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FDP product screening questionnaire - [insert name of product]

Document management

Revision history

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Reviewers

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Reviewer name	Title / responsibility	Date	Version

Approved by

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Name	Title	Date	Version

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Purpose of this document

This document is a 'screening questionnaire' to help you to decide if a full 'product data protection impact assessment' is necessary. A data protection impact assessment (**DPIA**) is a tool to help NHS England and local federated data platform (**FDP**) **user organisations (trusts and ICBs)** demonstrate how we comply with data protection law when processing personal data in the FDP. This screening questionnaire will help organisations to determine whether the data they are processing in FDP is personal data or aggregate, operational and/or anonymous data, therefore this screening questionnaire must be completed when there is processing of aggregate, operational and/or anonymous data within FDP.

DPIAs are also a legal requirement where the processing of personal data is "*likely to result in a high risk to the rights and freedoms of individuals*". **For FDP, we carry out DPIAs for all personal data processed in FDP to demonstrate we have appropriately considered and assessed the risks of processing data in the FDP.**

Data can only be processed in FDP in a product. A product provides specific functionality enabling a solution to a business problem of NHS England or a local FDP user organisation operating on the platform.

Before a product can be approved for use on the FDP, it will require either

- a product DPIA to have been approved by the FDP Data Governance Group and by or on behalf of the NHS England senior information risk officer (SIRO), or
- a completed FDP screening questionnaire to have been approved by the NHS England Privacy, Transparency and Trust team.

The aims of the Federated Data Platform (FDP)

Every day, NHS staff and clinicians are delivering care in new and innovative ways, achieving better outcomes for patients, and driving efficiency. Scaling and sharing these innovations across the health and care system in England is a key challenge for the NHS.

Harnessing the power of digital, data and technology is the key to recovering from the pandemic, addressing longer-term challenges, and delivering services in new and more sustainable ways.

The future of our NHS depends on improving how we use data to:

- care for our patients
- improve population health
- plan and improve services
- find new ways to deliver services

The Federated Data Platform (FDP)

A 'data platform' refers to software which will enable NHS organisations to bring together data – currently stored in separate systems – to support staff to access the information they need in one safe and secure environment so that they are better able to coordinate, plan and deliver high quality care.

A 'federated' data platform means that every hospital trust and integrated care board (ICB) (on behalf of their integrated care system (ICS)) will have their own platform which can

connect and collaborate with other data platforms as a “federation” making it easier for health and care organisations to work together.

Categories of data and defined terms

Data is information. Personal data is information relating to an identified or identifiable person. An identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person. For the purposes of this screening questionnaire this also includes information relating to deceased individuals. personal data can be directly identifiable personal data or pseudonymised data.

In this screening questionnaire we use the following categorisation of data to identify the nature of the data and how identifiable it is about an individual:

Category of data	Description
Directly identifiable personal data	Personal data that can directly identify an individual.
Pseudonymised data	Personal data that has undergone pseudonymisation
Anonymised data	Personal data that has undergone anonymisation.
Aggregated data	Counts of data presented as statistics so that data cannot directly or indirectly identify an individual.
Operational data	Items of operational data that do not relate to individuals for example, stocks of medical supplies.

In the case of **directly identifiable personal data** or **pseudonymised data**, this is **personal data** and can also be special category personal data, which are specific types of personal data defined in UK General Data Protection Regulation (GDPR). Health data is special category personal data and requires additional controls and legal justification when we Process it.

Defined terms are used in this screening questionnaire where they are capitalised. The defined terms and their meanings are set out in the table above and at **Annex 1**.

When will a DPIA be required for products used in the Federated Data Platform?

By completing a DPIA you can systematically analyse your processing of data to demonstrate how you comply with data protection law and in doing so identify and minimise data protection risks.

Generally, a **DPIA will be required for a product in FDP** when FDP is processing **directly identifiable personal data, pseudonymised data, anonymised data or aggregated data** to create the product. This is because:

- in most cases, a large volume of data will be processed
- although a product itself may not ingest personal data, FDP may still process personal data to create aggregated data or anonymised data used to create the product

- when FDP is processing aggregated data or anonymised data which has been produced from personal data ingested into FDP, a DPIA will help to establish that the aggregated data or anonymised data is no longer personal data and will consider how the risks of re-identification have been mitigated.

Generally, a DPIA will not be required for a product in FDP when FDP is only processing operational data which is not about individuals, to create the product or when the source of the data brought into the organisation was aggregated data.

When should this FDP screening questionnaire be completed?

You should complete this screening questionnaire when proposing a product utilising FDP and is only processing operational data or when the source of the data being processed was aggregated data when it was collected into NHS England for example, an aggregated data SitRep.

If you are unsure whether all of the data used to create the product is operational data or was originally collected by NHS England as aggregated data, you should complete this screening questionnaire.

Standard wording in this screening questionnaire

Standard wording has been suggested in certain parts of this screening questionnaire and highlighted yellow with square brackets around the text. You should select the wording that reflects the processing of data for the specific product you are assessing and remove the square brackets, highlighting, and wording you do not need to use.

