



Wales Accord on the Sharing of Personal Information

Information Sharing Protocol for Community Connectors Project - South East Locality in Partnership with MIND

Version Final - V1.0

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Quality Assurance Group WASPI South Wales QA Group

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1 Introduction to this ISP

- 1.1 This Information Sharing Protocol (ISP) is supplementary to the Wales Accord on the Sharing of Personal Information (WASPI) and has been agreed following consultation between the participating partner organisations.
- 1.2 This ISP is intended to help practitioners understand what information can be shared between the listed partners for the stated purpose(s). It also provides assurance that the partners have considered the requirements of data protection legislation.
- 1.3 This ISP has been prepared to support the regular sharing of personal information for **Cardiff MIND in SE, City and South & East Cardiff Cluster practices, the Cardiff and Vale Health Board as part of the Community Connectors Project - South East Locality in Partnership with MIND**
- 1.4 Cardiff MIND Community Connectors aim to re-connect people with their communities by helping them find suitable activities and groups and linking people together who have similar interests to encourage participation within their community. Cardiff MIND Community Connectors aim to promote well-being and reduce social isolation.

Cardiff MIND will deliver this Service. A team of Cardiff MIND Community Connectors will work at GP Practice level, within each of the 3 clusters and provide a mechanism for sign posting and directing identified patients to appropriate community support groups/networks and services specific to their social and wellbeing needs. Patients can also 'self-refer' to the service if they are a registered patient in the Locality.

The South and East Locality consists of 3 Clusters:

- **Cardiff East (4 GP practices),**
- **Cardiff South East (8 GP practices)**
- **City and South Cardiff Cluster (8 practices).**

The total population of the cluster is 162,300. The aim for this service is to provide a team of Cardiff MIND Community Connectors dedicated to work with practices. The team will be embedded as a resource for all practices in the Clusters. Partnership between Health Board and MIND with the support of GP practices for referrals.

The population of the South East Locality is culturally diverse, with a range of BAME communities and other hard to reach groups. These include Travellers, the Homeless and Sex Workers. The Locality also provides for the needs of Asylum Seekers who are accommodated in centralised areas around the centre of the city.

2 The information sharing partner organisations

- 2.1 The table below sets out the organisational partners to the ISP, the key contact points and the departments, divisions and teams typically involved in sharing information for the purposes described in this ISP.

Information Sharing Partner Organisations	Owner / Point of contact	Departments / Divisions / Teams
*Cardiff and vale University Health Board	SE Locality Director	CAV PCIC
Cardiff MIND	Project Lead, MIND	Operations

Four Elms Medical Practice	GP Partner/Practice Manager	Primary Care
Cathays Surgery	GP Partner/Practice Manager	Primary Care
Clifton Surgery	GP Partner/Practice Manager	Primary Care
Cloughmore Surgery	GP Partner/Practice Manager	Primary Care
Meddygfa Albany Surgery	GP Partner/Practice Manager	Primary Care
North Road Medical Practice	GP Partner/Practice Manager	Primary Care
Roathwell Surgery	GP Partner/Practice Manager	Primary Care
The City Surgery	GP Partner/Practice Manager	Primary Care
Cardiff Bay Surgery	GP Partner/Practice Manager	Primary Care
Butetown Health Centre	GP Partner/Practice Manager	Primary Care
Grangetown Health Centre	GP Partner/Practice Manager	Primary Care
Saltmead Practice	GP Partner/Practice Manager	Primary Care
Grange Medical Practice	GP Partner/Practice Manager	Primary Care
Clare Road Medical Centre	GP Partner/Practice Manager	Primary Care
The Corporation Road Surgery	GP Partner/Practice Manager	Primary Care
Brynderwen (and Minster Road) Surgery	GP Partner/Practice Manager	Primary Care
Llan HealthCare	GP Partner/Practice Manager	Primary Care
Rumney Primary Care Centre	GP Partner/Practice Manager	Primary Care
Willowbrook Surgery	GP Partner/Practice Manager	Primary Care
**Public Health Wales	Project Sponsor	Health Board

*CAV UHB are not receiving **patient identifiable data** as part of this agreement. They are a key stakeholder, and data controller, as they have created the service specification for Cardiff MIND and will perform contract monitoring on the Service. CAV UHB have commissioned Cardiff MIND to provide the Service to SE, City and South & East Cardiff Cluster practices for them to refer their patients, where appropriate.

