

## APPENDIX 3 - SPECIFIC INFORMATION EXCHANGE AGREEMENT<sup>1</sup>

This information exchange agreement reflects the reasons, processes and procedures for sharing personal data.

<b>DATE:</b>	MARCH 2014
<b>FOR:</b> (Name of Project and/or Group)	<b>GCC/GCS INTEGRATION PERFORMANCE REPORTING DATA TRANSFER</b>
<b>VERSION:</b>	0.2

<b>Parties to the sharing of personal data:</b>	<b>DATA TRANSFERRED BETWEEN:</b>	<b>AND:</b>	<b>AND:</b>
<b>NAME:</b>	Gloucestershire County Council	Gloucestershire Care Services NHS Trust	
<b>ADDRESS:</b>	Shire Hall Westgate Street Gloucester GL1 2TP	Edward Jenner Court 1010 Pioneer Avenue Gloucester Business Park Brockworth Gloucester GL3 4AW	

<b>Indicate the Frequency of the Reviews:</b>	Initial Review in 3 months; Annually at end of financial year thereafter
<b>Date of Next Review:</b>	June 2014

<sup>1</sup> This agreement sits below the Gloucestershire Information Sharing Partnership Agreement version 1.3 and/or the NHS Information Sharing Core Principles versions 5 and 6.

<p><b>PURPOSE/REASON FOR SHARING</b></p> <p>State reasons for sharing including whether it is a statutory requirement to share or if it is voluntary stating the perceived benefits to the customer for the sharing.</p>	<p>Data are shared via secure trusted network link on a client level basis to aid regular ongoing performance management at operational team level. Gloucestershire Care Service NHS Trust (GCS) manage the social care service for Gloucestershire County Council (GCC). GCC provides daily extracts of predefined and pre-processed client level data to allow GCS to provide management information to operational teams and performance management information to senior management. Access to the data at this level allows GCS to monitor and maintain data quality in the ERIC system and subsequent management information.</p>
<p><b>DATA TYPE/ DESCRIPTION</b></p> <p>state exactly data to be shared. E.g. name, address etc.</p>	<p>See detailed table list and service user field list breakdown stated an <a href="#">Appendix A</a>.</p> <p>This content will be subject of regular review during each year of the agreement to ensure provision of the most appropriate dataset commensurate with management information reporting requirements within GCS in delivering to their SLA.</p>
<p><b>DATABASE(S) USED</b></p>	<p>Data from ERIC are processed in the Data &amp; Performance Team SQL Server Data Warehouse. Data are transferred via secure trusted link into a GCS 'mirror' warehouse, and presented in the form of scorecards produced from the GCS Essbase system.</p>
<p><b>CONSENT/LEGAL BASIS</b></p> <p>The legal basis for sharing personal data, State legislation that supports the sharing e.g. wellbeing power Local Government Act 2000.</p> <p>State the Schedule 2 (and Schedule 3 if sensitive personal data is to be shared) that allows the sharing (see below)</p> <p>How individuals will be informed of the sharing of data where required</p>	<p>Data are only shared where consent to share has been provided, and are shared under the overarching agreement between the two organisations:</p> <p><a href="#">Tier 1</a></p> <p><a href="#">Tier 2</a></p> <p>Schedule 2:</p> <ul style="list-style-type: none"> <li><i>The individual who the personal data is about has consented to the processing.</i></li> </ul> <p>Schedule 3:</p> <ul style="list-style-type: none"> <li><i>The individual who the sensitive personal data is about has given <b>explicit</b> consent to the processing.</i></li> </ul> <p>Service user consent to share is sought as part of the assessment process. All service users are given a copy of the leaflet 'Your Information: Implementing the Social Care Record Guarantee' which explains when and how their personal information will be shared.</p>
<p><b>SOFTWARE FORMAT USED</b></p> <p>e.g. Word, Excel, CSV, etc.</p>	<p>SQL Server database backup (.BAK).</p>
<p><b>ENCRYPTED or UNENCRYPTED</b></p> <p>If unencrypted state why and how this will comply with GovConnect (if applicable)</p>	<p>Unencrypted as transferred through established secure "trusted" link between the two organisations.</p>

