

Public Health Privacy Notice

Background

This statement provides details about how personal data and information is collected, stored and used by Hampshire County Council's Public Health Service to improve the public's health.

Introduction

HCC complies with the General Data Protection Regulation and is a registered Data Controller (Reg. No Z7534309). All upper tier local authorities, including HCC, are now formally responsible for public health. Public health means services to help people to stay healthy and avoid getting ill.

We may use your information under Article 6 and Article 9 of the General Data Protection Regulation. The lawful basis for the processing of your personal data by Hampshire County Council Public Health is provided by the following two Articles of the GDPR:

- Article 6(1)(e) 'processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller';
- Article 6(1)(c) processing is necessary to comply with a legal obligation
- Article 9(2)(i) 'processing is necessary for reasons of public interest in the area of public health'.

How your data are used

Providing services HCC Public Health commissions a number of services which fulfil their statutory obligations to improve the health of the local population, including most sexual health services, services for children aged 0 to 19 years, domestic abuse services, weight management services, oral health promotion, NHS health checks and services aimed at reducing smoking, drug and alcohol misuse. HCC Public Health will need to provide the service providers with information about you in order that they can provide the service. We will only share with each organisation the information they need in order to provide their services to you, such as your name, address, contact details for your carers and/ or family members and information about your social care and health needs. We do not use your data for the purposes of automated individual decision-making

Analysing, planning and evaluating

We can use data for insight purposes to allow us to analyse patterns and trends of lifestyle behaviours and service usage or for service and financial planning, to help us create policy, strategies and inform decision making.

In order to improve the health of the population we serve we use data and information from a range of sources, including NHS Health Checks, hospitals, births and death information, and our own public surveys. This data may be personal (include information such as your NHS number, postcode, date of birth), anonymised (does not include person identifiable information) or pseudonymised.

Pseudonymising data means replacing personally identifiable information such as your NHS number with an alternative 'identifier' such as a random reference number to make it more difficult for individuals to be identified. We use anonymised data and information from commissioned services' about their performance data.

The information enables us to understand more about the nature and causes of disease and ill-health in the area by measuring the health, mortality and care needs of the population and ill-health in the area and how we live. This enables us to plan and evaluate services to monitor health and ensure the services are effective and working for the benefit of the population by improving or protecting public health.

We may use computers to sort, analyse and evaluate your information and the information belonging to other people. For example, evaluating or predicting the health needs of individuals and groups of people, so that we can plan, assess and manage how needs can be met.

We hold the following collections of data supplied by NHS Digital that contain different types of data about individuals and populations:

- 1. Hospital Episode Statistics (HES)** - We hold pseudonymised records about health care and treatment you may have received in any English hospital in the form of Hospital Episode Statistics (HES). HES include inpatient and day case admissions, outpatient appointments and Accident and Emergency attendances. The data includes clinical information about each patient's diagnoses and operations, their age group, gender, ethnicity, dates and methods of admission and discharge, and geographical information such as where patients are treated and the area they live. This data is supplied by NHS Digital (previously the Health and Social Care Information Centre) to us under license. We will not try to identify individuals from this hospital data.
- 2. Primary Care Mortality Database (PCMD)** - The PCMD is a database managed by NHS Digital. It provides us with access to personally identifiable mortality data as provided at the time of the registration of the death, along with additional General Practice details, geographical indexing and coroner details where applicable. This includes the address, postcode of residence of the deceased, postcode of the place of death, NHS number, date of birth, date of death, name of certifier, and cause of death. Our access to the data is limited to the geographical boundary of Hampshire County Council and patients registered with the Hampshire Clinical Commissioning Groups. We are only able to securely access

the database by use of the NHS Open Exeter system via an N3 internet connection.

- 3. Births data tables** - This dataset provides us with access to personally identifiable data about the number of births that occur within our geographical boundary as an Upper Tier Local Authority and the Hampshire Clinical Commissioning Groups. It includes the address of usual residence of mother, place of birth, postcode of usual residence of the mother, postcode of place of birth of child, NHS number of child and the date of birth of the child. This data is only supplied to us by NHS Digital under strict license and data disclosure controls.

How we use births and deaths data

Hampshire County Council Public Health have an agreement with NHS Digital for the use of Office of National Statistics (ONS) births and deaths data. Public Health analysts use this data for statistical purposes to support the Council's Public Health functions.

Data are supplied to us by NHS Digital under section 42 (4) of the Statistics and Registration Service Act 2007, as amended by section 287 of the Health and Social Care Act 2012, and Regulation 3 of the Health Service (Control of Patient Information) Regulations 2002.