** Public Health Wales (PHW) are providing advice on the process for outcomes measures for the project. (a PHW rep sits on the project steering group who is advising on the outcomes measures and involved in contract monitoring). It is therefore not required that they sign this agreement as they are not receiving any data and have not been included in Section 11 Appendix C as a signatory.

- 2.2 The ISP owners / points of contact have overall responsibility for this ISP within their respective organisations and must therefore ensure the ISP is disseminated, understood and acted upon by relevant practitioners.
- 2.3 The owners / point of contact for each partner organisation will regularly monitor and review the use of this ISP to ensure information is shared effectively and appropriately.

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- 2.4 Once the ISP has been assured, each partner organisation will nominate a signatory to sign the ISP at Appendix C. The signatory will be an appropriate person from the partner organisation who can sign on behalf of the organisation.

3 Specific organisational / practitioner obligations

- 3.1 Any breaches of security, confidentiality and other violations of this ISP must be reported in line with each partner organisation's incident reporting procedures. Consideration should be given to sharing the outcome of any investigation, where appropriate, with other partners to the ISP.
- 3.2 Practitioners who share information in line with this ISP should make themselves aware of, and adhere to, their organisation's Information Governance and records management procedures; in particular the provisions that relate to collecting, processing and disclosing personal information.
- 3.3 Every reasonable step should be taken to ensure that inaccurate personal data are erased or rectified without delay. Consideration must be given to advising partner organisations that they may have received inaccurate information. In circumstances where partner organisations cannot be informed, advice should be taken from an Information Governance lead (or equivalent).

4 Legislative / statutory powers

STAFF SHOULD NOT HESITATE TO SHARE PERSONAL INFORMATION IN ORDER TO PREVENT ABUSE OR SERIOUS HARM, IN AN EMERGENCY OR IN LIFE-OR-DEATH SITUATIONS.

IF THERE ARE CONCERNS RELATING TO CHILD OR ADULT PROTECTION ISSUES, THE RELEVANT ORGANISATIONAL PROCEDURES MUST BE FOLLOWED

- 4.1 The sharing arrangements described in this ISP takes into account the relevant data protection legislation, the Human Rights Act 1998 and the common law duty of confidence.
- 4.2 Before sharing personal information, partner organisations must have identified a clear legal basis for doing so.
- 4.3 Data protection legislation includes the concept of:
- **'personal data'**; any information relating to an identified or identifiable (living) natural person, and
 - **'special categories of data' / 'sensitive processing'**; 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

Whilst information about deceased people is not covered by data protection legislation, data about deceased people is covered by a similar level of confidence.

- 4.4 Further information and guidance on lawful processing of personal information can be found on the Information Commissioner's website; www.ico.org.uk

- 4.5 Partner organisations also need to ensure they take into account the Data Protection Act 2018 and any additional requirements it places on the use of the legal bases set out in Articles 6, 9 and 10 of UK GDPR (see Part 2 of the Act) and processing for the ‘law enforcement purposes’ (see Part 3 of the Act). The ICO has guidance on this matter and queries about the relevance of any legal basis should be raised with an Information Governance lead.
- 4.6 Consent to process personal data should not be confused with consent to receive the service. The two are separate and should not be confused or merged.

Table 1 - Article 6 - Personal Data

Legal basis	Check box / Notes
Task carried out in the public interest or in the exercise of official authority – Art 6(1)(e)	<input checked="" type="checkbox"/> GP practices rely on the NHS (Wales) Act 2006 and NHS Act 2006 under following for purposes of this project: <ul style="list-style-type: none"> • Section 72 places a duty on NHS bodies to co-operate with each other in exercising their functions. • Section 82 places a duty on NHS bodies and local authorities to co-operate with one another in order to secure and advance the health and welfare of the people of England and Wales.
Legitimate Interest – Art 6(1)(f)	<input checked="" type="checkbox"/> MIND will process patient data under ‘legitimate interests’. This means that the reason they are processing information, for the Community Connectors Service, is because there is a legitimate interest for Cardiff Mind to process personal and special category data to help them achieve their vision of ensuring that everyone experiencing a mental health problem gets both support and respect.