<p><b>PHYSICAL TRANSFER METHOD</b> e.g. Memory Stick, Tape, Network, NHSNet, Laptop PC</p> <p>State the process of exchange, taking account of threats and vulnerabilities in the proposed communication methods and ensuring adequate safeguards to protect the information during transit and storage are in place. (NB a more secure method is preferred).</p>	<p>N/A – electronic transfer via network link.</p>
<p><b>QUALITY</b></p> <p>include a statement to commit to the accuracy and completeness of the data exchanged, including a process for informing all relevant parties of any inaccuracies identified</p>	<p>Data are loaded to the database on a daily basis (overnight) following routine scripts and procedures within the data warehouse. Any issues identified with the load or transfer procedure will be highlighted as soon as possible, either on transfer (GCC) or receipt (GCS). Quality and robustness of data contained within the extract is reliant on accuracy of data capture within ERIC by operational teams.</p>
<p><b>FREQUENCY OF DATA SHARING</b> e.g. monthly, weekly. etc.</p>	<p>Daily (every week day, pre-7am)</p>
<p><b>RETENTION</b></p> <p>state the person or authority who is responsible for keeping the master file and the period of retention of data – Any copies held by other members of the project or group must destroy their copies at the same time.</p>	<p>Retention and disposal of information will be in line with Gloucestershire County Council's <a href="#">Information and Records Management Policy</a> or the equivalent policy within partner agencies.</p> <p>The Data &amp; Performance Team (GCC) will retain master (backup) files for a period of one calendar month, prior to deletion from the sending system. GCS will replace files within their receiving warehouse on a daily basis, removing and destroying the previous version. Copies of the backup files transferred to them can be kept for the current calendar month.</p>
<p><b>MONITORING</b></p> <p>Who will monitor that the processes above are taking place and are effective? What checks will be made?</p>	<p>Responsibility for monitoring the process will sit with the respective managers of the Data &amp; Performance Team (GCC) (John James) and the Performance and Information Team (GCS) (Matthew O'Reilly).</p>
<p><b>SECURITY, INCIDENT MANAGEMENT &amp; RESOLUTION PROCESS</b></p> <p>How will any breaches of security, inappropriate disclosure or loss of data be reported and managed? What will be the procedure to update this protocol in the light of any findings?</p>	<p>Any breaches in security will be dealt with in line with either the Gloucestershire County Council's <a href="#">Information Security Incident Management Policy</a> or the equivalent partner agency's policy.</p>

<p><b>DATA SUBJECT ACCESS REQUESTS</b></p> <p>State how the individual will access their information and include a statement which identifies the rights of the data subjects.</p>	<p>Any subject access requests will be dealt with in line with either the Gloucestershire County Council <a href="#">Access to Personal Information (Subject Access) Policy</a> and <a href="#">supporting procedures</a> or the equivalent policy with partner agencies.</p>
<p><b><u>PRINCIPLE 8 OF THE DATA PROTECTION ACT 1998:</u></b></p>	<p>DATA SHOULD NOT BE TRANSFERRED TO OTHER COUNTRIES WITHOUT ADEQUATE PROTECTION</p>

<p>I the undersigned certify that the personal data being received will not be disclosed to unauthorised persons. The Data and their Purposes of Use are Notified under the Data Protection Act 1998 and my organisation/company is committed to compliance with the Data Protection Principles.</p>	
<p><b>DATE</b></p>	<p>Friday, 28 March 2014</p>
<p><b>SIGNATURE</b></p>	
<p><b>JOB TITLE</b></p> <p>For and on behalf of: <b>ORGANISATION</b></p>	<p>Caldicott Guardian</p> <p>Gloucestershire County Council</p>
<p><b>DATE</b></p>	
<p><b>SIGNATURE</b></p>	
<p><b>JOB TITLE</b></p> <p>For and on behalf of: <b>ORGANISATION</b></p>	

## GLOSSARY OF TERMS

Within this document, the following definitions apply:

Personal Data or personal information	Data which relates to a living individual who can be identified from that data or that data together with other information which is in possession, or is likely to come into the possession of the Data Controller
Sensitive Personal Data	Personal data consisting of : Racial or ethnic origin of data subject Political opinion Religious beliefs or other beliefs of a similar nature Membership of a trade union Physical or mental health or condition Sexual life Commission or alleged commission of any offence Any proceedings for any offence committed or alleged to have been committed by him, the disposal of such proceedings or the sentence of any court in such proceedings
Data Controller	Any person (including company organisation or individual) who (either alone or jointly or in common with other persons) determines how and for what the purposes any personal data is to be processed.
Data Processor	Any person (other than an employee of the Data Controller) who processes the data on behalf of the Data Controller.
Processing	Means obtaining, recording, holding the information or data or carrying out any operation on the information including organisation, adaptation or altering retrieval, consultation, use disclosure alignment combining, blocking or erasure or destruction of information or data.
Data Subject	An individual who is the subject of the personal data

