



**Note to all signatories of the North West London Integrated Care Digital Information Governance Agreement from Dr Sanjay Gautama and Dr Richard Baxter (Joint Chairs of the NWL Information Governing Group)**

Dear Colleague

We are writing to you to formally confirm the extension of the existing North West London Integrated Care Digital Information Governance Agreement (the "Agreement") while the NWL Governing Group complete their ongoing work to secure approval from key stakeholders and ensure that the newly designed documentation for the sharing arrangements address the requirements of the new General Data Protection Regulation ("GDPR") and Data Protection Act 2018 ("DPA").

Ensuring compliance and embedding the data protection and privacy requirements and principles has been of fundamental importance to the NWL Governing Group for every aspect of the project since its inception. We are proud of the framework we have in place and have decided to use the implementation of the GDPR and DPA as an opportunity to review our existing practices and further demonstrate our commitment to data protection and privacy.

**New Data Sharing Protocol and Schedules**

Our project to introduce a new Data Protection Protocol and supporting schedules (the "New Documentation") was delayed while we extended our significant efforts to engage directly with signatories, the LMC and the public to support the need to be transparent on all data sharing and ensure that the New Documentation is fit for purpose and satisfies your requirements.

We recognise the risks of delay and wish to provide you with assurance that every effort is being made to ensure GDPR compliance and finalise the New Documentation as soon as possible. Drafts of the New Documentation have been available as it has developed and the core documents are currently being reviewed by lawyers and we shall produce updated drafts for approval as soon as possible.

In addition, we will produce a Data Protection Impact Assessment ("DPIA") and terms of reference for the Governance Committee for your approval. All these documents will be discussed fully at the next Governing Group meeting and only when they are approved by the NWL Governing Group will they be posted on the Data Controller Console ("DCC") for adoption.

**Formal extension**

The Agreement was to expire on 29 June 2018 unless the NWL Governing Group resolved to extend it to a further specified date as per Schedule 2, 2.1 of the Agreement.

We consider that the actions of the Governing Group (as evidenced by the previous minutes of the NWL Governing Group) means that the intention of the signatories was for the Agreement to be extended until such time that the Agreement was either varied or replaced by the New Documentation. This notice is to confirm that the Chairs of the NWL Governing Group, acting on behalf of the NWL Governing Group, have resolved to formally extend the agreement until 31 December 2018, or – if sooner – until the New Documentation has been uploaded to the DCC.

Under Clauses 10.12.2 and 10.13 of the Agreement, the Governing Group may approve an extension to the Agreement, provided that the Governing Group is satisfied that the variation is lawful and will

not materially increase the risk of a breach of the Data Protection Legislation arising from the arrangements provided for in the Agreement, and provided that all partners have been made aware of the proposal (at IG lead / Caldicott Guardian / SIRO level) and given reasonable opportunity to consider, comment upon and object to the proposal (and any Partner that does not wish to participate has been given the opportunity not to do so).

We recognise that these conditions have not strictly been followed, but in the circumstances wish to formally confirm in writing that this extension is approved by the NWL Governing Group as it decreases the risk of a breach of the Data Protection Legislation. Please therefore ensure that your organisation's IG lead / Caldicott Guardian / SIRO sees this letter. If your organisation has any comments on this extension, please raise them immediately and no later than five (5) working days from the date of this letter. We apologise that this period is shorter than the usual two (2) weeks, but in the circumstances we wish to remedy this oversight as soon as possible. If you do not agree with the extension, you may terminate your participation in the Agreement immediately by giving written notice to the Governing Group.

This means that all current processing can continue for the permitted purposes listed in the Agreement.

#### **Compliance support for primary care**

Concurrent with this work we are running a project to take a NWL GP practice through a Data Protection compliance programme. The clinical lead for this is Dr Laurie Slater and he is publishing a weekly blog throughout the ten week programme (finishing in mid-September 2018). You can read the blogs and pick up the template documents at <http://www.nwlgp-gdpr.uk/>. There is an FAQ on the web site with questions from across NWL to ensure there is shared learning and understanding. If you have questions then you may submit these through IG support inbox at [nwl.infogovernance@nhs.net](mailto:nwl.infogovernance@nhs.net).

#### **Questions and support**

We hope that this note has left you feeling confident that NWL is properly moving towards a fully compliant sharing regime. In the meantime you should feel reassured that the current Agreement has been formally extended and remains in force.

If you have questions or concerns, then please address them to the IG support inbox at [nwl.infogovernance@nhs.net](mailto:nwl.infogovernance@nhs.net)

Yours sincerely

#### Joint Chairs of the NWL Information Governing Group

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