Table 2 - Article 9 - Special Categories of Personal Data

Legal basis	Checkbox / Notes
Necessary for reasons of substantial public interest - Art 9(2)(g)	<input checked="" type="checkbox"/> UK GDPR Art 9(2)(g) requires a basis in UK law, which is provided by Section 10(3) of the Data Protection Act 2018. This in turn refers to the need to meet a relevant condition in Part 2 of Schedule 1 of the DPA 2018. The relevant condition is: The Data Protection Act 2018, Part 3, Chapter 2, Section 17(1) Counselling etc 17(1)This condition is met if the processing— (a)is necessary for the provision of confidential counselling, advice or support or of another similar service provided confidentially The Appropriate Policy Document should be completed and implemented by MIND as they are relying on this as their legal basis to process special category data as part of this Service

Provision of preventative or occupational medicine, health or social care or treatment, or the management of health or social care systems – Art 9(2)(h)	<input checked="" type="checkbox"/> The GP practices rely on this legal basis for the processing of their patients' special category data under the legal and statutory duties as healthcare providers and for provision of appropriate care and treatment. **The Appropriate Policy Document should be completed and implemented by MIND as they are relying on this as their legal basis to process special category data as part of this Service
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5 Personal information to be shared

- 5.1 Only the **minimum necessary** personal information consistent with the purposes set out in this document can be shared. Anonymised and pseudonymised information should be used where possible.
- 5.2 Information provided by partner organisations will not generally be released to any third party without prior consultation with the originating partner organisation.
- 5.3 An information reference table at Appendix B provides details of the information exchanges associated with this ISP, including the typical categories of information shared, the organisations involved and the parts of the organisation typically involved. As controllers in their own right, partner organisations are responsible for ensuring the appropriate staff have access to personal information that is adequate, relevant and limited to what is necessary for the intended purpose.
- 5.4 The following table sets out the personal information commonly shared to identify data subjects and ensure partner organisations are referring to the same data subject:




Personal identifiers	Select all that apply
Name (including aliases)	<input checked="" type="checkbox"/>
Date of birth	<input checked="" type="checkbox"/>
Address	<input checked="" type="checkbox"/>
Postcode	<input checked="" type="checkbox"/>
Email address	<input checked="" type="checkbox"/>
Other reference number (eg NHS number, National Insurance number, any system/service number) - contact telephone number.	<input type="checkbox"/>

6 Data Subjects' Rights

- 6.1 Data protection legislation provides various individual rights for data subjects. Advice on how these rights should be met should be sought from each organisation's Information Governance representative, Data Protection Officer or equivalent. Specific guidance on these rights is available on the Information Commissioner's website; www.ico.org.uk
- 6.2 The following paragraphs refer to key rights associated with sharing personal information.
- 6.3 Unless doing so would risk harm to them or others, or hinder any investigation or legal proceedings, data subjects should be informed how and why their personal information

will be processed and who it is shared with (the Right to be Informed). Ideally, this information – often provided in what is commonly referred to as a privacy notice - will be provided at the first point of contact. It can be part of a registration / consent form or a standalone document.

- 6.4 A layered approach is often appropriate. This could involve a high level organisational statement supplemented by specific service level information; for example a website or leaflet and verbal information provided by a practitioner.
- 6.5 Information should be clear and particular care should be taken when relying on consent as the legal basis for sharing information, or where working with children, as there are additional requirements to consider. Further information on the ‘Right to be Informed’ is available on the Information Commissioner’s website; www.ico.org
- 6.6 For the purposes of this ISP, partner organisations should set out below how they meet the requirements of the Right to be Informed. Ideally, a consistent message will be provided and it may be helpful to agree a standard service level privacy notice.

Name of Organisation	Method of Informing (select any that apply)	Name of document / website	Comments
Cardiff MIND	Website <input checked="" type="checkbox"/> Leaflet <input checked="" type="checkbox"/> Form <input checked="" type="checkbox"/> Verbal <input checked="" type="checkbox"/> Other <input type="checkbox"/> (specify in comments)	Privacy Notice	 GDPR Privacy Policy 2021.docx
South East Cluster: Cathays Surgery Clifton Surgery Cloughmore Surgery Four Elms Medical Centre Meddygfa Albany Surgery North Road Medical Practice Roathwell Surgery The City Surgery City and South Cluster: Cardiff Bay Surgery Butetown Health Centre Grangetown Health Centre Saltmead Practice Grange Medical Practice Clare Road Medical Centre The Corporation Road Surgery East Cluster: Brynderwen (and Minster Road) Surgery. Llan HealthCare. Rumney Primary Care Centre. Willowbrook Surgery.	Website <input checked="" type="checkbox"/> Leaflet <input type="checkbox"/> Form <input checked="" type="checkbox"/> Verbal <input checked="" type="checkbox"/> Other <input type="checkbox"/> (specify in comments)	Practice Privacy Notices available on their websites. The patients are also informed about the Service at the point of referral. South East Cardiff Cluster Privacy Notice: Third Sector Organisations	 1. Privacy Notice - SE Locality- Addition  Cardiff Mind Community Connect

