

# How the CCG uses patient information - What You Need to Know

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## **Who we are and what we do**

Waltham Forest Clinical Commissioning Group (hereby known as the CCG) is responsible for buying (also known as 'commissioning') health services from healthcare providers such as hospitals, GP practices, dentists and pharmacists, and suppliers who offer non-standard services for the people of Waltham Forest, as well as providing directly some health services directly such as Personal Health Budgets and Independent Funding Requests.

All GP practices in Waltham Forest are members of the CCG and our role is to make sure that appropriate care is in place for the people of Waltham Forest today and in the future.

As an NHS organisation, Waltham Forest CCG operates at a number of different levels in regards to processing of personal data.

For commissioning purposes and to help us to model and plan services to best meet your future needs, Waltham Forest CCG has to understand the health, social and general wellbeing issues that our population in Waltham Forest are facing today. The only way that we can achieve this is by using information that your GP, your clinician or your social worker enter into your care record as well as some information that is provided via external public sources. This information may exist on paper or in electronic format and Waltham Forest CCG ensure that these are kept safe and secure in an appropriate way.

In carrying out some of these roles we may collect information about you which helps us respond to your queries or secure specialist services. Our CCG receives some information about you and this document outlines:

- How that information is used

- Who we may share that information with
- How we keep your information secure (confidential)
- What your rights are in relation to the information the CCG uses about you

## Why We Collect Information about You

In carrying out role and responsibilities as a commissioner of services for people working and living in Waltham Forest, it is essential that the CCG have an understanding of the health and social care needs of our community so as to ensure that these are correctly identified and made available and effective.

We may keep your information in written form and/or in digital form. The records may include basic details about you, such as your name and address or may also contain more sensitive information about your health and social care usage and also information such as outcomes of needs assessments.

For the provision of indirect care, and to maintain rules for use of information, the CCG uses a number of approved and secure services / systems to process information about you such as:

- **Data Services for Commissioners Regional Offices (DSCRO)** – this is a regional secure service provided by the Health and Social Care Information Centre (NHS Digital) via the [NELCommissioning Support Unit](#) (NELCSU). Further information can be found at the following web site:  
<http://digital.nhs.uk/dataservicesforcommissioners>
- **Accredited Safe Haven (ASH)** – this is a local secure service within Waltham Forest CCG to receive Personal Confidential Data from various sources, and then able to share de-identified data for commissioning purposes. The process for accreditation was established and managed by the Health and Social Care Information Centre. (NHS Digital)

## What kinds of information we use

The information that we use at Waltham Forest CCG may be:

**Identifiable information** – containing details that identify individuals. We may use personal information about you such as your name and address or other times we use more sensitive information about your health.

The CCG only has access to identifiable information where a legal basis exists to hold that information. These are outlined in the [How your records are used by the CCG](#) section of this document.

**Personal Confidential Data** - This is a term used in the Caldicott Information Governance Review and describes personal information about identified or identifiable

individuals, which should be kept private or secret and includes dead as well as living people.

**Pseudonymised information** – about individuals but identifying details (such as name or NHS number) replaced with unique code. This information format allows data to be linked (without directly identifying individuals) to give the CCG a better understanding of healthcare needs in order to plan for the future.

**Anonymised information** – about individuals but with identifying details removed and so cannot be tracked back to you. This information is used to plan health care services. Specifically, it is used to:

- Check the quality and efficiency of the health services that Waltham Forest CCG commissions
- Prepare performance reports on the services commissioned
- Work out what illnesses people will have in the future, so the CCG can plan and prioritise services and ensure these meet the needs of patients in the future.
- Review the care being provided to make sure it is of the highest standard

**Aggregated information** – anonymised information grouped together so that it cannot easily be put back together in order to identify individuals.

## **How we Use the Patient Information that We Collect**

Waltham Forest CCG has in place safeguards to prevent its staff from identifying individuals from the data that we receive either directly via our ASH, using “local flows” from services we commission in Waltham Forest or indirectly via the DSCRO using national flows from various NHS organisations as outlined in the previous section.

Information from your health and social care records will be received into either the ASH or the DSCRO and any information that might allow others to identify you is removed. This means that no one can know:

- Your name
- Your exact date of birth – this is replaced with just the year of birth
- Your postcode is replaced with standard area called [Lower Super Output Area](#)
- They may also contain more sensitive information about your health and also information such as outcomes of needs assessments but these are mainly coded.

