

16/08/2022

NN-ICB/22/16

Dear Requestor

RE: Freedom of Information Request

With reference to your request for information I can confirm in accordance with Section 1 (1) of the Freedom of Information Act 2000 that we do hold the information that you have requested. A response to each part of your request is below.

Please note that both NHS Nottingham and Nottinghamshire, and Bassetlaw Clinical Commissioning Groups ceased operation on 30 June 2022. They have been superseded by NHS Nottingham and Nottinghamshire Integrated Care Board (ICB) which began operation on 1 July 2022.

In the request you asked:

1. I'm aware that there are a number of ICS-level Shared Care Records, and that each UCS is required to have one. Please tell me the name of the Shared Care Record for your ICS, and also the name or names of the software provider(s) - e.g. Graphnet, Orion, Interweave, etc. In addition, if your ICS's Shared Care Record is shared between several ICSs, please let me know the names of the other ICSs with which your Shared Care Record is shared

This response is sent on behalf of Nottingham and Nottinghamshire Integrated Care Board (ICB) as Nottingham and Nottinghamshire integrated Care System (ICS) is not a statutory organisation and is therefore not subject to the provisions of the FOI Act 2000.

The name of the shared care record is the Nottinghamshire Health and Care Portal (NHCP) and is provided by a company called Graphnet.

The NHCP is not shared with any other ICSs.

2. Other than processing patient data for the provision of direct care what other permissions or purposes would these software companies have.

None. There are no provisions other than for direct care.

3. Could you please provide a list of any and all bodies and organisations outside the NHS to either the shared care record or any data within it.

Access to the NHCP is available outside the NHS to defined organisations, specifically:

- Nottinghamshire County Council
- Nottingham City Council
- Primary Integrated Community Services (PICS)

- Nottingham CityCare Partnership

4. Are there any circumstances at all in which police or immigration authorities specifically would be able to have access to ShCR's and how would consent for this be given?

No.

5. I have a specific question about delegated consent ie people who cannot make decisions for themselves - please could you provide me with a copy of the policy on delegated consent.

There is no explicit policy for delegated consent related to the NHCP. If a patient lacks mental capacity to consent, then access would proceed in line with a best interest decision.

6. Please could you provide your policy or policies around consent for the use of data in the shared care record by external sources, police, private health, sexual health clinics, child services, DwP, local councils, and mental health services

There is no explicit policy for delegated consent related to the NHCP.

7. Will the shared care record in your ICS be used for any purposes beyond direct care, eg population health management, planning, and research. If so, which uses, by whom, and how have these been communicated to users of the shared care record and patients themselves.

No.

8. How have people been told they can opt-out, as in, by Email, Phone, or leaflet in a local GP surgery etc. and what % of people that your ICB (or relevant body) covered have been informed directly about this restructuring or their records, and to stress, how have they been most importantly - please list any and all initiatives for this, and if you have any of those materials can you please give me a copy of them.

Nottingham and Nottinghamshire ICB do not hold information relating to the percentage of people that have been informed directly about the introduction of shared care records.

A campaign of awareness has taken place over a number of years with all health and care providers, patient groups and the wider public. This included the circulation and displaying of patient leaflets and posters, an example of a patient leaflet is attached to this letter. Patients are informed about their option to opt out at the point of care if the patient is present.

Key information with regards to shared care records and opting out is published on the Nottingham University Hospitals NHS Trust website - <https://www.nuh.nhs.uk/nottinghamshire-health-and-care-portal>.

Information relating to NHCP can also be found on the following website pages:

- Sherwood Forest Hospitals NHS Foundation Trust - <https://www.sfh-tr.nhs.uk/for-patients-visitors/your-medical-record/>
- Nottinghamshire County Council - <https://www.nottinghamshire.gov.uk/care/partnership-working/shared-health-and-care-records>
- Nottingham CityCare - <https://www.nottinghamcitycare.nhs.uk/cookie-policy/you-and-your-information>
- Digital Notts - <https://digitalnotts.nhs.uk/shared-care-records/>

9. How many opt-outs have there been as of the date of this request being sent?

There have been less than five opt outs since 2017.

10. If a patient who has opted out in your ICS moves to another ICS, will they need to opt-out again?

Each ICS will have their own process for patients to opt out of sharing data and each Shared Care Record will vary in specific content and scope of data. Therefore, citizens will need to follow the relevant ICS procedure should they wish to opt out of sharing data.

If you are unhappy with the way in which your request has been handled, NHS Nottingham and Nottinghamshire Integrated Care Board (ICB) have an internal review procedure through which you can raise any concerns you might have. Further details of this procedure can be obtained by contacting Lucy Branson, Associate Director of Governance via lucy.branson@nhs.net or by writing to FOI Team at NHS Nottingham and Nottinghamshire ICB, Sir John Robinson House, Sir John Robinson Way, Arnold, Daybrook, Nottingham NG5 6DA.

If you remain dissatisfied with the outcome of the internal review, you can apply to the Information Commissioner's Office (ICO), who will consider whether the organisation has complied with its obligations under the Act and can require the organisation to remedy any problems. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by NHS Nottingham and Nottinghamshire ICB. You can find out more about how to do this, and about the Act in general, on the Information Commissioner's Office website at: <https://ico.org.uk/for-the-public/>

Complaints to the Information Commissioner's Office should be sent to:

FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Telephone 0303 123 1113 or report a concern via <https://ico.org.uk/concerns/>

Yours sincerely

Freedom of Information (FOI) Officer on behalf of *NHS Nottingham and Nottinghamshire Integrated Care Board*

notts.foi@nhs.net

All information we have provided is subject to the provisions of the Re-use of Public Sector Information Regulations 2015. Accordingly, if the information has been made available for re-use under the [Open Government Licence \(OGL\)](#) a request to re-use is not required, but the license conditions must be met. You must not re-use any previously unreleased information without having the consent of NHS Nottingham and Nottinghamshire Integrated

Care Board. Should you wish to re-use previously unreleased information then you must make your request in writing (email will suffice) to the FOI Lead via notts.foi@nhs.net. All requests for re-use will be responded to within 20 working days of receipt.