

Privacy Notice

Your Personal Information – what you need to know

Who we are and what we do

NHS Devon Integrated Care Board (NHS Devon) is responsible for developing a plan for meeting the health needs of our population, managing the NHS budget and arranging for the provision of health services in the Integrated Care System area. NHS Devon doesn't provide direct care to patients and service users but helps facilitate direct care through our commissioned services. The services include planned and emergency hospital care, as well as community and primary medical care (GP) services. We also have a performance monitoring role for these services, which includes ensuring that the highest quality of healthcare is provided and responding to any concerns from our patients on services offered. For further information please refer to the 'About Us' page on our Website: <https://onedevon.org.uk/about-us/our-vision-and-ambitions/>

Our Commitment to Data Privacy and Confidentiality Issues

We are committed to protecting your privacy and will only process data in accordance with the Data Protection Legislation. This includes the UK General Data Protection Regulation (UK GDPR), the Data Protection Act (DPA) 2018 and any applicable national Laws implementing them as amended from time to time. The legislation requires us to process personal data only if there is a legitimate basis for doing so and that any processing must be fair and lawful.

In addition, consideration will also be given to all applicable Law concerning privacy, confidentiality, the processing and sharing of personal data including the Human Rights Act 1998, the Health and Social Care Act 2012 as amended by the Health and Social Care (Safety and Quality) Act 2015, the common law duty of confidentiality and the Privacy and Electronic Communications (EC Directive) Regulations.

Using your information

We need to use information about our patients and population to enable us to commission services which meet their needs.

In undertaking our role NHS Devon holds some information about you and this document outlines how that information is used, who we may share that information with, how we keep it secure (confidential) and what your rights are in relation to this. Within the health sector, we follow the common law duty of confidence, which means that where identifiable information about you has been given in confidence, it should be treated as confidential and only shared for the purpose of providing direct healthcare or where there are overriding public interest factors.

The ICB has a senior member of staff responsible for protecting the confidentiality of patient information. This person is called the Caldicott Guardian.

The contact details of our Caldicott Guardian are as follows:

Name: Peter Collins

Email: Peter.collins6@nhs.net

They are supported by another senior member of staff who is responsible for information risk and information security, this person is called the Senior Information Risk Owner (SIRO).

The details of our SIRO are as follows:

Name: Philippa Harding

The above two roles are also supported by our Data Protection Officer (DPO). The DPO is responsible for monitoring compliance with Data Protection legislations (GDPR & DPA 2018), Information Governance (IG) policies, providing advice and guidance, raising awareness, training and audits. The DPO acts as a contact point for the Information Commissioner's Office (ICO), employees and the public. They co-operate with the ICO and will consult on any other matter relevant to Data Protection.

The contact details of our DPO are as follows:

Email: D.icb.dataprotection@nhs.net

NHS Devon is a Data Controller and are registered with the ICO to collect data for a variety of purposes. Our registration number is: **ZB516111** and a copy of the registration is available through the [ICO website](#).

What kind of information do we use?

We do not routinely hold or have access to your medical records. However, we may need to hold some personal information about you, for example:

- Your name, address, your date of birth, contact details and your NHS number which in some circumstances we may use as your single identifying number with no other information about you attached. Your NHS number is present in all of your health records and therefore we are able to use that number to link information to you or about you without revealing any personal or confidential data, where we are lawfully allowed to do this. There are limited times where we will need to hold information about your health and treatment and these are set out below.

We use the following types of information/data:

- Personal Data – means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- Special Categories of Personal Data – this term describes personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.
- Confidential Patient Information – this term describes information or data relating to their health and other matters disclosed to another (e.g. patient to clinician) in circumstances where it is reasonable to expect that the information will be held in confidence. Including both information 'given in confidence' and 'that which is owed a duty of confidence'. As described in the Confidentiality: NHS code of Practice: Department of Health guidance on confidentiality 2003.
- Pseudonymised - The process of distinguishing individuals in a dataset by using a unique identifier which does not reveal their 'real world' identity.

