

Fair Processing Notices – FAQs

Why display fair processing notices?

- To explain to patients how information about them is being used and who it is shared with.
- Displaying fair processing notices is a national requirement that all practices are expected to comply with.

Why is data shared with the CCG?

- To provide a lawful framework for sharing and linking data as part of local initiatives as well as Hertfordshire wide health and social care integration programme. Including linking secondary care, community, mental health/learning disabilities and social care data.
- To allow for the inclusion of primary care data in the data integration programme as long as data sharing agreements are signed between the relevant practices and the CCG.
- To allow for risk stratification and profiling for targeting services (e.g. Home First.)
- To allow the CCG to undertake invoice validation checks to ensure the CCG is being billed correctly.

What won't we do?

- Sell the information to external organisations, whether the data is patient identifiable or not.
- Hold identifiable data longer than is absolutely necessary and only to complete the function that the data was received for. The CCG is moving towards a system where all patient identifiers in the data are scrambled using a unique code that allows data to be linked but is not identifiable, see psuedonymisation at source below.

Psuedonymisation at Source (PaS)

- A process to scramble all patient identifiers in data **before** it is received at the CCG using a single PaS tool that allows data for the same patient to be linked but is not directly identifiable.
- A unique “key” that allows certain users (clinicians) to re-identify the patient for care purposes through role based access controls.
- For extra protection the pseudonymised data and “key” are held by separate organisations and can only be accessed by designated users through the role based access controls.

What do practices need to do?

- Display the fair processing posters and leaflets sent out in October 2015 prominently in the practice. Please do note that the back of the leaflets refer patients to the ENHCCG website for further information.
- As a data controller each practice should display these as part of their compliance with the IG toolkit requirements (this is a national requirement).
- Practices should also link from their website to the fair processing link on the CCGs website: <http://www.enhertsccg.nhs.uk/how-we-use-information-about-you-fair-processing-notice>
- Continue to record in the practice patient record any patient who wishes to opt out of sharing their record using the standard read codes provided for this purpose.
- However, for patients wishing to opt out the following key points should be explained:
 - A patient can object to their confidential personal information from being disclosed out of the GP Practice and/or from being shared for non-direct care purposes (secondary purposes).
 - However, the choice not to share data for non-direct care purposes must not affect the individual's care.
 - Being excluded from arisk stratification for case finding programme, however, could prevent a patient in a risk category from being identified and offered direct care. This should be made absolutely clear to the patient because, having made the choice not to allow their data to be disclosed out of the GP Practice, they would not be included in these local initiatives if they still wish to opt out.
- A process still needs to be agreed that will allow the sharing of data for local initiatives but will still allow the opt-out for sharing with HSCIC for national purposes.

Further information on Fair Processing Notices can be found on the CCG's website. Extra leaflets and posters can also be downloaded and printed from this link too:

<http://www.enhertsccg.nhs.uk/how-we-use-information-about-you-fair-processing-notice>

If you have any questions about Fair Processing Notices, please do direct these to David Hodson, Head of Information for East and North Herts CCG:

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