

Data Sharing Agreement (TB)

Cardiff University and Public Health Wales NHS Trust

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1.1	August 2016	Information Rights Manager – Cardiff University	Minor changes to section 6 following review

**Data Sharing Agreement between
Cardiff University and Public Health Wales NHS Trust**

1 Introduction

1.1 This Information Sharing Agreement (ISA) has been written in accordance with the guidelines contained within the Wales Accord on the Sharing of Personal Information (WASPI) and with reference to the NHS Wales guidance on Intra NHS Information Sharing.

1.2 Personal data of students is collected by Cardiff University for the primary purpose of providing educational and other related services. As an international institution the University draws to the South Wales area students from many parts of the world.

The objective of this proposed information sharing is to ensure that those individuals identified as having lived in or originating from countries at risk of Tuberculosis are suitably screened in order to ensure appropriate measures are put in place to treat cases and to prevent wider infection not just to the University population but to the wider population of South Wales and beyond.

1.3 This agreement is between the following organisations

Cardiff University (Data Controller Registration number Z6549747)
Public Health Wales NHS Trust (Data Controller Registration number Z1905688)

1.4 Partners to this agreement may only use the information disclosed to them under this agreement for the specific purpose(s) set out in this document. Where the sharing is not in-keeping with the original purpose the information will not be shared with, or passed to, any third parties without prior approval of the originating partner

2. Information to be shared

2.1 Information will be shared by Cardiff University with Public Health Wales NHS Trust where individuals are identified as originating from, or having lived in, countries identified by the World Health Organisation (WHO) as being particularly at risk of Tuberculosis and who fall within the All Wales Policy on Screening New Entrants.

The countries identified by the WHO are listed on the Public Health England (PHE) website at the following:

http://www.hpa.org.uk/web/HPAweb&HPAwebStandard/HPAweb_C/1195733837507

The personal data that will be shared by Cardiff University with Public Health Wales NHS Trust will consist of all or some of the following:

Full Name
Date of Birth
UK Contact Address
UK Contact Telephone Number
Nationality
Country of Origin

2.2 Prior to passing any information to Public Health Wales NHS Trust, Cardiff University will contact all individuals affected by this agreement to notify them of the screening

requirements (the wording of which will be provided by Public Health Wales NHS Trust) and to inform them that the details outlined above will be passed to Public Health Wales NHS Trust. Any objections to the information being provided to Public Health Wales NHS Trust should be notified to the University Data Protection Officer.

- 2.3 Public Health Wales NHS Trust will combine the data provided by Cardiff University with information provided by the Airport Health Control Units to check that individuals have undergone the required screening and to follow up any cases where necessary with the TB nurse specialists in the relevant Health Board.

3. Justification for the sharing

- 3.1 Tuberculosis is re-emerging as a significant public health problem in the UK. The majority of TB cases occur in people born in high burden countries with almost half of these cases diagnosed within 5 years of entering the UK. Implementation of TB screening is essential to support tuberculosis control and is essential to contribute to the development of effective tuberculosis policy.

The purpose of TB screening in high risk groups such as new arrivals from countries with a high incidence of TB is to:

- Detect cases with active disease and enable treatment to be given and prevent secondary cases.
- Detect those with TB infection, for whom treatment for latent TB infection is appropriate.
- To identify those with no evidence of TB infection who, if previously unvaccinated, may benefit from BCG vaccination.

Elements of the TB surveillance programme such as the screening of new entrants can affect the entire patient pathway from case detection, diagnosis and treatment to preventative activity such as contact tracing and investigation.

- 3.2 The legal basis for the sharing of the personal data identified in paragraph 2 is as follows:

Schedule 2 Paragraph 5(d) – The processing is necessary for the exercise of any other functions of a public nature exercised in the public interest by any person.

It is in the public interest that information about individuals is shared appropriately where this is necessary to prevent, control and monitor the spread of infectious diseases.

Schedule 2 Paragraph 6(1) - The processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data are disclosed, except where the processing is unwarranted in any particular case by reason of prejudice to the rights and freedoms or legitimate interests of the data subject.

The legitimate interest is pursued by Public Health Wales NHS Trust and is in-keeping with the nature and functions of the Trust as established by Statutory Instrument 2009 No 2058 National Health Service Wales¹. Specifically the

¹ <http://legislation.data.gov.uk/wsi/2009/2058/made/data.htm?wrap=true>

information supports the function in relation to the following paragraphs in that Instrument:

Paragraph 3:

(2) The Trust's functions are:

(a) to provide to or in relation to the health service in Wales and manage a range of public health, health protection, healthcare improvement, health advisory, child protection and microbiological laboratory services and services relating to the surveillance, prevention and control of communicable diseases;

(b) to develop and maintain arrangements for making information about matters related to the protection and improvement of health in Wales available to the public in Wales; to undertake and commission research into such matters and to contribute to the provision and development of training in such matters;

(c) to undertake the systematic collection, analysis and dissemination of information about the health of the people of Wales in particular including cancer incidence, mortality and survival; and prevalence of congenital anomalies

4. Source of the data

4.1 The information will be provided by Student Records within the Registry and Academic Services Department, Cardiff University.

The point of contact will be the Head of Registry.

4.2 A report will be run and information drawn from the University's Student Records System identifying individuals based on the criteria as per section 2 above.

5. Frequency of information sharing

5.1 Information will be provided to Public Health Wales NHS Trust following the two main student intakes each academic year. Information may also be provided as and when necessary to meet the requirements of this protocol.

6. Methods of transfer

6.1 Personal data will be sent by email to the designated e-mail address within Public Health Wales NHS as per 7.1 below. The personal data will be contained within an Excel spreadsheet which will be encrypted to industry standards and password protected in accordance with the Cardiff University Information Security Policy². The password will be conveyed to the contact within Public Health Wales via a method other than e-mail.

6.2 Other methods of transfer that meet the appropriate security standards will be considered for adoption on an on-going basis and will be documented in subsequent versions of this agreement.

7. Destination of the data

7.1 The receiving organisation is Public Health Wales NHS Trust.

² <http://sites.cardiff.ac.uk/isf/policies/>

The Point of Contact will be Nicola Hathway, Health Protection Nurse, Health Protection Team, Health Protection Division at Public Health Wales.
Nicola.Hathway@wales.nhs.uk Tel: 02920 402478

8. Security Arrangements

- 8.1 Once received, the data will be stored electronically with access restricted to the immediate health protection team. The identifiable information will be password protected. User activity can be audited by the Public Health Wales Informatics team.

9. Data Retention

- 9.1 Records will be retained by Public Health Wales NHS Trust as set out in the Records Management Policy and its Records Retention procedure.

10. Breaches of the Agreement

- 10.1 Breaches of security, confidentiality and other violations of this agreement must be reported in line with each partner organisation's incident reporting procedure. In addition, the Information Governance lead from the respective partner organisation must be informed of any such breaches.

11. Review of the Agreement

- 11.1 This agreement will be formally reviewed every 2 years or sooner, if appropriate.