



**Russell Hope**

Date 13/06/2019

Ref number: **CAP-2018-53**

Dear Applicant

**Re: 37895 Healthcare Associated Infection Data Capture System (PHE Caldicott Advisory Panel Regulation 7 Annual Review)**

Thank you for your submitting your Regulation 7 Annual Review Form application, submitted for assessment under Regulation 3 of the Health Service (Control of Patient Information) Regulations 2002 to process patient identifiable information without consent.

Approval must be sought for the processing of patient identifiable information without consent under Regulation 3 of the Health Service (Control of Patient Information) Regulations 2002. Approved applications enable the data controller to process specified information for the purposes of the relevant activity, without being in breach of the common law duty of confidentiality, although other relevant legislative provisions will still be applicable.

Regulation 7 requires PHE to have in place a system of annual review of Regulation 3 purposes and data uses. Specifically, this means ensuring PHE is assured that:

1. So far as it is practical to do so, the system owner has removed any identifying information which is not required for the purposes for which it is, or is to be, processed
2. Access to the information is restricted to those involved in processing the information and they are aware of the purpose and purposes of the processing;
3. Appropriate technical and organisational measures are taken to prevent unauthorised processing of that information;
4. The need remains to continue processing that information

The annual review form for this asset was considered at the Review Panel meeting held on **21st May 2019** and the Caldicott Advisory Panel subsequently APPROVED the continued processing of this data.

Under Regulation 7 of the Health Service (Control of Patient Information) Regulations 2002, the PHE Caldicott Guardian support is subject to submission of an annual review report showing that the application is still able to demonstrate the need for ongoing processing of Patient Confidential Data.

As such it is your responsibility to review data, report any changes (such as to the purpose or design of the proposed activity, or to security and confidentiality arrangements) and submit this report annually.

This letter of support **does not** indicate wider information governance compliance.

All information assets in Public Health England should have an entry in the information asset register and be held in compliance with PHE Information Governance Policy which includes a risk assessment to the rights of data subjects.

If at any stage you no longer require support under the Regulations, please notify the Caldicott Office immediately.

Please do not hesitate to contact the Caldicott Office in the first instance if you need any further assistance ([caldicott@phe.gov.uk](mailto:caldicott@phe.gov.uk)).

Yours sincerely

Dr Imogen Stephens  
PHE Caldicott Guardian