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- 6.7 All participating organisations will have in place policies and procedures to uphold the confidentiality, integrity and availability of personal information with specific reference to the retention, storage and disposal of records.
- 6.8 Requests for the information referenced in this ISP will be dealt with in accordance with each partner organisation's relevant policies and procedures.
- 6.9 Each partner organisation will put in place a formal procedure by which data subjects, partner organisations and practitioners can direct any complaints regarding the information sharing documented in this ISP.
- 6.10 There is an expectation that partners to this ISP will work together to keep all partners informed of any complaints or requests for information received from data subjects or third parties. The partners will also keep each other informed of any problems associated with the information sharing practices documented in this ISP and there is an expectation that they will collaborate to develop and improve these practices.

7 Information security

- 7.1 Each partner organisation must have an appropriate and adequate security framework.
- 7.2 Practitioners carrying out the functions outlined in this ISP should make themselves aware of, and adhere to, their organisation's information security policies and procedures.
- 7.3 A detailed list of agreed methods for the safe and secure transfer of personal information is documented within Appendix B.
- 7.4 All partners must ensure adequate and appropriate training on the subjects of data protection and confidentiality is provided to all staff with access to personal data.

8 Review, Breaches and Termination of this Agreement

- 8.1 This ISP will be reviewed two years from signing this document or sooner if appropriate. There is guidance available on the WASPI website about the process for reviewing an ISP.
- 8.2 Breaches of this agreement should be reported to the Owners / Contact Points in Section 2, which may result in the information sharing set out in this agreement ceasing.
- 8.3 Partners to this agreement will determine the responsibilities following termination of this agreement, including the deletion of shared data or its return to the organisation that supplied it originally.

9 Appendix A – Glossary of Terms

Term	Definition
Appropriate Policy Document	<p>The Data Protection Act 2018 outlines the requirement for an Appropriate Policy Document to be in place when processing special category and criminal offence data under certain specified conditions.</p> <p>Detail on Appropriate Policy Documents can be found in Schedule 1, Part 4 of the DPA 18 and Section 42 of the DPA 18 for competent authorities.</p>
Data Protection Act 2018	<p>The UK’s third generation of data protection law replaces the Data Protection Act 1998. The 2018 Act accepts the standards and obligations set by UK GDPR and, where UK GDPR allows, makes specific provisions relevant to the UK.</p> <p>The 2018 Act also transposes EU Data Protection Directive 2016/680 (Law Enforcement Directive) into domestic UK law.</p> <p>It is important the UK GDPR and the DPA 2018 are read side by side.</p>
Data Protection Officer	<p>Certain categories of organisation, including any public body or authority (except courts in their judicial capacity) are required to designate a suitably qualified Data Protection Officer (DPO). The tasks of the DPO are set out in Article 39 of UK GDPR.</p>
Data subject	<p>A ‘data subject’ is an identified or identifiable natural person. Organisations may refer to data subjects as service users, patients, clients, citizens, etc but for consistency, WASPI framework documentation refers to data subjects.</p>
UK GDPR	<p>The UK General Data Protection Regulation (UK GDPR) lays down laws relating to the protection of natural persons with regard to the processing of personal data and rules relating to the free movement of personal data. This Regulation protects fundamental rights and freedoms of natural persons and in particular their right to the protection of personal data.</p>
Law Enforcement Purposes	<p>The purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security (DPA 2018 Part 3, Chapter 1, Section 31).</p>
Personal data	<p>‘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.</p>

Personal data about criminal convictions, offences or related security measures	This includes personal data which relates to the alleged commission of offences by the data subject, or proceedings for an offence committed or alleged to have been committed by the data subject or the disposal of such proceedings, including sentencing. (DPA 2018 Section 11(2))
Personal identifiers	A set of basic personal details that allow partner organisations to identify a data subject.
Personal information	Includes information falling within the definition of 'personal data' and information about deceased individuals. Data protection legislation does not apply to information about deceased individuals but such information needs to be treated confidentially and WASPI should be applied to this information.
Practitioner	An inclusive term that refers to those involved in the care, education, welfare of data subjects; ie those who provide a public service.
Processing personal data	'processing' means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.' (UK GDPR Art 4(2))
Special categories of data / sensitive processing	Processing of 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. (UK GDPR Art 9(1))

10 Appendix B – Information Reference Table for South East, City and South & East Cardiff Cluster Cardiff MIND service

This table sets out the why, what, when and how of information sharing in detail. Guidance on completing this section can be found on the website

