



Dr Neil Bhatia

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Enquiries to	Victoria Brown	My reference	FOI 13839
Direct Line	01962 832129	Your reference	
Date	18 May 2018	E-mail	Adultservices.complaints@hants.gov.uk

Dear Dr Bhatia

Information Request

I am writing in response to your Freedom of Information request, dated 24 April 2018, in which you sought the following information:-

I remain interested in how Hampshire County Council is planning to comply with the EU GDPR requirements for the data that it processes (extracts & uploads) to the Hampshire Health Record (HHR/CHIE).

My understanding remains that you extract and upload data to the HHR purely for direct care purposes (i.e. you do not permit secondary uses).

- 1. Please could you tell me which lawful basis, set out in Article 6 of the GDPR, will you be relying upon to enable processing of personal data in this way?*

The lawful basis is consent.

- 2. Please could you provide me with the procedure that patients must follow in order to express their right to object to such processing (as is their right under Article 21). Please could you provide me with:*
 - a) The form that they must fill in, or a description of the information that you require from them in order to process their objection.*

Barbara Beardwell MA Solicitor

Head of Law & Governance & Monitoring Officer

John Coughlan CBE

Chief Executive

No social care information will be shared with Hampshire Health Record (now called CHIE) without the client giving a positive expression of their consent to share this, in the event of the client changing their mind the client is asked to contact Hampshire County Council, either by phone or by email. The 'my permission to share' form states; Changing my mind, I understand I can change or withdraw my permission to share information about me at any time in the future. The County Council will discuss any concerns I may have about sharing my information in case my refusal to give permission could restrict the services or support they can provide me. If you want to update how your information will be shared by Hampshire County Council then please email adult.services@hants.gov.uk, or telephone 0300 555 1386 (Out of hours 0300 555 1373).

b) To whom they must send their objection (e.g. department, address or email address).

As above.

*c) Confirmation that patients will not simply be told to "go and see your GP" when expressing their right to object (i.e. that *you*, as the data controller, will deal with their objection as per Article 21 and Recital 69)*

As above.

d) Confirmation that any upheld objection will ensure that no data about the patient will be extracted and uploaded to the HRR by HCC, yet still allowing the patient to have an HRR consisting of records derived from the other contributing organisations (including their GP practice).

No social care information will be shared with HRR (now called CHIE) without the client giving a positive expression of their consent to share this. A client not giving permission to HCC will still be able to have an HRR record derived from other organisations.

e) Any such policy that you have that, in part or whole, details how HHR "right to object" expressions will be managed.

No social care information will be shared with HHR (now called CHIE) without the client giving a positive expression of their consent to share this. In the event of a person not giving specific permission their information will not be shared. In the event of a person changing their mind about consent then they will be asked to contact Hampshire County Council as above, so that their permissions can be updated.

f) Your final "permission to share" form

Please see the attached My Person to share form.

Yours sincerely

A handwritten signature in black ink, appearing to be 'GCH' with a stylized flourish.

Adults' Health and Care Departmental FOI Coordinator

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within 40 working days of receiving our response, and should be addressed to Head of Information Compliance, Corporate Services, The Castle, Winchester, SO23 8UJ or emailed to foi@hants.gov.uk.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner at the following address. Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.