Your NHS number, GP practice and treatment details are kept so that your information from each service can be linked together within the ASH/DSCRO controlled environment. This gives us a fuller picture of the health of people in Waltham Forest and the services required to support them to stay healthy. We use this information to provide and improve health services. This data also enables us to target patients who may benefit from additional preventive care.

When analysing current health services and proposals for developing future services it is sometimes necessary to link separate individual datasets to be able to produce a comprehensive evaluation. This may involve linking primary care GP data with other data such as secondary uses service (SUS) data (inpatient, outpatient and A&E). In some cases there may also be a need to link local datasets which could include a range of acute-based services such as radiology, physiotherapy, audiology etc., as well as mental health and community-based services such as Improving Access to Psychological Therapies (IAPT), district nursing, podiatry etc. When carrying out this analysis, the linkage of these datasets is always done using a unique identifier that does not reveal a person's identity as the CCG does not have any access to patient identifiable data.

Waltham Forest CCG's use of your information is in line with the purposes outlined in our registration (reference number is **Z3590685** ) with the [Information Commissioners Office](#).

### How your records are used by Waltham Forest CCG

<p><b>Accredited Safe Haven (ASH)</b></p>	<p>This is a local secure service within Waltham Forest CCG to receive Personal Confidential Data from various sources, and then is able to share de-identified data for commissioning purposes. The process for accreditation was established and managed by the Health and Social Care Information Centre (now known as NHS Digital).</p>
<p><b>Analysis</b> <i>(see also risk stratification)</i></p>	<p>Your information may be used to help assess the needs of the general population and make informed decisions about the provision of future services. Information can also be used to conduct health research and development, monitor NHS performance, to help the NHS plan for the future.</p>
<p><b>Complaints</b></p>	<p>Where the CCG is investigating a complaint then the information provided by the complainant (including personal details like for example name, address) may need to be shared as appropriate in order for the complaint to be investigated.</p> <p>If you have a complaint about the CCG or a service that we commission, we will use your information to communicate with you and to investigate any complaint if it's the responsibility of the CCG.</p> <p>See <a href="#">our complaints section</a> for more information.</p>

<b>Detection of Fraud</b>	<p>The Audit Commission conducts data matching exercises to assist in the prevention and detection of fraud. This is one of the ways in which the Audit Commission meets its responsibility of promoting economy, efficiency and effectiveness in the use of public money.</p> <p>For further information on this please see the separate Audit Commission Fair Processing Notice on the WFCCG website.</p>
<b>Direct patient care</b>	<p>For the purpose of direct patient care the CCG will ensure that any information collected about you is initially provided by you, and where any additional information is collected or used this will be with your explicit consent.</p>
<b>Handling continuing healthcare (CHC) applications</b>	<p>If you make an application for CHC funding the CCG will use the information you provide and where needed request further information from care providers to identify eligibility for funding. If agreed, arrangements will be put in place to arrange and pay for the agreed funding packages with appointed care providers.</p>
<b>Personal Health Budgets</b>	<p>A <a href="#">Personal Health Budget</a> is an amount of money to support the identified healthcare and wellbeing needs of an individual, which is planned and agreed between the individual, or their representative, and the CCG. To support this process, Waltham Forest CCG will process personal confidential data including sensitive data to evaluate, agree and monitor any personal health budgets</p>
<b>Handling individual funding requests (IFR) applications</b>	<p>If you make an Individual Funding Request (IFR) to fund specialist drugs or rare treatments, the CCG will use the information you provide and, where needed, request further information from care providers to identify eligibility for funding. If agreed, arrangements will be put in place to arrange and pay for the agreed funding packages with appointed care providers.</p>
<b>Internal Operations</b>	<p>The CCG will use both electronic and manual mechanisms to process personal confidential information relating to its employees and visitors to our sites and services. This is based on explicit consent provided by each employee at the time of joining and updated when any changes are made through internal communications.</p>
<b>Paying for services</b>	<p>Where care is provided that the CCG is responsible for, it will need to provide payment to the care provider. In most cases limited data is used to make such payments. In some instances, information to confirm that you are registered at a GP within the CCG is needed to make such payments. This is done in line with the <a href="#">Who Pays Invoice Validation Guidance</a></p>
<b>Risk Stratification</b>	<p>Risk stratification tools use historic information about patients, such as age, gender, diagnoses and patterns of hospital attendance and</p>

