

Ms Sarah Wilkinson
Chief Executive
NHS Digital
1 Trevelyan Square
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Leeds
LS1 6AE

Date 5th November 2018
Your Ref
Our Ref

Enquiries to
Extension
Direct Line
Email

Dear Ms Wilkinson,

Section 255 Health and Social Care Act 2012: HSCN Connectivity Services for NHS Scotland.

I am writing to the Health and Social Care Information Centre (now known and referred to in this letter as “**NHS Digital**”) to request that under section 255(1) of the Health and Social Care Act 2012 (**the 2012 Act**), NHS Digital establishes and operates a system for the collection and analysis of information relating to the Health and Social Care Network (**HSCN**).

The system to be established and operated is the provision of HSCN Connectivity Services for NHS Scotland, the purpose of which is to enable NHS Scotland continued access to the applications and services available within the Transition Network (**TN**) and NHS England continued access to the applications and services available within the Scottish Wide Area Network (**SWAN**). Connectivity access is currently provided via the SWAN to N3 network to network interface gateway (**NNI Gateway**). This is managed by the Information Technology Strategic Business Unit of the Common Services Agency (more commonly known as NHS National Services Scotland) (**NSS**).

NSS was constituted on 1 April 1974 under the former National Health Service (Scotland) 1972 and now the National Health Service (Scotland) Act 1978 as amended (“the 1978 Act”). Section 10 of the 1978 Act expressly permits NSS to undertake activities on behalf of all or any of the Health Boards.

NSS is a Special Health Board which provides advice and services to NHS Scotland and the wider public sector and is accountable to the Scottish Government. NSS contributes to the achievement of the Scottish Government’s primary purpose of increasing sustainable economic growth by aligning its aims and objectives with the programme for government, Scotland’s economic strategy and national performance framework.



Chair Professor Elizabeth Ireland
Chief Executive Colin Sinclair

NHS National Services Scotland is the common name of the Common Services Agency for the Scottish Health Service.

The Public Bodies (Joint Working) Scotland Act 2014 enables the NSS to be central to the integration of services across the public sector and play a critical role in the Scottish Government's 2020 road map and vision for improving Scotland's health and social care.

The Scottish Government have arrangements in place with NSS to provide *inter alia* information and intelligence services, health protection services, specialist healthcare services, logistics services, procurement services, programme management, facilities services, information technology services, blood, tissues and cells services, practitioner services and counter fraud services.

The information to be collected is set out within the NHS Digital documentation - **IAR0000524 - HSCN Network Analysis Service (NAS) - DPIA_Final (Section 5.3) dated 11/04/2018** and **IAR0000538 - HSCN Network Monitoring Service (NMS) - DPIA_Final (Section 5.3) dated 06/04/2018**. As the legal, statutory, body NSS is aware that NHS Digital carry out the collection and analysis in accordance with this documentation or with any subsequent final version of the same documents created by NHS Digital in compliance with the Health and Social Care Information Centre (HSCN Services) Direction 2017 and in accordance with the HSCN Connection Agreement between NHS Digital and NSS.

NSS considers that the information which could be obtained by NHS Digital complying with this request is information which is necessary or expedient for NSS to have in relation to the exercise of NSS' functions in connection with the provision of health care information services in Scotland.

This request is a confidential information collection request within the terms of section 256(1) of the Act because the information collected enables the identity of an individual to be ascertained. This is information that NSS could lawfully require individuals using HSCN to disclose to it under the National Health Service (Scotland) Act 1978.

In accordance with section 257(4) of the 2012 Act, NSS have consulted with NHS Digital before making this request.

NSS hereby acknowledges that section 257(3) of the 2012 Act entitles NHS Digital to charge a reasonable fee in respect of the cost of complying with this request to establish and operate a system to collect and analyse information relating to **HSCN's** Connectivity Services data. Notwithstanding this entitlement NHS Digital do not intend to charge NSS a fee for the use of HSCN based upon the current N3 consumption and the NSS anticipated HSCN consumption level which is currently deemed to be proportionately very low when compared to the overall HSCN consumption model.

Yours,

Mr James Hall



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