- Anonymised – Data in a form that does not identify individuals and where identification through its combination with other data is not likely to take place
- Aggregated - Statistical data about several individuals that has been combined to show general trends or values without identifying individuals within the data.

What do we use your Personal Data for?

There are some limited exceptions where we may hold and use sensitive personal information about you (also referred to as special category data). For example, the ICB is required by law to perform certain services that involve the processing of sensitive personal information.

It's important to note that NHS Devon does not rely on consent under GDPR for the below processing activities, but rather under the public task legal basis but we will inform you about who we share your data with where necessary and appropriately.

The areas where we regularly use sensitive personal information include:

- assessments for [continuing healthcare and appeals](#)
- responding to your [queries, compliments or concerns](#)
- assessment and [evaluation of safeguarding concerns](#)
- Devon Referral Support Service (DRSS) team supports GP referrals by processing data from referrer to the first outpatient appointment.
- where there is a provision permitting the use of sensitive personal information under specific conditions, for example to:
 - understand the local population needs in order to plan and commission services
 - ensure that the ICB is billed accurately for the treatment of its patients, which is known as “invoice validation”

What do we use non-identifiable data for?

We use pseudonymised, anonymised and aggregated data to plan health care services. Specifically, we use it to:

- check the quality and value for money of the health services we commission
- prepare performance reports on the services we commission
- work out what illnesses people may have in the future, so we can plan and prioritise new or changed services to ensure that these services will meet the needs of our population in the future

Do we share your information with other organisations?

We commission NHS funded health services for you from a number of organisations, both within and outside the NHS (see Appendix A for details). We may also share anonymised statistical information for the purpose of improving local services, for example understanding how our populations health and how the services provided compare with similar services in other geographical areas e.g. to share good practice. We do not share information outside of the European Economic Area (EEA) without taking appropriate steps to safeguard that information.

We would not share information that identifies you unless we have a fair and lawful basis such as:

- You have given us permission (under common law duty of confidentiality);
- We need to act to protect children and vulnerable adults;
- When a formal court order has been served upon us;

- When we are lawfully required to report certain information to the appropriate authorities e.g. to prevent fraud or a serious crime;
- We are complying with our legal obligations or public tasks;
- Where we are pursuing a legitimate interest;
- Emergency Planning reasons such as for protecting the health and safety of others;
- When permission is given by the Secretary of State or the Health Research Authority on the advice of the Confidentiality Advisory Group to process confidential information without the explicit consent of individuals

The law enables some NHS bodies, particularly NHS England, to collect and use anonymised patient data (e.g. that cannot identify a person) to support Commissioners to design and procure the combination of services that best suit the population they serve.

There are times where NHS Devon will need to share personal data with third parties, including but not limited to organisations such as the Police, the Care Quality Commission, the GMC or other professional regulators. NHS Devon may also need to share information with its lawyers or others in the legal system where it relates to seeking legal advice or responding to claims.

How we process information

Data may be anonymised and linked with other data so that it can be used to improve health care and development and monitor NHS performance. Where data is used for these statistical purposes, stringent measures are taken to ensure individual patients cannot be identified.

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 data from your Doctor (GP) with other data such as hospital inpatient stays, outpatient appointments and A&E attendances. This type of data is called secondary uses service (SUS) data. In some cases, there may also be a need to link local datasets with other services such as radiology, physiotherapy, audiology, mental health and community-based clinics and services. 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.

We may also contract with other organisations to process data, some of which could identify a person. These organisations are known as Data Processors. We ensure external data processors that support us are legally and contractually bound to operate and are required to prove that robust security arrangements are in place.

A full list of details including the legal basis and purposes for processing information can be found in Appendix A.

What safeguards are in place to ensure data that identifies me is secure?

The [NHS Digital Code of Practice on Confidential Information](#) applies to all of our staff and anyone acting on behalf of NHS Devon. Each are 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. Each are expected to make sure information is kept confidential and undertake annual training on how to do this. This is monitored by NHS Devon and can be enforced through disciplinary procedures.

