



## CUMBRIA COVID-19

### Data and Information Sharing Protocol

March 2020

#### 1. Background

On 31 December 2019, World Health Organisation (WHO) was informed of a cluster of cases of pneumonia of unknown cause detected in Wuhan, Hubei Province, China. A novel coronavirus (SARS coronavirus-2 (SARS-CoV-2)) was subsequently identified from patient samples.

This Data Sharing and Information Sharing Protocol ('Protocol') is in place in the event of an outbreak or widespread transmission of COVID-19 across Cumbria. Cumbria County Council, along with its partners, has information about individuals that have been affected or may potentially be affected.

The main focus of this Protocol is to allow partners access to relevant information that is collated for the benefit of those affected by providing suitable support and services and to allow public health information to be circulated.

All members of Cumbria Community Resilience Group (sub group of Tactical Coordination Group wishing to 'share' information must sign up to this Protocol. This document should consider any other protocols that may be active for other purposes such as the Crime and Disorder Act 1998.

Cumbria Tactical Co-ordination Group, Lead: Supt. Mark Pannone, Cumbria Constabulary

#### Sub Groups:

- List of sub groups (see current structure chart)

## 2. Data Protection

All parties covered by this protocol are responsible for collecting the data described above and should take measures to comply with the relevant features of the Data Protection Act 2018 and observe the common law duty of confidentiality.

All data collected as part of this project should be processed in accordance with the principles laid out in Article 5 of the General Data Protection Regulation (GDPR).

Processing of personal data will be:

- lawful, fair and transparent;
- collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- accurate and, where necessary, kept up to date (inaccurate data should be erased or rectified without delay);
- kept for no longer than necessary in line with business purposes
- protected from unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures

All parties shall ensure that:

- confidential/personal/sensitive personal data is not shared without the consent of the provider;
- original data (where held) is deleted at the end of the project
- data provided by individuals is only used for the purpose(s) laid out in Section 6 (below);
- data handling procedures are followed;
- appropriate technical and procedural measures are taken in order to protect data security
- all employees working on the data are made aware of the requirements of this information sharing protocol;

- all personal and sensitive personal data is encrypted and kept secure at all times

### 3. Key Principles

Anonymised or pseudonymised data will be used as standard, however, where targeted assistance or services are required personal or sensitive personal data will be made available.

This data must be treated with respect to the data subject's rights under the Data Protection Act. Where possible, consent to share, copy or transfer personal data to a third party will be sought from an individual (for those providing their own personal data). If an individual objects to their data being shared they should be made aware of any adverse implications and their views noted. Where consent has not been sought, and when storing and processing data is necessary in order to protect the vital interests of the data subject or of another natural person; and where there is immediate threat to an individual's health, safety or welfare, sensitive personal data may be held and processed under GDPR Article 6(1)(d).

All parties sharing data should ensure that data is obtained lawfully and is only disclosed to those authorised to process it.

If any information is found to be out of date, inaccurate or inadequate, the partner/organisation that has supplied the data will be responsible for updating or correcting the data and notify all other recipients.

Any data that is not required for the purposes of this project should be destroyed and any media returned, by secure means to the originator.

### 4. What data is being shared?

The information being shared about individuals includes:

- personal data i.e. name, age, address;
- sensitive personal data i.e. health and social care, welfare, socio-economic; information including employment status and benefit claimants

Some anonymous data may be used to assess the situation and impact at geographical locations.

## 5. What is the legal basis for sharing this data?

Partners are required to have a legal basis for processing personal and sensitive personal data. Due to the nature of the COVID-19 and the council's obligations to protect the health and welfare of residents, the relevant bases are:

For personal data:

Article 6(1)

- (d) processing is necessary in order to protect the vital interests of the data subject or of another natural person; and
- (e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

For sensitive personal data:

Article 9(2)

- (i) processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices

## 6. How will data be shared?

Cumbria County Council and its partners will share and collate information using the following methods:

- Secure e-mail
- Telephone

## 7. What is the purpose of sharing the data?

Data derived from local government, health and social care systems and other recording systems will provide the Council and its partners with the following:

- a definitive understanding of the impact of COVID-19 across the county;
- a definitive understanding of the risk and vulnerable to COVID-19 across the county;

- The information will aim to identify and address up-to-date needs and issues and some of the information may be passed to other partners and agencies in order to deal with these particular needs.

