



## Honest Broker Service Privacy Notice

Data Controller Name: Business Services Organisation (BSO).  
Address: Honest Broker Service, Ground Floor, 2 Franklin Street, Belfast, BT2 8DQ  
Telephone: 028 9536 3394  
Email: [honestbrokerservice@hscni.net](mailto:honestbrokerservice@hscni.net)

Data Protection Officer Name: Alan McCracken  
Telephone: 028 9536 3525  
Email: [dpo.bso@hscni.net](mailto:dpo.bso@hscni.net)

### 1. Introduction

The Business Services Organisation (BSO) established an Honest Broker Service (HBS) for Health and Social Care in 2014, under the direction of the Department of Health (DoH). The aim of the HBS is to enable non-identifiable data to be safely shared to maximise the uses and health service benefits which can be gained from it, including facilitating research, planning, commissioning of services and public health monitoring.

The HBS enables access to anonymised, aggregated and in some cases pseudonymised health and social care data to the Department of Health (DoH), Health and Social Care (HSC) organisations, and anonymised data for health and social care related research.

More information is available at the HBS section of the BSO website:  
<http://www.hscbusiness.hscni.net/services/2454.htm>

The HBS, as part of BSO, recognises the importance of protecting personal and confidential information, and takes care to meet its legal duties. Key legislation includes:

- The UK General Data Protection Regulation (UK GDPR)
- The Data Protection Act 2018 (DPA)
- The Digital Economy Act 2017
- The Freedom of Information Act (2000) (FOI)
- The Environmental Information Regulations (2004) (EIR)
- The Human Rights Act 1998 (HRA)
- Relevant health service legislation, and the
- Common law duty of confidentiality.

## 2. Personal Information

HBS uses personal information for a number of purposes. This privacy notice provides a summary of how we use this information. To ensure that we process personal information fairly and lawfully we are required to advise:

- The legal basis for processing information
- What personal information we collect
- Why we need this information
- How it will be used
- With whom it will be shared
- How long it will be kept for

### 2.1 The Legal Basis for Processing Information

The lawful basis for processing of personal data by the Honest Broker Service falls under Article 6(e) of the UK GDPR

(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;

As Health data is a special category of data under the UK GDPR, a condition in Article 9 must also apply for the Honest Broker Service to process this data. The Article 9 conditions which apply are:

For Internal Clinical Audit/Service Improvement projects:

Article 9, (h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;

For Academic Research as well as Clinical Audit/Service Improvement projects:

Article 9, (j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

These sections apply to HBS as research is carried out to improve knowledge of health conditions, improve/change health policy for the good of our society and is an essential tool in the planning/commissioning of services across the wider HSC. The HBS will only provide data in anonymised, aggregated and, where necessary, pseudonymised formats, in line with Data Protection, confidentiality requirements and the ICO's Codes of Practice. No personal data is shared at any stage of the process.

During the application process, researchers must provide the Review board with evidence of their experience in their research field, as well as a peer review which describes how the research will help improve knowledge/health services in the given area. This is considered very carefully, as the research must be deemed important and likely to help improve the lives of the population, and the team qualified/experienced enough to work on the project if it is to be granted approval.

## 2.2 What types of personal information do we handle?

The Honest Broker Service processes a range of personal information on behalf of the signatories of the Memorandum of Understanding about health and social care service users. The information that HBS may hold includes:

- names, addresses, dates of birth, ethnic origin
- name and address of GP for which a person is registered with
- medical records (including mental health)
- prescriptions that have been issued
- hospital in-patient and out-patient activity
- emergency department admissions
- data held on other secondary health care systems such as the Northern Ireland Maternity System (NIMATS) and social care records (SOSCARE).

## 2.3 Why we need personal information

The Honest Broker Service was established to facilitate best practice within HSC for access to personal identifiable information for purposes of health and social care not directly related to care of that service user (secondary uses).

These secondary uses are for health and social care approved research purposes or internal HSC and Department of Health purposes, such as planning and commissioning of services, and audit/service improvement projects.

The Department of Health Code of Practice on Protecting the Confidentiality of Service User information states:

“All users of our health and social care services have the right to expect that any personal information they provide will be treated as confidential. However, the use and sharing of personal information forms an essential part of the provision of health and social care for the benefit of individual service users and the effective functioning of health and social services. Staff working within health and social services have an ethical and legal obligation to protect the information entrusted to them by users of the services.”

