

Step guide for health and care organisations

08 June 2020 Version 2

Step-by-step guidance to accessing data on COVID-19 for those employed or engaged for the purposes of the health service.

Step 1: Is your request for a COVID-19 purpose?

This process is only for COVID-19 purposes. If your request is non-COVID-19 related, you should follow existing processes.

Step 2: Does your request relate to access to data?

If your request relates to adding/modifying datasets, skip to step 7.

If your request relates to access to data held nationally in England, skip to step 3.

If your access request relates to confidential patient information held locally, you should use the triage service to ensure you have the appropriate approvals in place (unless you are conducting research – see **Step-guide for research**) -- skip to step 3.

Step 3: What data do you want to access and where is this?

You will need to consider what data you need to access to support your response to the COVID-19 outbreak.

If the data you wish to access is held on the NHS COVID-19 Data Store, including the dashboards, then you will need to complete **Application form A**. A list of the datasets is available [here](#). Continue to step 4.

If you need to access data held elsewhere, eg data held by NHS Digital or Public Health England, or it is confidential patient information held locally, you will need to complete **Application form C**. Continue to step 4.

If you aren't sure, then contact the triage service (see step 12).

Step 4: What type of data do you want to access?

You will need to consider the type of data you wish to access. You must request the minimum amount of data for the required purpose. If you only need access to aggregate data, eg, the pictorial data on the dashboards, then you should select this.

If you need access to any other data, you will need to justify this. It is possible to request access to record-level data on the NHS COVID-19 Data Store, but you should explain why this is needed.

If your request is for confidential patient information held elsewhere (nationally or locally), then you should explain and justify why this is required.

Step 5: What is your legal basis?

You should be clear about your legal basis if requesting data that could identify individuals

General Data Protection Regulation (GDPR)

You will need to identify an Article 6 and 9 condition under the GDPR to process the information.

If you are a public body, you will also need to have the legal function to carry out the processing.

Common law duty of confidentiality

Processing for COVID-19 purposes will be covered by the Control of Patient Information (COPI) notice for the common law duty of confidentiality. This means that you do not need to submit an application to the Confidentiality Advisory Group (CAG). Further information on the COPI notices is [here](#).

Requests to the COVID-19 Data Store should be straightforward; however, if your request relates to data held elsewhere and is complex or involves a large cohort, the triage service will seek advice from CAG and other statutory groups.

Step 6: Getting access once your request is approved

To access data in the Data Store you will need an OKTA account. This will be facilitated by the [COVID-19 data sharing service desk](#) once your request has been approved.

To set up an OKTA account you will need:

1. An [OKTA account](#) which will be allocated to validated user accounts
2. An iPhone or Android smartphone
3. Google Chrome browser.

Verify your email address – [log into OKTA](#) and click the Foundry platform icon. Follow the 'on-screen' instructions and enter the verification code (sent to your email address). Register your phone as a two-factor authentication device – install Google Authenticator on your chosen device (iPhone, iPad, Android smartphone or tablet or laptop).

If you have applied for access to data held elsewhere then this will be facilitated by the organisation which holds the data.

If your request only relates to access to data, skip to step 12.

Step 7: Does your request relate to adding an existing dataset to the NHS COVID-19 Data Store, a new collection or a modification to an existing collection?

You will need to be clear about how this is supporting the COVID-19 response and the nature of the dataset.

If you would like to request that an **existing dataset** is added to the NHS COVID-19 Data Store you will need to complete **Application form B**.

If you would like to request a new collection or modify an existing collection to support the COVID-19 response, you should complete **Application form D**. This includes both requests for a new collection to feed into the COVID-19 Data Store and new requests for data to be collected or modified by other national organisations. The triage service will then send this to the appropriate organisation, eg if the request is for NHS Digital data then NHS Digital will expedite the request and assure itself all necessary safeguards are in place.

Step 8: Does the data you would like to add/collect/modify include personal/confidential patient information?

If the data you would like to add into the NHS COVID-19 Data Store includes identifiers we can support you with the pseudonymisation process, so you can indicate this on the form.

Whether your request relates to existing data, a new collection or a modification to an existing collection, you should be clear about your legal basis for processing the data.

You will need to identify an Article 6 and 9 condition in data protection law to process the information. If you are a public body, you will also need to have the legal function to carry out the processing.

Processing for COVID-19 purposes will be covered by the COPI notice for the common law duty of confidentiality. This means that you do not need to submit an application to the CAG. We will however liaise with CAG in relation to any complex requests, eg datasets involving a large cohort of patients.

You will need to complete a Data Protection Impact Assessment (DPIA) before completing the application form. The ICO has published a DPIA template [here](#).

Step 9: Do you have appropriate permissions?

If you are not the data controller you will need to seek permission from the data controller and provide evidence of this approval. You should also seek authorisation from your data protection officer (DPO) who would need to authorise the DPIA.

Step 10: Have you ensured your privacy notice is updated?

If your request is approved and you are processing any new data or using it for a new purpose, you must update your privacy notice. NHSX has published an example supplementary privacy notice for use during the COVID-19 period [here](#).

Step 11: Have you considered your longer term requirements for data?

If your request involves disclosing confidential patient information and you are relying on the COPI notices to satisfy the common law duty of confidentiality, you will need to consider your approach once the COPI notices are withdrawn. If, for example, you anticipate that you will need to process the data longer term then you should start thinking about this in advance and ensure you are able to set aside or satisfy the common law duty of confidentiality to continue to use the data once the COPI notices are withdrawn. This will be important, for example, for those conducting long-term research on the virus rather than those who are using the data to make decisions to respond to the immediate emergency.

Step 12: I need support accessing or using the Data Store. Where can I find it?

Data and analytics support for COVID-19 workspace

We have set up a closed discussion forum in this [workspace](#) for discussions in relation to NHS COVID-19 data store.

NHS COVID-19 Data Store workspace

This [workspace](#) has been set up to enable you to access all the training, support and discussions in relation to the NHS COVID-19 Data Store. To request access to the workspace please email: covid19datastore-manager@future.nhs.uk.

Queries around using the Data Store

If you experience an issue with setting up and using the NHS COVID-19 Data Store or you have a question about the dashboards or how you can use the underlying data, you can use the [issues application](#) within the platform.

General questions and enquiries

Please email: covid19-datasharing@nhsx.nhs.uk.