We also ensure the information we hold is kept in secure locations, restrict access to information to authorised personnel only, protect personal and confidential information held on equipment such as laptops with encryption (which codes data so that unauthorised users cannot see or make sense of it).

How long do we hold information for?

All records held by NHS Devon will be kept for the duration specified by national guidance from NHS England <https://transform.england.nhs.uk/information-governance/guidance/records-management-code/>. Once information that we hold has been identified for destruction it will be disposed of in the most appropriate way for the type of information it is. Personal confidential and commercially sensitive information will be disposed of by approved and secure confidential waste procedures. We keep a record of retention schedules within our information asset registers, in line with the Records Management Code of Practice 2023

Your right to opt out of data sharing and processing

The NHS Constitution states: 'You have a right to request that your personal and confidential information is not used beyond your own care and treatment and to have your objections considered'. For further information please visit: [The NHS Constitution](#)

Information not directly collected by NHS Devon but collected by organisations that provide NHS services. These are known as Type 1 and national data opt-outs and are described below:

National data opt-out. The national data opt-out was introduced on 25 May 2018, enabling patients to opt-out from the use of their data for research or planning purposes, in line with the recommendations of the National Data Guardian in her Review of Data Security, Consent and Opt-Outs.

By 31 July 2022 all health and care organisations were required to apply national data opt-outs where confidential patient information is used for research and planning purposes. NHS Digital has been applying national data opt-outs since 25 May 2018. Public Health England has been applying national data opt-outs since September 2018.

The national data opt-out replaces the previous 'type 2' opt-out, which required NHS England not to share a patient's confidential patient information for purposes beyond their individual care. Any patient that had a type 2 opt-out recorded on or before 11 October 2018 has had it automatically converted to a national data opt-out. Those aged 13 or over were sent a letter giving them more information and a leaflet explaining the national data opt-out. For more information go to [National data opt out programme](#)

The use of personal confidential data by ICBs for invoice validation under approval reference (CAG 7-07)(a-c)/2013) has been recently extended to the end of September 2024 [NHS England Invoice Validation](#) and as part of that review, it has been agreed that NO opt out will be applied to invoice validation due to the importance of accurately allocating NHS resources and the lack of evidence of public concern in relation to the use of data for this specific purpose. This effectively means that data which includes an identifier (usually NHS number) which is flowing from NHS England to commissioners for invoice validation/challenge purposes will be provided for all patients to ensure that providers receive the correct funding for the health and care services they provide.

The Right of Access (Commonly known as Subject Access Requests)

The Right of Access is set out in Article 15 of the UK GDPR, as shown below:

Article 15 UK GDPR

The data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and where that is the case, access to the personal data and the following information:

- a) the purpose of the processing;
- b) the categories of personal data concerned;
- c) the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
- d) where possible, the envisaged period for which the personal data will be stored or, if not possible, the criteria used to determine that period;
- e) the existence of the right to request from the controller ratification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
- f) the right to lodge a complaint with a supervisory authority;
- g) where the personal data are not collected from the data subject, any available information as to their source;
- h) the existence of automated decision-making, including profiling, referred to in Article 22 (1) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequence of such processing for the data subject.

Automated individual decision-making

Automated individual decision-making is defined as making a decision solely by automated means without any human involvement. NHS Devon does not use any process of this type in relation to patient identifiable data.

Everybody has the right to see, or have a copy, of data we hold that can identify you. If you want to access your data you must make the request verbally or in writing. Under special circumstances, some information may be withheld. If you want to access your data you can do this by contacting us at:

Email: d-icb.dataprotection@nhs.net

What is the right to know?

The Freedom of Information Act 2000 (FOIA) gives people a general right of access to information held by or on behalf of public authorities, promoting a culture of openness and accountability across the public sector. You can request any information that the ICB holds, that does not fall under an exemption. You may not ask for information that is covered by the Data Protection Legislation under FOIA. However, you can request this under a right of access request – see section above ‘Gaining access to the data we hold about you’.

