



Additional information to implement the COPI Notice

The health and social care system is going to face significant pressures in the coming months due to the COVID-19 outbreak.

The Secretary of State for Health and Social Care has Directed NHS Digital to collect and analyse data from providers and other organisations involved in managing the Covid-19 response and then disseminate information and analysis to other bodies for the purpose of planning and managing the response. NHS England and NHS Improvement have already been given legal notice to support the processing and sharing of information to help the Covid-19 response under Health Service Control of Patient Information Regulations 2002. Other healthcare organisations, Arms Length Bodies (except NHS Digital and NHS England and NHS Improvement which have been separately notified) and Local Authorities have also already been given legal notice under the same regulations to support the processing and sharing of information to help the COVID-19 response. This is to ensure that confidential patient information can be used and shared appropriately and lawfully for purposes related to the Covid-19 response

In addition, to further support this the Secretary of State for Health and Social Care has issued a further notice to GP practices whose IT systems are supplied by TPP or EMIS to require them to enable UK Biobank access to data on patients who have consented to be part of the Biobank Programme. The data will be used for the purpose of responding to COVID-19. The notice **only applies** to GP practices with IT systems provided by TPP or EMIS as UK Biobank has established extraction processes with these companies.

This notice will be reviewed on or before 30 September 2020 and may be extended by further notice in writing. If no further notice is sent it will expire on 30 September 2020.

Data controllers are still required to comply with relevant and appropriate data protection standards and to ensure within reason that they operate within statutory and regulatory boundaries. The General Data Protection Regulations (GDPR) allow health data to be used as long as one or more of the conditions under Art. 6 and Art. 9 are met. There are conditions under both Articles which can be relied on for the sharing of health and care data – including consent and ‘the care and treatment of patients’ and ‘public health’. We would expect any organisation to disseminate information within legal requirements set out under GDPR

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