The HBS helps promote the major principle of the Code of Practice, which states that all organisations seeking personal identifiable information for purposes other than direct care should be seeking anonymised or pseudonymised data, and reduces the amount of information that is shared in identifiable format across HSCNI. It also ensures appropriate Information Governance and Information Security for the information which is processed.

## 2.4 Where we get this information from

The HBS receives personal information primarily from three sources:

- The HSC Business Services Organisation Family Practitioner Services;
- other HSC organisations;
- other statutory bodies.

## **2.5 How will we use personal information?**

The HBS extract and join datasets together based on requirements of customers before de-identifying the data and providing it for analysis. The Health and Care Number is the main identifier used for linking datasets. Data may also be matched using name, address, and/or date of birth in the absence of a Health and Care Number.

## **2.6 Sharing personal information**

HBS provides pseudonymised or anonymised datasets to other HSC Organisations and the Department of Health to facilitate certain functions including internal audit and service improvement projects.

HBS also provides a service whereby external researchers can access HSC data for research purposes.

Any data provided to researchers will always be anonymised. Since the establishment of the HBS, data could only be accessed at the HBS secure research environment (or 'safe haven') which is based in BSO HQ in Franklin Street. From 15/03/2021 the HBS will be offering secure remote access to its services via the UK Secure e-Research Platform (SeRP). The Memorandum of Understanding has been updated to reflect this change in process. Data will be fully anonymised prior to upload to SeRP.

Researchers can only publish data in aggregated form. In these instances the potential identification of individuals from small numbers is prevented through statistical disclosure control.

HBS may also be obliged to provide personal information to another statutory organisation (such as a Police Force, Health Regulator or Investigatory Body), or via a Court Order.

## 2.7 Retaining Information

HBS will only retain information for as long as necessary, in line with the Department of Health (DoH) Good Management, Good Records (GMGR).

For further information, please refer to the following DoH link:

<https://www.health-ni.gov.uk/topics/good-management-good-records>

## 3 Individual Rights

**Individuals have certain rights under UK GDPR, namely:**

- The right to obtain confirmation that their personal information is being [processed, and access to personal information](#)
- The right to have personal information [rectified if it is inaccurate or incomplete](#)
- The right to have personal information erased and to prevent processing, [in specific circumstances](#)
- The right to 'block' or suppress processing of personal information, [in specific circumstances](#)
- The right to portability, [in specific circumstances](#)
- The right to object to the processing, [in specific circumstances](#)
- The rights in relation to [automated decision making and profiling](#)

## 4 Security of personal information

HBS is committed to taking all reasonable measures to ensure the security of all personal information it holds. The following arrangements are in place:

- a. All HBS staff have contractual obligations of confidentiality, enforceable through disciplinary procedures;
- b. Everyone working for the HSC is subject to the common law duty of confidentiality;
- c. Staff are granted access to personal information on a restricted need-to-know basis only;
- d. BSO has appointed a Senior Information Risk Owner (SIRO) who is accountable for the management of all information assets and any associated risks and incidents;
- e. BSO has appointed a Personal Data Guardian (PDG) who is responsible for ensuring confidentiality and security of services user information within the organisation;
- f. BSO has also appointed a Data Protection Officer (DPO), who provides full authoritative advice and recommendations in the field of Data Protection and facilitates compliance with the Accountability requirement of UK GDPR;
- g. All staff are required to undertake information governance training every two years. The training provided ensures that staff are aware of their information governance responsibilities and follow best practice guidelines to ensure the necessary safeguards and appropriate use of personal information;
- h. A range of policies and procedures are in place.

## 5 Complaints

If an individual is dissatisfied with how the Honest Broker Service is, or has been, processing their personal information, they have the right to complain to BSO, by writing to the Data Protection Officer (contact details above).

**If you are still not happy, you have the right to lodge a complaint with the Information Commissioner's Office (ICO):**

**Information Commissioner's Office**

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

<https://ico.org.uk/global/contact-us/>

**6 Changes to our privacy notice**

HBS will keep this privacy notice under regular review and will place any updates on this document.