<p>(see also Analysis)</p>	<p>admission collected by the HSCIC (NHS Digital) from NHS hospitals and community care services. This is linked to data collected in GP practices and analysed to produce a risk score.</p> <p>There is currently <a href="#">Section 251 support</a> in place to allow the CCG's risk stratification tool to receive and link identifiable (using NHS Number) patient information from the HSCIC (NHS Digital) and from local GP Practices.</p> <p>A section 251 is where The Secretary of State for Health and Social Care has approved NHS England's application for support to establish a temporary lawful basis for 'necessary' Personal Confidential Data to be used to validate invoices, allow an organisation to become an Accredited Safe Haven (ASH) and carry out risk stratification.</p> <p>The risk stratification tool then:</p> <p>Provides the CCG with anonymised or aggregated data which we use to understand the health needs of the local population in order to plan and commission the right services. This is called <i>risk stratification for commissioning</i>.</p> <p>Is used by GPs to help them to identify and support patients with long-term conditions and to help prevent un-planned hospital admissions or reduce the risk of certain diseases developing such as type 2 diabetes. This is called <i>risk stratification for case-finding</i>.</p> <p>GPs are able to identify individual patients from the risk stratified data when it is necessary discuss outcomes and consider preventative care. Where the risk stratification process has linked GP data to health data obtained from other sources i.e. from another health care provider, the GP will ask for your permission to access the details of that information.</p>
<p><b>Safeguarding</b></p>	<p>Advice and guidance will be provided to care providers to ensure that adult and children's safeguarding matters are managed appropriately.</p> <p>Access to identifiable information will be shared in some limited circumstances where it's legally required for the safety of the individuals concerned.</p>
<p><b>Supporting medicines management</b></p>	<p>CCGs support local GP practices with prescribing queries that generally don't require identifiable information.</p>

	Where specialist support is required for example to order a drug that comes in solid form in gas or liquid, the medicines management team will order this on behalf of a GP to support your care.
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## **When your information might be shared with other organisations**

Waltham Forest CCG commissions a number of organisations (both within the NHS and outside of the NHS) to provide healthcare services to you. We may also share anonymised statistical information with providers for the purposes of improving local services, for example to understand how health conditions spread across our local area when compared against other areas.

In order for Waltham Forest CCG to perform its commissioning functions, information is shared from various organisations which include: General practices, acute and mental health hospitals, other CCGs, community services, walk-in centres, nursing homes, directly from service users, Waltham Forest Social Care services and many others.

Where information sharing is required with third parties, we will always have a relevant contract and data sharing agreement in place. We would not share any detailed health information without your explicit consent unless there are exceptional circumstances.

In those exceptional circumstances we do not require your explicit consent to share information. This would be in cases like for example, notification of new births, a public interest issue, when the health and safety of others is at risk, fraud, protecting children and vulnerable adults from harm or where the law requires it (a formal court order has been served requiring us to do so).

In these cases, permission to share must be given by our Caldicott Guardian, who is the senior person in the CCG responsible for ensuring the protection of confidential patient and service user information. We are obliged to tell you that we have shared your information unless doing so would put you or others at risk of harm.

The law provides some NHS bodies, particularly the Health and Social Care Information Centre (NHS Digital), with permission to collect and use patient data to help commissioners to design and procure the combination of services that best suit the population that they serve. The patient data that is supplied is not in a form that will identify you.

## **What safeguards are in place**

It is everyone's legal right to expect that information held and used about you is safe and secure, and is only used for the agreed purpose(s).

The CCG only uses information that may identify you in accordance with the Data Protection Act 1998. This requires that we process personal data only if there is a legitimate basis for doing so and that any such processing is fair and lawful.

## **Confidentiality and security of information**

Everyone working for the NHS has a legal duty to keep information about you confidential and comply with the [Common Law Duty of Confidence](#). The information we do hold about you, whether in paper or electronic form, is therefore protected from unauthorised access. Under the [NHS Confidentiality Code of Conduct](#), all our staff are also required to protect your information, inform you of how your information will be used, and allow you to decide if and how your information can be shared. All CCG staff receive annual training on how to do this. This is monitored by the CCG and can be enforced through disciplinary procedures.