Your request must be in writing and can be emailed to:

Email: d-icb.foi@nhs.net

For independent advice about data protection, privacy, data sharing issues and your rights you can contact:

Information Commissioner’s Office
Wycliffe House, Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 0303 123 1113 (local rate) or 01625 545 745
Email: casework@ico.org.uk

[Visit the ICO website.](#)

Complaints or questions

We try to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring concerns to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. Please contact: d-icb.patientexperience@nhs.net

Links to other websites

This privacy notice does not cover the links within this site linking to other websites. We encourage you to read the privacy statements on the other websites you visit.

Changes to this privacy notice

We keep our privacy notice under regular review. This privacy notice was last updated in March 2025.

Appendix A

The table below sets out the processing of data regularly undertaken by the ICB. We have identified the purpose for each processing together with the legal basis under the UK GDPR which we rely upon.

Purpose Activity	Rationale
Pharmacy, Opticians and Dental (POD), General Practice Transformation Programme (GPTP) and Complaints	Purpose - From 1 April 2023, the ICB has taken on delegated responsibility for POD, GPTP and Complaints from NHS England. In carrying out these responsibilities we will process personal information about contractors, clinicians and in certain cases patients (e.g. complaints). This information is also commercial. The data may include primary care data. We require this information to perform a number of activities including Contract management, recruitment, complaints handling and financial management. Legal Basis - This processing is required for the performance of a task carried out in the public interest and the provision of health or social care or treatment Data Processor – Up until 1st July 2025 NHS England and also NHS Somerset ICB as a sub-processor for NHS England.
Covid 19 Vaccine Campaign	Purpose - During Covid-19 vaccine campaigns your data may need to be shared with local NHS organisations, such as NHS Devon who will be facilitating vaccinations on behalf of GP practices that chose not to participate in the vaccine campaigns. There also may be times when at risk groups need to be identified for a more targeted vaccination offer where reasonable adjustments may be required. On these occasions, your data will be used for vaccination purposes only and shared onward with clinical teams for the purposes of a vaccination offer. This is to allow for consistency and fairness for all Devon patients. Legal Basis - This processing is required for the performance of a task carried out in the public interest and the provision of health or social care or treatment Data Processors – we process this information ourselves but may share with other NHS providers in order for them to contact you to offer/provide the vaccination.

Devon Referral Support Service (DRSS)	Purpose - aims to support primary care practices when a decision to refer a patient is being considered, this is to help ensure patients are seen at the right place, at the right time Legal Basis - this processing is required for the performance of a task carried out in the public interest and the provision of health or social care or treatment Data Processor – We process this information ourselves but we also use Synertec as a data processor who send all our patient letters as part of the referral management process. They also provide a patient communication hub (PCH) which is an optional platform for patients to use.
Complaints	Purpose - To process your personal information if it relates to a complaint where you have asked for our help or involvement. Legal Basis -. We rely on our legal obligations to respond to complaints made against the NHS. Data Processor – We process this information ourselves
Individual Funding Requests	Purpose – Where the ICB are required to fund specific treatment for you for a particular condition that is not normally provided by the NHS. This may be called an “Individual Funding Request” (IFR). Legal Basis – The clinical professional who first identifies that you may need the treatment will explain to you the information that needs to be collected and processed in order to assess your needs and commission your care. The legal basis for processing your information as part of an IFR is legal obligation on the basis that there is a statutory framework relating to IFRs. You will however be consented to take part in the IRF process and to share your data for these purposes Data Processor – We process this ourselves.
Medicines Optimisation	Purpose – The Medicines Optimisation Team supports prescribers and other healthcare personnel with enquiries relating to medicines and medication reviews. This helps to ensure safe and cost-effective prescribing Legal Basis – this processing is required for the performance of a task carried out in the public interest and the provision of health or social care or treatment Data Processor – We process this information ourselves
Continuing Healthcare (For example, funded nursing care, s.117 care packages)	Purpose – The ICB will need to process your identifiable information when you, or someone on your behalf, ask(s) for an assessment for NHS Continuing Healthcare (CHC) funding, and if you need to have a particular care package commissioned by NHS Devon for you as a result. CHC funding is NHS-funded care for eligible individuals with long-term complex health needs. Legal Basis – The health or social care practitioner who first sees you to discuss your needs will explain to you the information that they need to collect and process in order