### **Schedule 2 conditions for processing personal data:**

- *The individual who the personal data is about has consented to the processing.*
- *The processing is necessary:*
  - *in relation to a contract which the individual has entered into; or*
  - *because the individual has asked for something to be done so they can enter into a contract.*
- *The processing is necessary because of a legal obligation that applies to authority (except an obligation imposed by a contract).*
- *The processing is necessary to protect the individual's "vital interests". This condition only applies in cases of life or death, such as where an individual's medical history is disclosed to a hospital's A&E department treating them after a serious road accident.*
- *The processing is necessary for administering justice, or for exercising statutory, governmental, or other public functions.*
- *The processing is in accordance with the "legitimate interests" condition.*

### **Schedule 3 conditions for processing sensitive personal data**

- *The individual who the sensitive personal data is about has given **explicit** consent to the processing.*
- *The processing is necessary so that you can comply with employment law.*
- *The processing is necessary to protect the vital interests of:*
  - *the individual (in a case where the individual's consent cannot be given or reasonably obtained), or*
  - *another person (in a case where the individual's consent has been unreasonably withheld).*
- *The processing is carried out by a not-for-profit organisation and does not involve disclosing personal data to a third party, unless the individual consents. Extra limitations apply to this condition.*
- *The individual has deliberately made the information public.*
- *The processing is necessary in relation to legal proceedings; for obtaining legal advice; or otherwise for establishing, exercising or defending legal rights.*
- *The processing is necessary for administering justice, or for exercising statutory or governmental functions.*
- *The processing is necessary for medical purposes, and is undertaken by a health professional or by someone who is subject to an equivalent duty of confidentiality.*
- *The processing is necessary for monitoring equality of opportunity, and is carried out with appropriate safeguards for the rights of individuals.*

## Appendix A

### **GCC / GCS secure link – Tables & Data Fields**

<p><b>Table list</b></p> <ul style="list-style-type: none"><li>- Assessment summary (type, dates, outcome etc.)</li><li>- Carers Emergency scheme list</li><li>- Financial episodes (gross price, client contributions etc.)</li><li>- Panel decisions</li><li>- PCT financial contributions</li><li>- Pending Worker allocations</li><li>- Personal Budget summary</li><li>- Provider summary</li><li>- Referral centre activity</li><li>- Safeguarding Adult summary (Dates and outcomes)</li><li>- Services (type, start date end date, provider etc.)</li><li>- Support plan summary details</li><li>- Telecare assessments</li><li>- Telecare jobs</li></ul>	<p>With <b>service user details</b> being the most detailed:</p> <ul style="list-style-type: none"><li>- PRN</li><li>- NHS Number</li><li>- Birth date</li><li>- Current age</li><li>- Ethnicity</li><li>- Gender</li><li>- Death Date</li><li>- Former PR Person</li><li>- Religion</li><li>- Client Group</li><li>- Dementia</li><li>- Sensory Impairment</li><li>- RiOLD</li><li>- LD Band</li><li>- Autism</li><li>- Aspergers Syndrome</li><li>- Learning Disability</li><li>- Chronic Obstructive Pulmonary Disease</li><li>- Cancer</li><li>- Acquired Physical Injury</li><li>- HIV</li><li>- Physical Other</li><li>- Stroke</li><li>- Parkinsons</li><li>- MotorNeurone Disease</li><li>- Acquired Brain Injury</li><li>- Neurological Other</li><li>- Visually Impaired</li><li>- Hearing Impaired</li><li>- Sensory Impairment Other</li><li>- Mental Health Other</li><li>- Locked Case</li><li>- Full name</li><li>- Address</li><li>- Phone No</li><li>- Salutation Name</li><li>- Language</li><li>- Marital status</li><li>- GP Practice</li><li>- GP name</li><li>- GP Patch</li></ul>
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