## 8. How will data be managed?

Existing health and care systems within Cumbria County Council and partner organisations will continue. Where required, database(s) will be created by Cumbria County Council to store and manage the data described above.

The database or system will provide the council and its partners with one centrally accessible data store. This will enable standardised analysis, monitoring, reporting and transmission of data.

## 9. Data Handling Procedure

This procedure covers all information presented under this protocol.

- Information will be stored within existing health and care systems
- Further information will be collected by via email and telephone;
- Where required, additional information may be transferred to a database(s) and stored securely on Cumbria County Council's network;
- All data will be stored electronically – no paper copies of original or analysed information will be held on file.

## 10. Data Usage

Partners and agencies will be responsible for ensuring that any internal analysis or reports produced using the information from the council is only used for a suitable purpose as set out in Section 6.

Access to or data provided from the council to a third party (including any agency or consultant) other than that contained in approved analysis reports, shall not be given without first seeking the relevant partner/agency permission.

Information obtained from the council database(s) will not be made available to the media by any partner or agency under any circumstances.

## 11. Indemnity

Cumbria County Council and partner organisations have ownership of their own existing health and care systems and database(s) and shall be fully indemnified in respect of any claim, loss, liability or cost suffered as a consequence of any information being wrongly disclosed or as a result of any negligent act or omission by a partner or agency under the terms of this protocol except where the partners/agencies themselves have been negligent.

## 12. Duration

This protocol will commence in March 2020 and will run until the COVID-19 project ceases or until the Cumbria Community Resilience Group decide to terminate it.

A partner or organisation may withdraw from the protocol by giving written notice to the county council. In such an event the partner/agency must continue to comply with this protocol in respect of any data they have previously received. Once data is no longer required for the response it should be deleted or destroyed.

## 13. Privacy Notice

The Privacy Notice relating to this protocol can be accessed on Cumbria County Council's website here: <https://www.cumbria.gov.uk/admin/privacy.asp>

## 14. Further Information and Contact

If you have any comments about this protocol please send them to

Performance & Intelligence  
Performance & Risk  
Cumbria County Council  
Cumbria House  
117 Botchergate  
CARLISLE  
Cumbria CA1 1RD

Email: [emma.graham1@cumbria.gov.uk](mailto:emma.graham1@cumbria.gov.uk)

**DECLARATION (A COPY TO BE SIGNED BY EACH PARTNER/AGENCY INVOLVED IN THE PROJECT)**

The organisation named below is a member of the Cumbria Community Resilience Group and agrees to accept the principles, terms and conditions contained within this data sharing protocol which specifies how data will be provided, how it will be used and recognise the sensitivity of analysis and reports produced as part of this protocol.

Name:	
Organisation:	
Tel No:	
Email:	

We will supply and share data in accordance with the Data Sharing Protocol.

Signed by an authorised person on behalf of the agency/organisation named above.

**Signed:**

**Print Name:**

**Date:**

## Appendix A

### REQUEST FOR USE OF THE DATA FOR ANOTHER PURPOSE

Please provide details of the data you require from CCC:
Please state for what purpose you require the data:
Would this data be used or made available to any other organisation?
If yes, please state the other organisations and departments who will receive the data:

#### DECLARATION

I/we have read the Data Sharing Protocol for the Cumbria Recovery Project and understand the conditions under which the data will be provided. I/we will only use the data for the purpose as stated above and will ensure that the relevant partners and agencies are consulted before any reports or documents using this data are made available.

**Name of organisation:**

**Name of contact person:**

**Tel No:**

**Email:**

**Signed by an authorised person on behalf of**

**Signature**

**Print Name:**

**Date:**