Waltham Forest CCG, working with our service provider, NEL Commissioning Services Unit (NELCSU), ensure that information is held in secure locations with restricted access to authorised persons only. We protect any personal information that is held on our systems with encryption so that it cannot be accessed by those who do not have access rights.

## **Responsibility**

The CCG Governing Body are supported by a number of key roles within the CCG led by the Senior Information Risk Owner, who is accountable to the Governing Body in regards to information risk management within the CCG and the Caldicott Guardian who advises the Governance Body on specific issues relating use of Patient Confidential Data (PCD). These roles have oversight of the handling of information within the CCG or by any support organisations we may buy services from.

The Caldicott Guardian for the CCG is Helen Davenport - Director of Nursing, Quality and Governance. Email address:-

[helen.davenport@walthamforestccg.nhs.uk](mailto:helen.davenport@walthamforestccg.nhs.uk)

The NEL Commissioning Support Unit (NELCSU) provide administrative support for a number of CCG functions for several local CCGs. You can visit their website for further information [here](#)

## **Registration**

A Data Controller is a person or an organisation who (either alone or jointly or in common with other persons) determines the purposes for which the manner in which any personal data are, or are to be processed.\*

Waltham Forest CCG acts as a Data Controller to collect information (data) for a variety of purposes; like for the management of data relating to our employees and those working on behalf / with our organisation, and also covering some NHS patient provider functions and we are therefore registered with the Information Commissioners Office (ICO).

A copy of the registration is available through the ICO website\* (search by CCG name) as well as more information on Data Controllers.

## **Retention and destruction of records**

All records held by Waltham Forest CCG will be kept for the duration and destroyed as specified by National guidance from the Department of Health, [NHS Records Management Code of Practice](#), and in line with local CCG Information Governance Policies.

The [NHS Care Record Guarantee](#) is a commitment that all NHS organisations (and other organisations which provide NHS-funded care) will use your records in ways that respect your rights and promote your health and wellbeing.

The [NHS Constitution](#) establishes the principles and values of the NHS in England. It provides a summary of your legal rights and contains pledges that the NHS is committed to achieve, including certain rights and pledges concerning your privacy and confidentiality.

## **What are your rights**

### **Gaining access to the data we hold about you**

The CCG does not directly provide healthcare services and as such does not hold personal healthcare records. If you wish to have sight of, or obtain copies of your own personal healthcare records you will need to apply to your **GP Practice, the hospital or the NHS organisation** which provided your healthcare.

Everyone has the right to see, or receive a copy of information held that can identify them, with some exceptions. You do not need to give a reason to see your information, but you may be charged a fee.

### **Access to your information held by the CCG**

Under the Data Protection Act 1998 you have the general right to see or be given a copy of personal data held about you. This right can be exercised via submission of a Subject Access Request (SAR) to the NHS Waltham Forest CCG. We are able to charge a reasonable fee for the administration of the request however these fees are set down in law as follows:

We may charge up to £10 for complying with a SAR relating to records if the information is only held electronically or up to £50 if those records are held either wholly or partly in non-electronic form. To make a SAR please contact:

Information Governance Team  
NEL Commissioning Support Unit  
Clifton House, 75-77 Worship Street, London EC2A 2DU  
nelcsu.information-governance@nhs.net

Note: In order to deal with a SAR, Waltham Forest CCG will need to share information with the NEL Commissioning Support Unit (NELCSU).

## **Freedom of Information Requests (FOI) and Environmental Information Regulations (EIR)**

The Freedom of Information Act (2000) and the Environmental Information Regulations (2004) gives every Individual the right to request information held by Government Agencies. Private Companies are not subject to this act.

Please note that a Freedom of Information Request and EIR requests are **not** a Subject Access Request.

For postal requests, please send to the Freedom of Information Team at:

NEL Commissioning Support Unit  
Clifton House  
75-77 Worship Street  
London  
EC2A 2DU

You can also email your request to [FOI@WalthamForestCCG.nhs.uk](mailto:FOI@WalthamForestCCG.nhs.uk)

Note that your Freedom of Information Request made to the CCG will be dealt with by the [NEL Commissioning Support Unit \(NELCSU\)](#).

Your request for information must be made in writing and you are entitled to a response within 20 working days.

