

From: [Redacted] Personal Information [Redacted] @phe.gov.uk>
Sent: 14 July 2020 10:41
To: [Redacted] Personal Information [Redacted] @nottsc.gov.uk>
Subject: RE: PHE COVID-19 Testing Rapid Data Sharing Contract - Nottinghamshire County Council (signed)

Please find attached the fully executed contract.

KR

[Redacted] Personal Information [Redacted]

[Redacted] Personal Information [Redacted]

Lead - Office for Data Release

Public Health England

[Redacted] Personal Information [Redacted]

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From: [Redacted] Personal Information [Redacted] @nottsc.gov.uk]
Sent: 08 July 2020 10:01
To: [Redacted] Personal Information [Redacted] @phe.gov.uk>
Subject: PHE COVID-19 Testing Rapid Data Sharing Contract - Nottinghamshire County Council (signed)

Dear [Redacted] Personal Information [Redacted]

Please find attached a copy of PHE's COVID-19 Testing Rapid Data Sharing Contract signed by [Redacted] Personal Information [Redacted], Consultant in Public Health, on behalf of Nottinghamshire County Council.

I would be grateful for return of a copy signed on behalf of Public Health England. Thank you.

Kind regards,

[Redacted] Personal Information [Redacted]

[Redacted]
Information Governance Advisor
Chief Executive's Department

[Redacted] Personal Information [Redacted]



If you have a query about Information Governance and / or Data Protection email:
data.protection@nottsgov.uk or call 0115 8043800

Please visit our intranet hub for up-to-date information on [Data Protection and Information Governance](#)

From: [Redacted] [@phe.gov.uk](mailto:[Redacted]@phe.gov.uk)>
Sent: 26 June 2020 09:22
To: [Redacted] [@nottinghamcity.gov.uk](mailto:[Redacted]@nottinghamcity.gov.uk)>
Cc: [Redacted] [@phe.gov.uk](mailto:[Redacted]@phe.gov.uk)>; [Redacted] [@nottsgov.uk](mailto:[Redacted]@nottsgov.uk)>
Subject: RE: Data sharing note to EM DsPH - attached documents

[Redacted] without going into the detail, the 'sample' data sharing agreement was not correct and did not fit both the needs of local authorities and the intention of PHE to get this data to you for the vital work you are doing on Covid-19.

Attached is the actual data sharing agreement that I will send to each LA that I have edited significantly to ensure it is fit for purpose. In short it give you full data controller rights, the ability to engage 3rd parties and conduct your actions against Covid-19 with limited restrictions.

I hope the attached template answers most, if not all of your queries.

KR

[Redacted]

[Redacted]
Lead - Office for Data Release
Public Health England
[Redacted]

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From: [Redacted] [@nottinghamcity.gov.uk](mailto:[Redacted]@nottinghamcity.gov.uk)
Sent: 26 June 2020 09:01
To: [Redacted] [@phe.gov.uk](mailto:[Redacted]@phe.gov.uk)>
Cc: [Redacted] [@phe.gov.uk](mailto:[Redacted]@phe.gov.uk)>; [Redacted] [@nottsgov.uk](mailto:[Redacted]@nottsgov.uk)>
Subject: RE: Data sharing note to EM DsPH - attached documents

Hi [Redacted]

In Nottingham City Council and Nottinghamshire County Council, our data protection officer's and legal teams have had a quick look at the documents that were attached. I will ask them to contact you to confirm our compliance with the four points and I am keen to progress as quickly as possible but we do have a few questions that I hope you can clarify:

1. [Data sharing within an LRF](#) – Our two councils have been working closely together and sharing analytical capacity (along with the CCG and local NHS Trusts). The current

agreements would identify Nottingham City Council and Nottinghamshire County Council as separate data controllers; is there any possibility of being joint data controllers for our collective data? If this is not possible given the short timescale, what is the plan for PHE to approve third party agreements/LRF data sharing arrangements?

2. Data processing – As mentioned above, the data may be processed by analysts from a range of LRF partner organisations and, in addition, we may have external data processors. For instance, our LRF, through Nottingham University hospitals, has a partnership with Experian who would provide useful support around temporal hotspot mapping. It would be useful to understand PHE's position on data processors?
3. Purpose – this section is currently blank and just wondering if this is just because this is a draft/example and the data is likely to change or if this needs to be taken from the cover paper and schedule? If it is the latter then I'm not clear on if it covers all uses. For example, at present, I am not clear if the agreement would allow us to link data with our existing primary care lists of vulnerable citizens to help identify those who need support if self-isolating.
4. Schedule – while I am aware more will be added in the future, it is not specific on some aspects e.g. there is no mention of positive/negative results.