	for your needs to be assessed, and that which is required for any latter potential care to be commissioned if you are found eligible for any NHS Devon funding streams. Whilst individuals are actively encouraged to participate in the process, there is no legal requirement for individuals to provide explicit consent for NHS Devon to commence and complete the CHC assessment process. Furthermore, consent is not required to share information within and between Health and Care organisations such as local authorities and NHS providers. The Health and Social Care (Safety and Quality) Act 2015 puts a legal duty on these organisations to share information where needed for direct care of patient, or to facilitate provision of care. Consent will be required for: any sharing of information with any other third parties, such as with family, friends or other personal representatives; and to share/request information from private care providers / care homes/schools. Consent is also required should a physical examination be needed, however physical examination in practice is rare within CHC assessment. The Mental Capacity Act 2005 will be adhered to throughout the process, and decisions made in an individual's best interests where they are found to lack capacity to consent to a decision. When applying the National Framework for Children and Young People's Continuing Care (2016), consent is required for the entire process Data Processor – The ICB processes this information, along with Devon County Council, Plymouth City Council and Torbay Council to enable payment to the providers for the care given. In the Torbay area, the ICB ask Torbay and South Devon Foundation Trust to undertake assessments and commission your care on our behalf. The ICB commissions CHS Healthcare and Liaison Care to complete CHC assessments and related processes. CHS Healthcare are also commissioned to provide the Continuing Healthcare databases. CHC processes the above themselves, however, we use a processor called Quadient to send out letters in connection with CHC funding decisions and relevant attachments. Once the processed, all records are automatically destroyed from their system. Quadient do not store personal data for any longer than this.
Invoice Reconciliation (CHC)	Purpose – we will process information to undertake retrospective financial reconciliation of invoices for CHC Clients funded by the ICB. The information will include a client ID rather than personal confidential data.

	Legal Basis – This processing is required for the performance of a task carried out in the public interest and the provision of health or social care or treatment. Data Processor – we process this information ourselves, but we have an SLA with Devon County Council and Plymouth City Council who work on our behalf as data processors. We also use Liaison as a data processor who we have a contract with.
Invoice Reconciliation (Non Contracted Activity)	Purpose – we will process identifiable data to undertake financial reconciliation of invoices. Legal Basis – NHS Devon is a Controlled Environment for Finance working under the CAG approval of NHS England under section 251 of the NHS Act 2006 as set out in Regulation 5 of the Health Service (Control of Patient Information) Regulations 2002. The previous CAG approval for invoice validation which ended in September 2024 was renewed by NHS England, however this approval is for 12 months only. It is envisaged that the Control of Patient Information Regulations 2002 will be amended to support the validation of invoices, which is critical to support NHS services, prior to September 2025 Data Processor- we process this information ourselves.
Safeguarding	Purpose - We will collect and process identifiable information where we need to assess and evaluate any safeguarding concerns. Legal Basis – Because of public Interest issues, e.g. to protect the safety and welfare of vulnerable children and adults, we will rely on a statutory basis to process this data on the grounds of legal obligation. Data Processor – We process this information ourselves.
One Devon Dataset	Purpose and Benefits – The information provided by this dataset is pseudonymised and can be used to inform improvements in services which will benefit the population's health. This may include risk stratification which is a process that uses Pseudonymised/Anonymised/Aggregate Data from health care services to determine which people are at risk of experiencing certain outcomes, such as unplanned hospital admissions. Only clinician's with a legitimate relationship with you are able to re-identify the data. ICBs and GPs use risk stratification tools as part of their local strategies for supporting patients with long-term conditions and to help and prevent avoidable admissions. Typically this is because patients have a long-term condition such as Chronic Obstructive Pulmonary Disease. NHS England encourages ICBs and GPs to use risk stratification tools as part of their local strategies for

