



## Use of personal information – Continuing Healthcare

Data Controller	NHS Birmingham and Solihull CCG
Purpose	To undertake assessments for Continuing Healthcare for patients – a package of care for those with complex medical needs. We use patient information in order to be able to make the appropriate arrangements for the resulting supporting care packages.
Type of information used	<p>Identifiable: Personal - Name, address, date of birth and NHS number.</p> <p>Special Category personal data - health information including:</p> <ul style="list-style-type: none"><li>• Behaviour</li><li>• Cognition (understanding)</li><li>• Communication</li><li>• Psychological/emotional needs</li><li>• Mobility</li><li>• Nutrition (food and drink)</li><li>• Continence</li><li>• Breathing</li></ul>
Legal Basis	<p>GDPR Article 6(1)(e) – processing is necessary for the performance of a task carried out in the exercise of official authority vested in the controller, namely:</p> <p>National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012, Regulations 21 -24 – NHS Continuing Care Duties.</p> <p>Section 117 of the Mental Health Act (MHA) 1983 imposes duties on NHS Clinical Commissioning Groups (CCGs) and Local Authority Social Services (LSSAs) to provide after-care for patients who have been detained under section 3, 37, 45A, 47 and 48 of the MHA 1983 once they leave hospital.</p> <p>GDPR Article 9(2)(h) processing is necessary for the purposes of the provision of health or social care or</p>

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	treatment or the management of health or social care systems and services.
How we collect (the source) and use the information	The CHC team will collect, use, share and securely store information from/with the Local Authority (Social Services) and other organisations or individuals that are either directly or indirectly involved in the assessment, decision making process, the arranging of care, the funding and payment of care and appropriate monitoring of and audit of the safety and quality of care. This process is carried out with the consent of the patient to satisfy the Common Law Duty of Confidentiality.
Data Processor and Location of Processing	<b>Bray Leino Software</b> - System suppliers of the Broadcare System used to process CHC assessments.  <b>Imosphere – Care Partner</b> – The Resource Allocation Tool used to process Personal Health Budgets, which are allocated to patients to support their identified healthcare and well-being needs of a patient.  Personal data used to support the provision of CHC care packages are processed within the UK.
How long will the information be kept for	Information relating to Continuing Healthcare/Section 117 requests. will be retained for at least eight years where funding has been granted.  Where requests have been rejected, information will be retained for 2 years.
Who we share the information with (recipients)	The relevant Local Authority (Social Services), Care Homes, Health and Care organisations involved in delivering or arranging the continuing care required.