To use births and deaths data appropriately and safely we:

- store the data on our IT network at a location that is restricted to those staff who have signed the appropriate NHS Digital data access agreements
- restrict access to data, whose source is identifiable, to those staff who have been nominated as data processors for the births and deaths data.
- remove the identity from any data used for secondary analysis (referred to as 'de-identified' data)

Publication of the outcome of secondary analysis is limited to permitted purposes and is restricted to the aggregate results of that analysis in line with our Data Access Agreement and Office of National Statistics Disclosure Control Guidance for Birth and Death Statistics guidance.

Quality and monitoring

We may also look at information we hold about you for quality and monitoring purposes, for example checking that staff are following correct procedures.

Keeping information secure

All information is collected, stored and shared in accordance with the General Data Protection Regulation 2016 and the Data Protection Act 2018. Information is held and transferred securely and only made available to authorised professionals for the purpose of carrying out their work. All staff are trained in data protection and comply with the Council's information security, confidentiality and safe information handling policies and procedures. We are committed to keeping your personal information accurate and up to date. We only keep information for as long as is necessary and in accordance with the law and the Council's records retention schedules. We will keep personal information for seven years. No personal data is accessed from or stored outside the European Union.

Sharing information

There are some additional circumstances where we may share your information with other organisations; for example:

- Where information needs to be shared in order to protect vital interests.
- Where there is a court order requiring us to provide information.
- Where information is needed to detect, prevent or investigate a crime.
- And where otherwise permitted by law.

In each case, we make an individual decision about sharing information.

Aggregate Public Health information (not identifiable personal data) may be shared with our partners or service providers, such as government bodies, the Police, health and social care organisations and educational establishments.

Retention of data obtained from NHS Digital

A maximum of ten years data will be retained at any point, such that as each new data year is received from NHS Digital, the oldest year will be deleted (i.e. at any point in time only ten historic years of data plus the current year may be held).

Opting out of the use of your information obtained from NHS Digital

You have the right to opt out of Hampshire County Council Public Health receiving or holding your personal identifiable information obtained from NHS Digital where it is held. The process for opting out will depend on what the specific data is and what programme it relates to. For further information, please contact the Public Health Team by email (public.health@hants.gov.uk), or in writing to Adults' Health and Care, Public Health, Elizabeth II West, The Castle, Winchester, SO23 8UQ.

COVID-19 Testing data

On a weekly basis, Public Health England send us information on patients who test positive for Covid-19 in order that we may take action to manage and mitigate the spread and impact of the current outbreak of Covid-19. Our responsibilities are as set out in the 'Covid-19 – Notice under Regulation 3(4) of the Health Service Control of Patient Information Regulations 2002' dated 20 March 2020 from the Department of Health and Social Care on behalf of the Secretary of State for Health and Social Care. The information we receive includes patient ID number, age, full postcode, sex, ethnic group, test date, type of test location, type of occupation and whether the person is a key worker. We will use and retain the information until the Regulation expires.

We may use the information for the following Covid-19 Purposes specified in the Regulation 3(4) Notice:

- a) understanding Covid-19 and risks to public health, trends in Covid-19 and such risks, and controlling and preventing the spread of Covid-19 and such risks;
- b) identifying and understanding information about patients or potential patients with or at risk of Covid-19, information about incidents of patient exposure to Covid-19 and the management of patients with or at risk of Covid-19 including: locating, contacting, screening, flagging and monitoring such patients and collecting information about and providing services in relation to testing, diagnosis, self-isolation, fitness to work, treatment, medical and social interventions and recovery from Covid-19;
- c) understanding information about patient access to health services and adult social care services and the need for wider care of patients and vulnerable groups as a direct or indirect result of Covid-19 and the availability and capacity of those services or that care;
- d) monitoring and managing the response to Covid-19 by health and social care bodies and the Government including providing information to the public about Covid-19 and its effectiveness and information about capacity, medicines, equipment, supplies, services and the workforce within the health services and adult social care services;
- e) delivering services to patients, clinicians, the health services and adult social care services workforce and the public about and in connection with Covid-19, including the provision of information, fit notes and the provision of health care and adult social care services; and
- f) research and planning in relation to Covid-19.

You have some legal rights in respect of the personal information we collect from you. Please see our website [Data Protection](#) page for further details. You can

contact the County Council's Data Protection Officer at data.protection@hants.gov.uk

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>