	supporting patients with long-term conditions and to help and prevent avoidable admissions. Knowledge of the risk profile of our population will help the ICB to commission appropriate preventative services and to promote quality improvement in collaboration with our GP practices. Legal Basis – This processing is required for the performance of a task carried out in the public interest and the provision of health or social care or treatment, or the development of healthcare systems under GDPR Art. 6(1) (e) and Art.9 (2) (h). A Data Protection Impact Assessment has been completed for this activity. Data Processor – We process this information ourselves and act as joint data controllers with the Local Authorities. We also act as data processors for the GP practices for the purposes of pseudonymising data for the One Devon Dataset.
Sublicensing (onward sharing) with Devon ICS Members	Purpose - In order to start operating as an Integrated Care System (ICS), the ICB needs to be able to share the commissioning and GP data with members of their Integrated Care System. The ICB has agreed with NHS England that it can share pseudonymised data for commissioning purposes. The data will be shared under a Sub License with the following terms: Data will only be shared with members of the ICS who sign up to the terms of the sublicensing agreement. The NHS Devon ICB IG team (d-icb.dataprotection@nhs.net) hold the signed ICB sub licensee agreements. Legal Basis - Article 6 (1) (e) and Article 9 (2) (h) Onward sharing of the data by ICS members is not permitted. Data must be segregated from other datasets and additional linkage is not permitted.
Business Intelligence Team	Purpose – Post 31st January 2024 Business Intelligence services for NHS Devon ICB are provided via a shared service hosted by Royal Devon University Hospitals Foundation Hospitals Trust (RDUH). The shared service provides a full range of business intelligence services to NHS Devon. This includes maintaining a data warehouse and reporting data architecture on behalf of NHS Devon. The data is held on NHS Devon servers under the management of DELT services (DELT provide NHS Devon's IT services). The Business Intelligence shared service will support the complete business intelligence reporting requirements of NHS Devon as set out in the relevant Service Level Agreement and Data Processing Agreement between the two parties. This will include the use of data for many of the purposes outlined within this privacy notice e.g. Invoice Validation, Risk Stratification, Commissioning, planning and contract monitoring, One Devon Dataset,

	Continuing Healthcare, Medicines Optimisation, Devon Referral Support Service, Covid 19 vaccination campaign. NHS Devon will remain the data controller of the data and retain ownership of the data. All processing will only be performed by RDUH at the request and direction of NHS Devon. Legal Basis – Article 6 (1) (e) and Article 9 (2) (h) Data Processors BI shared Service - Royal Devon University Hospitals Foundation Hospitals Trust (RDUH).
Invoice Validation/Processing	Purpose - This process ensures that those who provide you with care and treatment can be paid by the ICB. Legal Basis - This processing is required for the performance of a task carried out in the public interest and the provision of health or social care or treatment, or the development of healthcare systems under GDPR Art. 6(1) (e) and Art.9 (2) (h). The use of personal confidential data by ICBs for invoice validation has been approved by the Secretary of State, through the Confidentiality Advisory Group of the Health Research Authority (approval reference (CAG 7-07)(a-c)/2013)) and this approval has been extended to the end of September 2024 NHS England Invoice Validation which gives us a statutory legal basis under Section 251 of the NHS Act 2006 to process data for invoice validation purposes which sets aside the duty of confidentiality. We are committed to conducting invoice validation effectively, in ways that are consistent with the laws that protect your confidentiality. Data Processors - NHS Shared Business Services (SBS) and Midlands and Lancashire Commissioning Support Unit (SCW) process invoices on behalf of the ICB. They may receive Confidential Information, Special category, Identifiable, Pseudonymised, Anonymised to provide their services. NHS England has published guidance on how invoices must be processed. For more information see: https://www.england.nhs.uk/ourwork/tsd/ig/in-val/invoice-validation-fags/
Patient and Public Involvement	Purpose - If you have asked us to keep you regularly informed and up to date about the work of the ICB or if you are actively involved in our engagement and consultation activities or patient participation groups, we will collect and process personal confidential data which you share with us. Legal Basis – The ICB has a statutory patient and public duty under the National Health Service Act 2006.