	Description	GP referral to Cardiff MIND	Safeguarding risks and concerns	Outcome measures and Key Performance Indicators
1	<p>Information exchange <i>General description of the process or stage to which the information sharing relates.</i></p>	<p>Where a patient is eligible for a referral to the Cardiff MIND, relevant patient information is shared with the Service via referral form via the South East, City and South & East Cardiff Cluster GP practices. The aim is to provide a mechanism for sign posting and directing identified patients (over the age of 18 years) to appropriate community support groups/networks and services specific to their social and wellbeing needs.</p>	<p>Where necessary, and in line with safeguarding procedures, Cardiff MIND will notify relevant health and social care professionals or those directly involved in providing care (GP practices) that they may have a safeguarding concern. Each Practice in the South East, City and South & East Cardiff Cluster GP practices Cluster would be advised via secure email to the practice manager the detail.</p>	<p>For the purposes of measuring the effectiveness of the Service and for contract monitoring purposes, monthly reports will be created and presented at monthly Project Steering Group Meetings. All reports created use anonymous data. In addition, quarterly and annual reports will be provided to all stakeholders.</p>

	Description	GP referral to Cardiff MIND	Safeguarding risks and concerns	Outcome measures and Key Performance Indicators
2	<p>What information will be shared?</p> <p><i>Describe the information to be shared – you do not need to go to ‘field level’ detail.</i></p> <p><u>Please note: Only the minimum and relevant personal information is to be shared and strictly on a case by case basis.</u></p>	<ul style="list-style-type: none"> • Name • Date of Birth • Address • Telephone contact number • Gender • Sexual orientation • Ethnicity • Reason for referral • Safeguarding and risk information • Referral consent and contact permissions 	<p>After initial assessment, and where necessary and on a need-to-know basis, safeguarding information will be shared with the designated person at the GP practice which will involve sharing:</p> <ul style="list-style-type: none"> • Patient name • Date of birth • Details of safeguarding concerns 	<ul style="list-style-type: none"> • Anonymised service user comments/feedback • Service uptake and referral sources • Overview of service user support • Service outcomes • Improved health outcomes • Overview of signposting activities

	Description	GP referral to Cardiff MIND		Safeguarding risks and concerns		Outcome measures and Key Performance Indicators	
		Who by	Who to	Who by	Who to	Who by	Who to
3	<p>Partner Organisation(s)</p> <p><i>Details of provider and recipient organisation(s)</i></p> <p><i>Ensure the organisations listed reflect section 2 of the ISP i.e. are all organisations listed in section 2</i></p>	The South East, City and South & East Cardiff Cluster GP practices (as per listed in section 2)	Cardiff MIND	Cardiff MIND	The South East, City and South & East Cardiff Cluster GP practices (as per listed in section 2)	Cardiff MIND	Cardiff and Vale UHB, PCIC
4	<p>How is information shared and what methods are used to keep the information secure?</p> <p><i>Provide, in detail the specific agreed secure methods for sharing personal information</i></p>	Referrals are made Cardiff MIND Service via an email of a referral form or telephone call, with a minimal data set. This email will go into a designated inbox via NHS email using secure method of sharing (MOVEit) with Cardiff MIND until TLS Secure HOWIS list registration can be made.		Cardiff MIND Team will share the relevant data items/information via email and using MOVEit encryption as the secure method of sharing with the practice.		Cardiff MIND will share the relevant anonymised reports/data sets via email and using MOVEit encryption as the secure method of sharing with the practice.	

	Description	GP referral to Cardiff MIND	Safeguarding risks and concerns	Outcome measures and Key Performance Indicators
5	Reliance on consent <i>Check the box if any exchange relies on consent and explain how and when consent is obtained. Ensure section 4 of the ISP reflects this legal basis</i>	<input type="checkbox"/> Exchange relies on consent <input checked="" type="checkbox"/> Exchange does not rely on consent NB: implied consent is used and satisfied under Common Law Duty Confidentiality, not UK GDPR. Consent to share is recorded on the patient's record and on the Referral Form to Cardiff MIND.	<input type="checkbox"/> Exchange relies on consent <input checked="" type="checkbox"/> Exchange does not rely on consent	<input type="checkbox"/> Exchange relies on consent <input checked="" type="checkbox"/> Exchange does not rely on consent
6	Notes for Practitioners	N/A	N/A	N/A

11 Appendix C – Partner Organisations Signatures

This section should only be completed once the ISP has been assured by a Quality Assurance group. Further information on the ISP development process can be found on the WASPI Website.