### **Your right to opt-out of information sharing**

Waltham Forest CCG will not publish any information that identifies you or routinely disclose any information about you without your express permission.

You have the right to consent / refuse / withdraw consent to information sharing at any moment in time. There are possible consequences to not sharing but these will be fully explained to you to help you with making your decision.

There are two types of opt-out that you can make. There are two choices available to you:

- You can object to information about you leaving a GP Practice in an identifiable form for purposes other than your direct care, which means confidential information about you will not be shared with the CCG, the Health and Social Care Information Centre (HSCIC) or other organisation for any non-direct care purpose. This is referred to as a 'type 1' objection.
- You can object to information about you leaving the HSCIC in identifiable form, which means confidential information about you will not be sent to anyone outside the HSCIC (NHS Digital). This is referred to as a 'type 2' objection.

Information from other places where you receive care, such as hospitals and community services is collected nationally by the Health and Social Care Information Centre.

If you do not want information that identifies you to be shared outside your GP practice and/or with the HSCIC, **please speak to a member of staff at your GP practice to ask how to “opt- out”**.

The Practice will add the appropriate code to your records to prevent your confidential information from being used for non-direct care purposes. Please note that these codes can be overridden in special circumstances required by law, such as a civil emergency or public health emergency.

In both cases, it is still necessary for the HSCIC to hold information about you in order to ensure data is managed in accordance with your expressed wishes. Please see [Patient Objections Management](#) on the HSCIC website for further information.

**If you have questions about this, please speak to staff at your GP practice or call the HSCIC’s dedicated patient information line on 0300 456 3531.**

### **Withdrawing your consent**

We may be asked to share basic information about you, such as your name and address which does not include sensitive information. This would normally be to assist planning of services or assisting other provider organisations to carry out their statutory duties. Under the Data Protection Act. Your explicit consent is required if information about you is to be shared for purposes not directly related to your direct care. You have a right to inform us if you do not want information about you to be shared or used for this purpose.

If you have already given consent for your information to be shared, you have the right to change your mind and withdraw this consent at any time. The possible consequences will be fully explained to you, such as potential delays in receiving care where a CCG is required to make a funding decision.

If your wishes cannot be followed, you will be told the reasons (including the legal basis) for that decision.

There may be circumstances where we are required to share information about you owing to a legal obligation, such as for the benefit of public health in the event of a pandemic and for other reasons mentioned in the section **‘When your information might be shared with other organisations.**

Anyone who receives information from us is also under a legal duty to keep this information confidential.

### **Complaints / Appeals about information use**

In the event that you believe that Waltham Forest CCG has not complied with the Data Protection Act, either in responding to a Subject Access Request or in the way we have

processed your personal information, you have the right to make a complaint by contacting The Patient Experience and Effectiveness Team who will handle your enquiry:

#### **The Patient Experience and Effectiveness Team**

NEL Commissioning Support Unit  
Clifton House  
75-77 Worship Street  
London  
EC2A 2DU  
Email: [NELCSU.Complaints@nhs.net](mailto:NELCSU.Complaints@nhs.net)

For independent advice about data protection, privacy, data sharing issues and your rights you can contact the Information Commissioner's Office in writing to the following address:

Information Commissioners Office  
Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF  
**Enquiry Line:** 0303 123 1113 (local rate) or 01625 545700  
**Email:** [casework@ico.org.uk](mailto:casework@ico.org.uk) **Website:** [www.ico.gov.uk](http://www.ico.gov.uk)

#### **Access to more information**

Below are links to more information about your rights and the ways that the NHS uses personal information:

The Health and Social Care Information Centre (HSCIC) [Guide to confidentiality in health and social care.](#)

The [NHS England website](#) for more information on personal information usage and why it is used.

The [Caldicott Review](#) provides an Independent review of how information about patients is shared across the health and care system

The [Confidentiality Advisory Group](#), who approve Section 251 applications and provide independent expert advice to the HRA (for research applications) and the Secretary of State for Health (for non- research applications) on whether applications to access patient information without consent should or should not be approved.

NHS England advice for CCGs and GPs [on information governance and risk stratification](#)

[Health and Social Care Information Centre](#) guidance on their data collections.

[Health Research Authority](#) for advice on research

If you would like to know more about how Waltham Forest CCG uses your information, please use the [Contact us](#) section of our website.