Step guide for research

08 June 2020 Version 2

Step-by-step guidance to accessing data on COVID-19 for research purposes

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 collecting/adding/modifying datasets, skip to step 8.

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

If your access request is in relation to confidential patient information held locally you should contact the [Health Research Authority](link) Confidentiality Advisory Group who will consider your request.

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](link). Continue to step 4.

If you need to access data held elsewhere, eg data held by NHS Digital or Public Health England, you will need to complete **Application Form C.** Continue to step 4.

If you aren't sure, then contact the triage service (see step 13).

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, then you should also explain clearly and justify why this is required.

Step 5: Do you have ethical approval for your research?

If you are requesting access to confidential patient information, then you will need ethical approval. You should contact the HRA if you have not already sought ethical approval or indicate this on your form and the triage service can support you if needed. Further information about how to apply for fast track is available on the HRA website here.

Step 6: 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
In relation to satisfying the common law duty of confidentiality, if you are a person employed or engaged for the purposes of the health service, eg you are a researcher employed or engaged by an NHS trust, you do not need to submit an application to the Confidentiality Advisory Group (CAG) because you are covered by the Control of Patient Information (COPI) Notices. The triage service may still liaise with CAG when considering the request.

If your request is to support research that the Chief Medical Officer for England has set as a priority, you will be covered by the COPI Notices as you are engaged for the purposes of the health service. You will also likely be covered if your research has been commissioned by the Scientific Advisory Group for Emergencies (SAGE) or prioritised by Health Data Research UK (HDRUK). Further information on the COPI notices is here.

If neither of these apply, or you are unsure, then indicate this on your application form and the triage service will liaise with the CAG to consider your request. It may be decided that you are covered by the COPI notice. If not, the triage service will liaise initially with CAG to identify whether it can proceed for fast track support under Regulation 5 of the COPI Regulations, and will advise on the need for ethical and CAG review.

Step 7: Getting access once your request is approved

To access data in the datastore 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 13.

Step 8: 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 request to the appropriate organisation, eg if the request is for NHS Digital data then NHS Digital will expedite the request and assure themselves all necessary safeguards are in place.

Step 9: Does the data you would like to add/collect/modify include personal/confidential patient information?

If the data you would like adding to the NHS COVID-19 Data Store includes identifiers, we can support you with the pseudonymisation process so you can indicate this on your application 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 and indicate this on your application form. See step 6.

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 10: Do you have appropriate permissions for the addition//collection/modification?

If your request relates to confidential patient information, you will need ethical approval – see Step 5.

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 needs to authorise the DPIA.

Step 11: 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 12: 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 13: 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 the 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 whilst set up and using 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.