



BEDFORD BOROUGH COUNCIL



**Bedfordshire, Luton
and Milton Keynes**
Clinical Commissioning Group

INFORMATION SHARING AGREEMENT

OFFICIAL

Title of Agreement	Public Health Shared Service Covid 19 Vaccine Support Programme
Agreement reference	
Parties	MK Council Central Bedfordshire Council Bedford Borough Council NHS Bedfordshire, Luton, MK Clinical Commissioning Group
Agreement owner	Director Public Health
Date of Agreement	10/08/2021
Version	0.1

Overarching Principles

Shared Public Health Parties will comply with the following data protection stipulations within the Service Level Agreement Shared Public Health as below:

- **Secure data sharing:** Appropriate protocols and security arrangements are put in place to protect privacy and safeguard the integrity of data, and to ensure that use and sharing of data complies with the Data Protection Act.

B.10.1 PRIVACY AND CONFIDENTIALITY

B.10.1.1 The Parties must keep all records relating to either of The Parties confidential and in line with agreed information governance protocols and data sharing agreements. The Parties must also ensure safeguards are in place to protect information.

B.10.1.2 Each Party has the right to access relevant information from the Lead Party. This access must be in accordance with lead Party's information security standards. The lead Party has the right to access lead Party information from the other Parties. This access must be in accordance with the other Parties information security standards.

B.10.1.3 Information, including this Agreement, will not be used or disclosed to third parties except for the purposes stated in this Agreement or when written consent is received from the other Parties. Access to premises, systems and information is to be provided to appropriate and approved third parties subject to the written consent of The Parties

B.10.1.4 Any potential disclosure of information contrary to the provisions of this Agreement must be reported immediately to the Representative of each of The Parties.

B.10.2 PERSONAL DATA

B.10.2.1 The Parties acknowledge and will comply with their duties and responsibilities under the FOIA the Parties will also give reasonable assurance and keep one another informed of such requests, to comply with any obligations arising under FOIA.

- If appropriate, a person's common law consent for the sharing of confidential information will be obtained by the relevant provider when in contact with the patient. Partner organisations must also comply with any access to information legislation relevant to them such as FOI and EIR
- Everyone sharing data under this Agreement is responsible for the quality of the data they are sharing.
- All partners must be aware of and take appropriate action to ensure that a data subject rights are met. Any such rights requests are to be notified to the appropriate lead and Data Protection Officer.
- Partners to this agreement undertake that information shared under the agreement will only be used for the specific purpose for which it was shared, in line with this agreement. It must not be shared for any other purpose outside of this agreement.
- Only employees, whether directly employed or acting on behalf of the Shared Public Health authorities, who have a clear business need to access information shared will be provided with access.

- If there is a need to share additional information on a one-off-basis, the Lead Officers will consider whether the sharing is lawful and necessary to the agreement and document the considerations and/or findings, including any necessary consents sought
- Partners as receivers of information covered under this Agreement, accept liability for breaches of this Information Sharing Agreement or data breaches they are responsible for. If a breach of data occurs all SPOCs and DPOs associated with the relevant data or incident should be made aware by the lead organisation investigating the incident. The lead organisation must decide whether the Information Commissioner needs to be made aware.
- Each party undertakes to provide all reasonable assistance to another party in the case of a data breach, including reporting a breach to them within 24 hours of becoming aware of it.

Who is sharing information?

BLMKCCG one way sharing with Shared Public Health Councils. Central Bedfordshire Council will receive the data and coordinate the programme and control the dissemination of data with authorised BBC and MK staff.
 Central Bedfordshire Council (CBC)
 Milton Keynes Council (MK)
 Bedford Borough Council (BBC)

Why is information being shared?

To facilitate direct contact with those recorded as not having received the Covid vaccination and support them to take up the vaccine offer. The objective of the programme is to enhance activity to minimise the local spread and impact and reduce transmission of the Covid 19 virus.

The individual adults will be contacted and offered support to obtain the vaccine and offered advice. This contact will be made via phone call (three attempts will be made. voicemail messages will be left providing contact number for unanswered calls), text (SMS) message, Email, visit to address, and letter.

Only the minimal personal information will be provided by BLMKCCG for this purpose.

What is the lawful basis for sharing/processing?

