the GDPR

If there is no data processor (i.e. confidential data is *not* being extracted and uploaded from the GP records database)

then please do say. In that case, I am not interested in any *information sharing agreements* that might exist between the data controllers and/or accessing organisations

- Please see attached document – Doc 4. GPRCC Data Processing Contract.pdf

If you are unhappy with the way in which your request has been handled, NHS Nottingham and Nottinghamshire Clinical Commissioning Group have an internal review procedure through which you can raise any concerns you might have. Further details of this procedure can be obtained by contacting Lucy Branson, Associate Director of Governance via [lucy.branson@nhs.net](mailto:lucy.branson@nhs.net) or by writing to NHS Nottingham and Nottinghamshire CCG, 1 Standard Court, Park Row, Nottingham, NG1 6GN.

If you remain dissatisfied with the outcome of the internal review, you can apply to the Information Commissioner's Office, who will consider whether the organisation has complied with its obligations under the Act, and can require the organisation to remedy any problems. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by NHS Nottingham and Nottinghamshire Clinical Commissioning Group formerly known as NHS Mansfield and Ashfield Clinical Commissioning Group, NHS Newark and Sherwood Clinical Commissioning Group, NHS Rushcliffe Clinical Commissioning Group, NHS Nottingham West Clinical Commissioning Group, NHS Nottingham City Clinical Commissioning Group and Nottingham North and East Clinical Commissioning Group. You can find out more about how to do this, and about the Act in general, on the Information Commissioner's Office website at: <https://ico.org.uk/for-the-public/>

Complaints to the Information Commissioner's Office should be sent to: FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF  
Telephone 0303 123 1113 or report a concern: <https://ico.org.uk/concerns/>

Yours sincerely

Freedom of Information Officer on behalf of *NHS Nottingham and Nottinghamshire Clinical Commissioning Group formerly known as NHS Rushcliffe Clinical Commissioning Group, NHS Nottingham West Clinical Commissioning Group, NHS Nottingham City Clinical Commissioning Group, NHS Nottingham North and East Clinical Commissioning Group, NHS Mansfield and Ashfield Clinical Commissioning Group and NHS Newark and Sherwood Clinical Commissioning Group.*

[notts.foi@nhs.net](mailto:notts.foi@nhs.net)

*All information we have provided is subject to the provisions of the Re-use of Public Sector Information Regulations 2015. Accordingly, if the information has been made available for re-use under the [Open Government Licence](#) (OGL) a request to re-use is not required, but the license conditions must be met. You must not re-use any previously unreleased information without having the consent of the Greater Nottingham Clinical Commissioning Partnership. Should you wish to re-use previously unreleased information then you must make your request in writing (email will suffice) to the FOI Lead via [notts.foi@nhs.net](mailto:notts.foi@nhs.net). All requests for re-use will be responded to within 20 working days of receipt.*

