

Plain English explanation

Part of the national response to the COVID-19 pandemic is the need to record the details of staff who have been vaccinated against COVID-19. Vaccinations are normally undertaken in GP practice or community settings. With COVID-19 vaccinations, this will be undertaken in a variety of care settings and for the majority of health and care staff, vaccinations will be managed by “lead providers” on behalf of local health and care organisations. It remains the choice of the individual whether to have the vaccine, but South West London Clinical Commissioning Group (SWL CCG) needs to be able to share staff details with the lead providers to ensure all staff are given the chance to receive their vaccination in line with the national requirements. We must also record the details of the vaccination and share that information with your GP, so that your health records are kept up to date.

Across England, a variety of lead providers and systems are being used to manage the vaccination process, which covers staff requesting the vaccination, booking the appointment, and administering the vaccination. The sharing of this information is necessary to enable the coordinated and effective roll-out of this vaccination programme to staff. Some of these providers are non-NHS organisations, details of which are available upon request by contacting the data protection officer at the details below.

1) Controller contact details	South West London Clinical Commissioning Group 120 The Broadway London SW19 1RH
2) Data Protection Officer contact details	SWL Strategic Information Governance Subject Matter Expert NEL Commissioning Support Unit nelcsu.dpo@nhs.net
3) Purpose of the processing	The purpose of the processing along the data flows is to effectively deliver and document the administration of COVID-19 vaccinations to staff members within health and care organisations.

<p>4) Lawful basis for processing</p>	<p>Under the General Data Protection Regulation (GDPR), the lawful basis for processing this data is found at Articles:</p> <p><i>6(1)(c) Processing is necessary for compliance with a legal obligation to which the controller is subject,</i></p> <p><i>6(1)(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,</i></p> <p><i>and</i></p> <p><i>9(2)(h) Processing is necessary for the purposes of the provision of health or social care or treatment.</i></p> <p>In addition, with the COVID-19 vaccination, we have an obligation to let your employer know that you have been vaccinated to support their obligation to safety in the workplace. The lawful basis for this processing is found at Articles:</p> <p><i>6(1)(c) Processing is necessary for compliance with a legal obligation to which the controller is subject,</i></p> <p><i>6(1)(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,</i></p> <p><i>and</i></p> <p><i>9(2)(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment</i></p> <p><i>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</i></p> <p>The ‘Notice’ issued by the Secretary of State for Health sets aside the requirements of Common Law Duty of Confidentiality for COVID-19 purposes, <i>Regulation 4 Health Service Control of Patient Information Regulations 2002</i> provides that ‘<i>information may be processed in accordance with these Regulations, notwithstanding any common law obligation of confidence</i>’, meaning that identifiable patient data can be shared with other organisations where it is ‘necessary’ for a COVID-19 purpose.</p>
--	--

<p>5) Recipient or categories of recipients of the processed data</p>	<p>Your employing organisation, health and social care organisations, GPs, NHS England arm's length bodies (such as NHS England, NHS Digital and Public Health England), local authorities, NHS-contracted organisations (who will be hosting the vaccination recording system in some settings).</p>
<p>6) Right to access and correct</p>	<p>You have the right to access the data that is being shared and have any inaccuracies corrected. You can exercise this right by contacting the organisation's data protection officer, whose details are listed above. There is no right to have accurate medical records deleted except when ordered by a Court of Law.</p>
<p>8) Retention period</p>	<p>The data will be retained in line with the law and national guidance. https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016 or speak to the organisation's data protection officer, whose details are listed above.</p>
<p>9) Right to Complain</p>	<p>You have the right to complain to the Information Commissioner's Office, you can use this link https://ico.org.uk/global/contact-us/</p> <p>or call their helpline at 0303 123 1113 (local rate) or 01625 545 745 (national rate).</p> <p>There are National Offices for Scotland, Northern Ireland and Wales, (see ICO website).</p>

Please note that the COVID-19 vaccination effort is fast-moving and this privacy notice is subject to change.