**Incidents & Serious Incidents**

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| **Data Controller(s)** | NHS North East Lincolnshire CCG |
| **Purpose** | The CCG has an Incident Management System which acts as the organisations incident management system and enables other providers to report adverse incidents to us as the commissioner. Health and social care professionals can report near misses or adverse incidents to us which we can send for investigation. The purpose of the incident management system is to enable adverse incidents to be reported and managed in a systematic way. The information from incidents enables theme and trend reporting which feeds into the work streams of the CCG and commissioned providers to enable quality improvement.  The CCG collects and uses information from Serious Incident reports from our commissioned Providers to administer the CCG’s responsibilities under the NHSE Serious Incident Framework 2015.  The CCG, when leading an SI investigation, collects information to complete a serious incident investigation to form opportunities for learning. |
| **Type of information Used** | Identifiable (when the CCG leading the investigation of an incident or SI): Personal (such as name, address, date of birth) and Special Category (health information).  Anonymised (SI reports received from other providers and final reports held by the CCG): Final reports are anonymised.  Pseudonymised: Incidents. |
| **Legal basis** | GDPR Article 6(1)(e) ‘processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority…’  Related legislation:  NHS Act 2006/Health and Social Care Act 2012.  GDPR Article 9(2)(h) processing is necessary for the purposes of the provision of health or social care or treatment or the management of health or social care systems and services. |
| **How we collect (the source) and use the information** | We are statutorily required to fully investigate and review incidents and will receive information from our commissioned providers and colleagues in health and social care. Where there is a requirement to provide incident reports externally, the information will be anonymised unless there is a legal requirement to provide your details. You will be kept informed of the requirements we are required to meet where information is to be shared externally. |
| **Data Processors** | Where the lead investigator is not the CCG the health and social care providers are the data processor.  Where the lead investigator is the CCG the CCG is the data processor. |
| **Your Rights** | With regards to Serious Incident Reports under GDPR you have the right:   * To be informed about the processing of your information (this notice) * Of access to the information held about you * To have the information corrected in the event that it is inaccurate * Not to be subject automated decision-taking or profiling * To be notified of data breaches |
| **How long we will keep the information** | The organisation has adopted The Records Management Code of Practice for Health and Social Care 2021. Data will be retained in accordance with this code and the accompanied retention schedule. |
| **Who we will share the information with (recipients)** | Your information may be shared the health and social care providers involved in the incident.  Anonymised reports maybe shared with other NHS organisations and NHS commissioned providers for the purpose of sharing pertinent learning from the event.  Where serious concerns are identified we will share your information with professional bodies, such as the Nursing Midwifery Council,  NHS England (NHSe) or the Medical Council. |