

NHS Wales Informatics Service - purposes for which we may process your data

The health and social care system is taking action to manage and mitigate the spread and impact of the current outbreak of coronavirus (COVID-19).

The urgent need to protect public health and respond to the COVID-19 outbreak requires, where necessary and lawful, the collection, analysis and sharing of information - including confidential information - amongst health organisations and other appropriate bodies. This notice describes how we may use your information to protect you and others during the COVID-19 outbreak.

The NHS Wales Informatics Service (NWIS) was established to manage and provide a range of information technology systems, associated support and consultancy services and healthcare information services. These functions are all relevant to the management and mitigation of the impact of COVID-19. We may also be asked to collect, analyse and disseminate data for the NHS in England and for other organisations involved in dealing with the outbreak; for example, Welsh Government, Public Health Wales and Welsh Local Authorities.

Examples of some of the purposes for which NWIS may process personal data include:

- understanding COVID-19 and the risks to public health, trends in COVID-19 and any associated risks, and controlling and preventing the spread of COVID-19
- identifying and understanding information about:
 - citizens with, or at risk from COVID-19
 - incidents of exposure to COVID-19;
 - the management of citizens with, or at risk of contracting the virus, including locating, contacting, screening, flagging and monitoring individuals;
 - the provision and delivery of services like testing, diagnosis, self-isolation, fitness to work, treatment, medical and social interventions and recovery from COVID-19
- understanding information about citizens' access to health services and adult social care services, as a direct or indirect result of COVID-19, and the availability and capacity of those services
- monitoring and managing the response to COVID-19 by health and social care bodies, and the Welsh Government. This includes the provision of information to the public about COVID-19 and its effectiveness, and the provision of information about capacity, medicines, equipment, supplies, services and the workforce within the health services and adult social care services
- delivering services to citizens, clinicians, the health services and adult social care services workforce and the public about and in connection with COVID-19. This includes the provision of information and the provision of health care and adult social care services
- research and planning in relation to COVID-19

The controller of your personal data

Under the General Data Protection Regulation 2016 (GDPR), NWIS is the controller of your personal data where we are directed or requested to process personal data for COVID-19 purposes. We are also a joint controller with the person who has directed or requested us to do this work. This may be the Welsh Government, NHS bodies in Wales, Welsh Local Authorities or NHS bodies in England. Where we share data, NWIS is usually the sole controller.

Our legal basis under GDPR

Where we process personal data as part of our functions, including where requested by other bodies, it is part of our public task. We can do this under Article 6(1)(e) of GDPR.

Where we need to process health data and other special categories of personal data, we will only do this where it is necessary as part of our functions. Under GDPR we are allowed to do this where it is necessary for substantial public interest reasons (Article 9(2)(g)), where it is necessary for healthcare purposes (Article 9(2)(h)), where it is necessary for public health purposes (Article 9(2)(i)) or where it is necessary for scientific research or statistical purposes (Article 9(2)(j)).

We are also allowed to share your personal data under GDPR where it is necessary for us to do so for one of the purposes explained above.

Types of personal data we process

The types of personal data we may process in response to COVID-19 include:

- demographic data – your name, date of birth, sex, NHS number and your contact details such as your address, telephone numbers and email address
- health information – information relating to your health and the care you have been provided - this may include information about medical conditions, treatments, prescription information, care episodes, hospital admission and discharge information, test results, including tests relating to COVID-19, information on whether you are self-isolating
- information collected as part of our online services which we need to help maintain the security and performance of our website and to help us understand how our services are used so that we can make improvements. This may include information such as your IP address, technical log events, the type of browser you're using and the actions you took when using these services

We will only process the minimum data necessary to achieve our purposes.

How we obtain your personal data

Collecting personal data from you directly

We may collect personal data from you directly, in which case we will tell you at the time the purposes for which we will use your data.

We will not collect more information than we require, and we will ensure that any personal data collected is treated with the appropriate safeguards.

Collecting personal data from other organisations

We may also collect personal data from other organisations, including health and social care organisations; for example, from Public Health Wales, Local Health Boards, NHS Trusts, GP Practices, Local Authorities and NHS bodies in England.

Who we share your data with

The health and social care system is facing significant pressures due to the COVID-19 outbreak. Health and care information is essential to deliver care to individuals, to support health and social care services and to protect public health. Information will also be vital in researching, monitoring, tracking and managing the outbreak. In the current emergency it has become even more important to share health and care information across relevant organisations.

The Health Service (Control of Patient Information) Regulations 2002 allow confidential patient information to be used and shared appropriately and lawfully in a public health emergency and are being used during this outbreak.

Using these regulations, the Secretary of State issued legal notices requiring local authorities and various health organisations to share confidential patient information to respond to the COVID-19 outbreak. The notices apply to England and Wales. A joint NHS Wales Information Governance statement provides further information on the approach to the management and sharing of information to deal with the COVID-19 outbreak and provides links to the relevant notices. The statement can be accessed through the following link.

<https://nwis.nhs.wales/coronavirus/digital-support-updates-for-healthcare-professionals/information-governance/>

Any information used or shared during the COVID-19 outbreak will be limited to the period of the outbreak unless there is another legal basis to use patient information.

Types of organisations we may share your data with

The types of organisations we may share your data with include:

- Welsh Government as part of the government response to coronavirus
- Public Health Wales
- GPs
- Local Authorities
- other NHS, health, or social care organisations
- NHS bodies in England.
- Research bodies, such as universities and hospitals

We may also share your information with organisations who process personal data for us on our behalf. They are called Processors. Where we use Processors, we have contracts in place with them which means that they can only process your personal data on our instructions. Our Processors are also required to comply with stringent security requirements when processing your personal data on our behalf.

We will also publish data we have obtained for COVID-19 purposes which is anonymous, so that no individuals can be identified from that data. This will enable NHS and other organisations to use this anonymous data for statistical analysis and for planning, commissioning and research purposes as part of the response to coronavirus.

For example, NWIS helps PHW compile the statistics for its publicly available data hub:

<https://public.tableau.com/profile/public.health.wales.health.protection#!/vizhome/RapidCOVID-19virology-Public/Headlinesummary>

How long we keep your personal data

Personal data will not be kept for longer than necessary. Minimum retention periods for different types of records are set out in guidance available in England and Wales.

Records will not be kept after the retention period unless:

- The record is the subject of live litigation or a request for information. In these circumstances, destruction will be delayed until the litigation is complete or the relevant

complaint procedure has been exhausted, at which time a new trigger point and retention period is created.

- The record has been or should be selected for permanent preservation.
- When tests results form part of your GP or Hospital record then your personal information will be kept in line with the retention periods of those larger collections of your personal health information.

Where we store data

NWIS keeps its repositories of personal data within the United Kingdom.

Fully anonymous data, for example, statistical data, which does not allow you to be identified, may be stored and processed outside of the UK.

Some of our Processors may process your personal data outside of the UK. If they do, we will always ensure that the transfer outside of the UK complies with data protection laws.

Your rights over your personal data and further information

To read more about the health and care information processed by the NHS in Wales and your rights, please refer to the leaflet below.

<http://www.wales.nhs.uk/sites3/Documents/950/YourInfo-YourRights-A4Leaflet-English1.pdf>

<http://www.wales.nhs.uk/sites3/Documents/950/YourInfo-YourRights-A4Leaflet-Welsh1.pdf>