We are obviously keen to get this sorted as quickly as possible so as not to delay data transfers. Thank you for the help.

Best wishes,

Personal Information

Personal Information
Consultant in Public Health

Department of Public Health
Nottingham City Council

Personal Information

Personal Information
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Personal Information

From: [Personal Information] <[redacted]@phe.gov.uk>

Sent: 22 June 2020 17:22

To: [Personal Information] <[redacted]@nottinghamcity.gov.uk>;

[Personal Information] <[redacted]@derbyshire.gov.uk>; [Personal Information] <[redacted]@lincolnshire.gov.uk>; General DPH - Nottinghamshire <director.publichealth@nottscg.gov.uk>; [Personal Information] <[redacted]@leicester.gov.uk>;

[Personal Information] <[redacted]@nottscg.gov.uk>; [Personal Information] <[redacted]@northamptonshire.gov.uk>;

[Personal Information] <[redacted]@leics.gov.uk>; [Personal Information] <[redacted]@derby.gov.uk>

Cc: ICC.EastMidlands <ICC.EastMidlands@phe.gov.uk>; [Personal Information] <[redacted]@phe.gov.uk>; [Personal Information] <[redacted]@phe.gov.uk>; [Personal Information] <[redacted]@phe.gov.uk>; [Personal Information] <[redacted]@phe.gov.uk>; [Personal Information] <[redacted]@leics.gov.uk>; [Personal Information] <[redacted]@lincolnshire.gov.uk>; [Personal Information] <[redacted]@derbyshire.gov.uk>; [Personal Information] <[redacted]@northamptonshire.gov.uk>; [Personal Information] <[redacted]@leicester.gov.uk>; [Personal Information] <[redacted]@nottinghamcity.gov.uk>; [Personal Information] <[redacted]@derby.gov.uk>; [Personal Information] <[redacted]@nottscg.gov.uk>

Subject: Data sharing note to EM DsPH - attached documents

Importance: High

Dear Colleague

Following the discussions we have had with ADsPH over the last few days, this email is the offer for data sharing for between PHE and upper tier local authority. This data sharing offer meets the immediate need of local authorities for postcode level data on COVID-19 cases to fulfill their responsibilities for outbreak management. We recognize that LAs have a wider range of information needs including for modelling and scenario planning and these will be addressed once we have implemented this data sharing process.

As part of the information governance process there are a number of requirements on your part. This is so that PHE is able to demonstrate its compliance with Information Governance, including compliance with GDPR and Caldicott.

The attached cover paper describes the general aspects of data sharing that you will need to consider. Please note the action required in advance of the data being shared.

Also included is a draft Data Sharing Agreement (DSA) for your information only. We would recommend that the Local Authority Chief Executive is sighted and they may wish to be the signatory to the DSA.

Immediate Action required:

On behalf of the Local Authority, a named senior responsible officer would need to confirm in writing that the Local Authority is compliant with the following:

1. in line with Articles 13 and 14 of GDPR, the Local Authority must ensure that their privacy notices are clear and provide sufficient information to the data subjects for them to understand what of their Personal Data is shared, details the rights of the data subject, the circumstances in which it was shared, the purposes for the data sharing and the identity of the Controller;
2. in line with Chapter 3 of GDPR, the Local Authority must have policies and procedures in place to comply with the rights of the data subject including but not limited to the rights of access, rectification and profiling;
3. in line with Article 5(1)(f) of GDPR, the Local Authority must ensure appropriate security of the Personal Data, including protection against unauthorised or unlawful

processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures; and

4. in line with Article 24 of GDPR, the Local Authority must ensure that they have implemented appropriate data protection policies across the organisation

If you can arrange for the named responsible officer for the Local Authority to send the relevant confirmation to PHE's Office of Data Release to **Personal Information** who will issue a Data Sharing Contract for the relevant Local Authority.

Best wishes

Personal Information

Director of Programmes, Place and Regions
Honorary Associate Professor, University of Leicester

Personal Information

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