

Dear Colleague,

On behalf of the Regional IG Steering Group I am writing to all local health and social care organisations to provide you with news of planned changes with the IG arrangements for data processing and sharing across the region.

Across Berkshire, North East Hampshire, Farnham and Surrey Heath, timely access to data to provide integrated, seamless, individual-centred care continues to be a priority for health and social care. Since 2014 health and social care organisations have been addressing this need by sharing a subset of their data with other care professionals via Connected Care and more recently with EMISweb, Vision and SystemOne as well.

As we know, having the right information available is critical to providing optimal care. When several organisations and professionals are involved, the sharing of accurate and timely information is vital for clinical efficacy, efficiency and safety as well as delivering a positive care experience. Sharing information across organisational boundaries is also required to meet the challenges of financial constraints and an increasing ageing population with long-term conditions.

The framework has been adapted to better support the transformational nature of changes across the health economy without diluting your authority as data controllers. The revisions to the framework include:

1. The introduction of indemnity for practices;
2. Formal definition of the role and authority of the IG Steering Group and members;
3. A single framework for direct care and other (secondary) uses;
4. Clarification of the role of lead organisations (e.g. Frimley Health's role as lead controller for Connected Care); and
5. Clarification of the responsibilities of the agreement members with respect to requests, issues, breaches and reporting.

The only changes we've made to the specifications are to incorporate the requirements of the revised framework.

The qualifying standard remains unchanged.

There are many **benefits from the changes**, perhaps most important of which is that thanks to the review and legal opinion provided by the QC we now have legal certainty regarding our sharing arrangements. Furthermore, we know that:

1. Our revised sharing arrangements are lawful in all respects;
2. Our legal bases for processing data for direct care, case finding, anonymisation, analytics, etc are lawful;
3. Our use of repository-based sharing (Connected Care, EMISweb, etc) is lawful;
4. Our risk sharing and indemnity offer to practices regarding data that is shared through Connected Care is appropriate and can be used to accelerate system-wide sharing;
5. Our data processing contracts with suppliers are lawful; and
6. Our approach to communications and engagement with patients and the public is sufficient to allow us to rely on the Common Law principle of **implied consent**.

You will shortly be provided with a revised Regional Health and Social Care Information Sharing Agreement and with updated sharing specification documentation for any sharing arrangements your organisation is participating in.

On behalf of the Regional IG Steering Group responsible for Berkshire, North East Hampshire and the west of Surrey, I would like to provide assurances that the revised Information Sharing Agreement and updated sharing specification documentation are fit for purpose and can be approved by you.

I personally Chair the Regional IG Steering Group and represent Berkshire GP practices and their interests on the group.

Yours Sincerely

Dr John Rawlinson

Chair of the Regional IG Steering Group  
Chair of the Berkshire Local Medical Committee  
Treasurer of Berkshire, Buckinghamshire and  
Oxfordshire Local Medical Committee