Screening questions

1. Provide key information about the product including what FDP use case it is under, the categories of data it will be processing and for what purpose

Key information about the product
Description of the product
<p><i>[Please provide a description of the product.]</i></p> <ul style="list-style-type: none"> • <i>What is it about?</i> • <i>What data does it use?</i> • <i>Where does the data come from?</i> • <i>Why are we using this data?</i> • <i>What are the benefits of processing this data?]</i>
Local or national product

Local	<input type="checkbox"/>	National	<input checked="" type="checkbox"/>
Product falls under the following use case(s)			
Care co-ordination	<input type="checkbox"/>	To ensure that health and care organisations all have access to the information they need to support the patient, enabling care to be coordinated across NHS services.	
Elective recovery	<input type="checkbox"/>	To get patients treated as quickly as possible, reducing the backlog of people waiting for appointments or treatments, including maximising capacity, supporting patient readiness and using innovation to streamline care.	
Vaccination and immunisation:	<input type="checkbox"/>	To ensure that there is fair and equal access, and uptake of vaccinations across different communities.	
Population health management	<input type="checkbox"/>	To help local trusts, integrated care boards (on behalf of the integrated care systems) and NHS England proactively plan services that meet the needs of their population.	
Supply chain	<input type="checkbox"/>	To help the NHS put resources where they are needed most and buy smarter so that we get the best value for money.	
Categorisation of the data used to create the product	Yes	No	How the different categories of data are used in relation to the product
Directly identifiable personal data <i>Personal data that can directly identify an individual.</i>	<input type="checkbox"/>	<input type="checkbox"/>	[For data ingested into the FDP to create the product] [For data ingested into the product to create the product] [For data displayed or shared with users of the product]
Pseudonymised data <i>Personal data that has undergone pseudonymisation (see Annex 1)</i>	<input type="checkbox"/>	<input type="checkbox"/>	[For data ingested into the FDP to create the Product] [For data ingested into the product to create the product] [For data displayed or shared with users of the product]
Anonymised data	<input type="checkbox"/>	<input type="checkbox"/>	[For data ingested into the FDP to create the product]

<p><i>Personal data that has undergone anonymisation (see Annex 1)</i></p>			<p>[For data ingested into the product to create the product]</p> <p>[For data displayed or shared with users of the product]</p>
<p>Aggregated data <i>Counts of data presented as statistics so that data cannot directly or indirectly identify an individual.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<p>[For data ingested into the FDP to create the product]</p> <p>[For data ingested into the product to create the product]</p> <p>[For data displayed or shared with users of the product]</p>
<p>Operational data <i>Items of operational data that do not relate to individuals for example, stocks of medical supplies.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<p>[For data ingested into the FDP to create the product]</p> <p>[For data ingested into the product to create the product]</p> <p>[For data displayed or shared with users of the product]</p>

- If you answer “Yes” to directly identifiable personal data, pseudonymised data, or anonymised data, then personal data may be being processed in FDP and a DPIA may be required. Please still complete the additional screening questions in sections 2 - 4. The additional screening questions help determine if the processing requires a DPIA to be completed.

2. Give some background about the programme or project which the product is supporting and how the product will help the programme or project to achieve its aims

3. Explain how the product falls within the approved use case(s) you have identified above

4. Datasets and data items being processed to create the product

Data flow diagram

[Please insert a data flow diagram identifying the datasets and their category (as identified in section 1 above) ingested into FDP, ingested into the product and provided to users of the product. Please provide a description of the processing of these datasets at each stage].

Screenshots and description of the product

[Please insert screenshots of the dashboards and provide a description of what each dashboard shows, the category of the data (as identified in section 1 above) in the dashboard, the type of users and what the users do with it – for example, what decisions they may make – does it inform capacity planning, enable an understanding of whether key performance indicators have been met etc. This should link back to the use case(s) and the explanation given in section 3 above]

Data specification for the product:

[Please attach the data specification containing details of all of the datasets and the data items here]

I confirm through the completion of this screening questionnaire that only operational or aggregated data is being utilised by the organisation for the purpose describe above -

Completion and signatories

The completed screening questionnaire should be submitted to the NHS England Privacy Transparency and Trust team via england.pttigadvice@nhs.net (for review).

The IAO (information asset owner) should keep the screening questionnaire under review and ensure that it is updated and re-considered if there are any changes (to the nature of the processing, including new data items processed, change of purpose, and/or system changes)

The screening questionnaire accurately reflects the processing and has been approved by the information asset owner:

Information asset owner (IAO) signature and date

Name and job title	
Signature	
Date	

Privacy, Transparency and Trust team review and assurance

For PTT (FDP Programme) use only

Review carried out by: <i>[Name, job title]</i>
Date: <i>[Insert]</i>
Recommendation:
Full DPIA required <input type="checkbox"/>
Full DPIA recommended <input type="checkbox"/>
No further DPIA action <input type="checkbox"/>
Where full DPIA required or recommended, please explain below why:

Annex 1 – defined terms

Defined Term	Meaning
Anonymisation	Anonymisation involves the application of one or more anonymisation techniques to personal data. When done effectively, the anonymised information cannot be used by the user or recipient to identify an individual either directly or indirectly, taking into account all the means reasonably likely to be used by them. This is otherwise known as a state of being rendered anonymous in the hands of the user or recipient.
Personal data	Has the meaning given in UK GDPR, being any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person . For the purposes of this screening questionnaire, this also includes information relating to deceased patients or service users. Personal data can be directly identifiable personal data or pseudonymised data.
Process or processing	Has the meaning given in UK GDPR being any operation or set of operations which is performed on Personal Data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure, or destruction.
Pseudonymisation	Has the meaning given in UK GDPR being the processing of personal data in such a manner that the personal data can no longer be attributed to a specific individual without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable person.
Special category personal data	Means the special categories of personal data defined in Article 9(1) of UK GDPR being personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.
UK GDPR	UK GDPR as defined in and read in accordance with the Data Protection Act 2018.