Article 6 – Basis for processing personal data

	Consent of the data subject;
	Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract
	Processing is necessary for compliance with a legal obligation;

	Processing is necessary to protect the vital interests of a data subject or another person;
X	Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller;
	Processing is necessary for the legitimate interests of the data controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.
<p><i>If partner/partners are relying on a statutory basis/public task, then please specify what this is and identify the relevant legislation/statutory guidance:</i></p> <p>These responsibilities are as set out in the 'Covid-19 –Notice under Regulation 3(4) of the Health Service Control of Patient Information Regulations 2002' dated 20 March 2020 from the Department of Health and Social Care on behalf of the Secretary of State for Health and Social Care.</p>	
Article 9 – basis for processing special category data	
	Explicit consent of the data subject;
	Processing is necessary for carrying out obligations under employment, social security or social protection law, or a collective agreement;
	Processing is necessary to protect the vital interests of a data subject or another individual where the data subject is physically or legally incapable of giving consent;
	Processing is carried out by a not-for-profit body with a political, philosophical, religious or trade union aim.
	Processing relates to personal data manifestly made public by the data subject;
	Processing is necessary for the establishment, exercise, or defence of legal claims or where courts are acting in their judicial capacity;
x	Processing is necessary for reasons of substantial public interest;
	Processing is necessary for reasons of preventative or occupational medicine, for assessing the working capacity of an employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services or a contract with a health professional;
x	Processing is necessary for the reasons of public interest in the area of public health;
	Processing is necessary for archiving purposes in the public interest, or scientific and historical research purposes or statistical purposes.

This information sharing complies with
<i>You should confirm that the sharing is compliant with the below:</i>
<ul style="list-style-type: none"> • UK GDPR • Data Protection 2018 • Human Rights Act 1998 • The Common Law Duty of Confidentiality • Regulation 7 of COPI

Who will be providing the Personal data?

NHS BLMKCCG

What personal information is being shared?

The personal Information will be securely supplied by NHS BLMKCCG to Assistant Director Public Health (CBC) via NHS Smartcard user access and relates to adults recorded as not having received the covid vaccine.

- NHS number
- GP practice
- name
- phone number
- address
- email address

Name, address and letter template will be shared securely with CBC contracted print and mailing provider.

In what format is the data collected?

The GP COVID Vaccine dashboard has been developed by NHS Digital to enable general practices and PCN-led local vaccination services to view the uptake of the COVID vaccine of their registered patients. The dashboard is accessible via smartcard. The system will be administered by Mark Peedle and Daniel Dunn BLMK CCG.

Smartcard users who are flagged as belonging to a GP practice organisation (type) and as long as they are recognised as a GP practice and that code is on their smartcard along with activity code B0360 for that organisation they will see the data. The patient details/data can be downloaded to the CCG to the smartcard user who will share the information via email and password protection to the Local Authorities contact tracing teams. The information is to be sent from the CCG to [Zahid.ullah](#) and [Celia.Shohet](#) (CBC) via NHS accounts

The MK Special Team will be used as call handlers for the Vaccination Calls across all 3 LAs. MK team were previously trained as local contact tracers and had access to resident data across all 3 LAs for this work. Members of staff employed by Bedford Borough Public Health team will also have access to resident data either as contact tracing leads or evidence and intelligence leads, as they previously did for contact tracing.

Data is transferred via secure NHS accounts.

In what format is the data stored?

Personal data will be held and controlled by BBC utilising a master spreadsheet in BOX. Call batches are then produced staff are provided access to their applicable call batch list. Access is controlled on role-based account and need to know basis. Folder access is limited

to need to know. Encryption methods applied. Encryption of data links where transfer of call list batches are transferred to MK or BBC staff.

Access via 2 Factor authentication.

Staff will record call outcome and if the customer requires transport support.

If the individual wishes to receive GP or clinical advice. This will be reported via secure NHS email to BLMKCCG.

If the customer volunteer's information regarding views of the vaccine this will be noted anonymously by the call handler and submitted to lead officer.

What is the information being shared?

In addition, on occasion there may be a requirement to verify contact details are accurate.

A list of nominated officers has been created for this purpose Electoral/Revenues/Housing. Those officers have been informed that no changes to case records should be made and no data shared other than contact detail and to follow secure measures.

How will the information be shared?

Data transfers will be via the NHS account to lead role-based officers. Transfers will be TLS 2 or above encrypted. Encryption methods are incorporated into the SOP for transfers of call data set batches to BBC or MK staff.