	Therefore, the legal basis for processing the data you supply to us is: processing is required for the performance of a task carried out in the public interest and the provision of health or social care or treatment, or the development of healthcare systems. Data Processor – We process this information ourselves.
Commissioning, planning and contract monitoring	Purpose – To collect NHS data about services we have commissioned to provide services to you. We also work with other local ICBs and often hold joint contracts and commission joint services to make best use of the money available to us. Legal Basis - Our legal basis for collecting and processing information for this purpose is based on our statutory obligations. We set our reporting requirements as part of our contracts with NHS service providers and do not ask them to give us identifiable data about you. We often link datasets from different providers in order to understand patient pathways. Data Processor – NHS England collect various data sets from providers of NHS funded care that have been agreed locally. All identifying information about you is removed by NHS England before the information is made available for the ICB to monitor and manage its contracts. We also have signed a Data Sharing contract with NHS England and have been given approval to use a wide range of data to help us commission care services. This agreement ensures that we only process data that does not identify you, that we keep the information secure and we do not share it without the agreement of NHS England. For more information about the types of data that NHS England collect please use this link http://content.digital.nhs.uk/datasets
Commissioning Support	Purpose - There are some activities that we ask the NHS North East Commissioning Support Unit and South, Central and West Commissioning Support Unit (CSU) to undertake on our behalf. These include providing support with contracts/procurement and information governance support. Some of the ICBs information will be shared with the CSUs in order for them to do this. Legal Basis - This processing is required for the performance of a task carried out in the public interest and the provision of health or social care or treatment, or the development of healthcare systems.
Surveys and asking for your feedback	Purpose - Sometimes we may offer you the opportunity to take part in a survey that the ICB is running to ask specific questions about a service, a proposal or other aspect of the work of the ICB or the wider health service. We will not generally ask you to give us any personal confidential information as part of any survey. Legal Basis – you are under no obligation to take part and where you do, we consider your participation as

	consent to hold and use the responses you give us. Our legal basis is therefore consent. Data Processor - We use a company called SurveyMonkey to administer our surveys for us. We also use MS Forms.
National Registries	Purpose - National Registries (such as the Learning Disabilities Register) have statutory permission under Section 251 of the NHS Act 2006, to collect and hold service user identifiable information without the need to seek informed consent from each individual service user. Legal Basis - This processing is required for the performance of a legal obligation.
Research	Purpose - To support research-oriented proposals and activities in our commissioning system Legal Basis - Your consent will be obtained by the organisation holding your records before identifiable information about you is disclosed for any research. If this is not possible then the organisation wishing to use your information will need to seek formal approval from the Data Access Advisory Group. This link will give you further details on this process http://content.digital.nhs.uk/IGARD
For Other organisations to provide support services for us	Purpose - The ICB will use the services of additional organisations (other than those listed above), who will provide additional expertise to support the work of the ICB. Legal Basis - We have entered into contracts with other organisations to provide some services for us or on our behalf. These organisations may process or be in the vicinity of ICB data and could be identified as 'data processors'. Information that we may hold about you will not be shared or made available to any of these organisations. This processing is required for the performance of a task carried out in the public interest and the provision of health or social care or treatment, or the development of healthcare systems. Below are the key data processors which we use; their details and a brief description of the functions they carry out on our behalf: • KPMG – provide external audit support • ASW Assurance Internal Audit – Audit the business activities of the ICB, e.g. its systems and processes involved in fulfilling its statutory functions. (add value to the analyses of data that does not directly identify individuals) • ASW Assurance – Counter fraud services • Shred-It Limited– Confidential Waste Disposal Company used by the ICB to shred information in a secure environment • Crown Records – For storing archived records

	• DELT IT Services – to provide an IT service and IT support to the ICB • Devon County Council and Plymouth City Council – use of offices and confidential waste services. • Deloitte – for consultancy work • Civica – to provide a register of interest system • Legal Services – several solicitors via the SBS legal services Framework Before awarding any contract, we ensure that organisations will look after your information to the same high standards that we do. Those organisations can only use your information for the service we have contracted them for and cannot use it for any other purpose.
--	--