Where call batch data to BBC or MK officers cannot be executed via access to BOX links data this will be emailed by CBC staff using 'encryptmeplease'.

function. Passwords are to be pre-agreed over the phone and may be used over the course of the task unless compromised.

All programme staff are reminded not to rely on email address autofill function and to check and check again before clicking send.

Name, address, and letter template will be shared securely in encrypted format with CBC contracted print and mailing provider and securely deleted after the task is performed.

Where will the information be stored and how long for?

Information will be securely destroyed at the end of the programme. Phone call records will be retained for no longer than six months and securely automatically deleted.

Any information required to be retained will be held only for as long as necessary for the purpose and maximum of eight years.

Has a Data Protection Impact Assessment been completed?

Yes. BLMKCCG 10/08/2021.

Transparency Obligations

Call handlers are using a call script and following the SOP. This includes a summary of lawful reasons for the contact and signposting to the data protection officer and Vaccine support programme Privacy Notice on the CBC website.

CBC has inserted the Vaccine Support Programme Fair Processing Notice into its Covid 19 privacy notice.
[https://www.centralbedfordshire.gov.uk/info/26/public_health/799/coronavirus - covid-19_privacy_notice](https://www.centralbedfordshire.gov.uk/info/26/public_health/799/coronavirus_-_covid-19_privacy_notice)
This has been offered as a template to MK & BBC.

Information Rights requests

Confirm the process to be followed for each party upon receiving a rights request

Rights are SAR/ rectification/ objection (not absolute right - objection on the grounds that the processing is causing substantial damage or distress will have more weight. In making a decision on this, we balance the individual's interests, rights and freedoms with our own legitimate grounds. During this process the responsibility is for the Council to be able to demonstrate the Councils legitimate grounds override those of the individual.)

SAR - limited data will be held other than contact outcome.

FOI/ IG leads will notify each other if they receive a request from an individual in one of the partner Councils jurisdiction, as early as possible and support the coordination of the search and collation of the data. All will cooperate to enable a response within the statutory timescales.

BBC freedomofinformation@bedford.gov.uk

CBC – Information.Governance@centralbedfordshire.gov.uk Tel: 0300 300 5765

MK FOIA@Milton-Keynes.gov.uk Tel: 01908 253701

Reporting Breach Incidents

Each employee will follow their own lead authorities breach reporting policy.

Incidents that may impact this programme will be notified to the partner authorities by the IG leads, at the earliest opportunity.

Incidents that affect data subjects within the partner authority's jurisdiction will be notified to that authority at the earliest opportunity by the IG leads

When will this agreement be reviewed and who by?

This Information Sharing Agreement will be reviewed 1 month after its launch and as necessary thereafter. The organisation responsible for initiating this process is: CBC on behalf of the Shared Public Health Service.

By signing this Agreement, all signatories accept responsibility for its implementation and agree to ensure that staff are trained so that requests for information and the process of sharing itself are sufficient to meet the purpose of this Agreement.

Signatories must also ensure that they comply with all relevant legislation and with the provisions set out in the **Shared Public Health Service SLA**.

1	Signed for and on behalf of Bedford Borough Council	
	<i>Ian Brown/ Vicky Head</i> (name)	<i>(signature)</i>
	<i>(date)</i>	<i>(position)</i>
2	Signed for and on behalf of Central Bedfordshire Council	
	<i>Celia Shohet</i> (name)	<i>(signature)</i>
	<i>(date)</i>	<i>(position)</i>
3	Signed for and on behalf of Milton Keynes Council	
	<i>Oliver Mytton</i> (name)	<i>(signature)</i>
	<i>(date)</i>	<i>(position)</i>
4	Signed for and on behalf of NHS BLMK CCG	
	<i>(name)</i>	<i>(signature)</i>
	<i>(date)</i>	<i>(position)</i>

APPENDIX B: SPECIFIC POINTS OF CONTACT

Organisation	Department(s)	Lead Signatory NB: indicate if Specific Point of Contact (SPOC)	Data Protection Officer or Information Sharing Lead Specific Point of Contact (SPOC)
Bedford Borough Council			dpo@bedford.gov.uk Ann.Jones@bedford.gov.uk 01234 276250
Central Bedfordshire Council			Jo Brooks Jo.brooks@centralbedfordshire.gov.uk 0300 300 5225
Milton Keynes Council			data.protection@milton-keynes.gov.uk 01908 253701
BLMK CCG			0787 0275335 Lyndaharris2@nhs.net