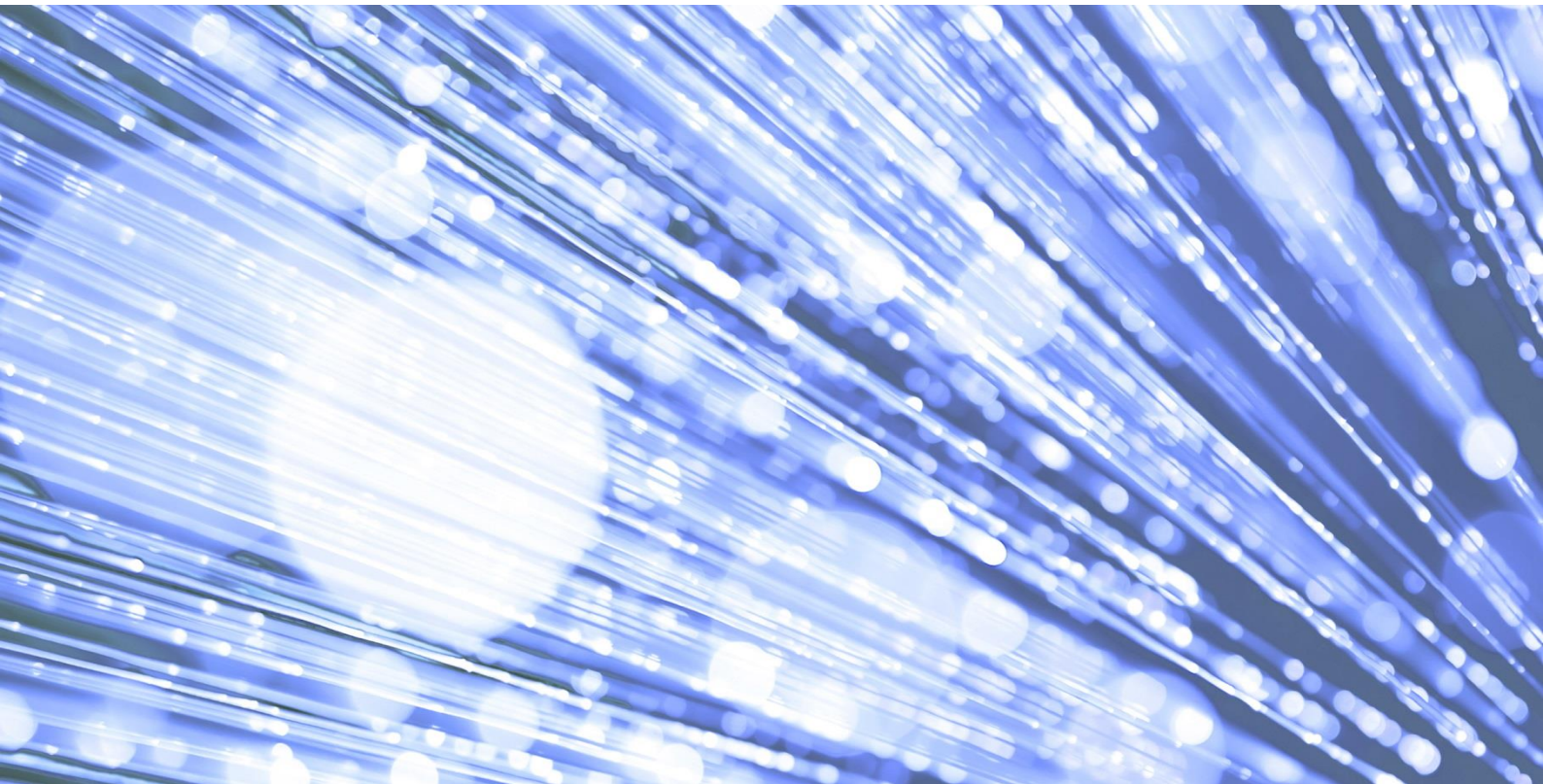


HSCN: Private IT Service Provider connecting from outside of England's borders Policy

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1 Introduction

1.1 About this document

This document sets out the “*Private IT Service Provider (ITSP) connecting from outside of England’s borders*” policy for the [Health and Social Care Network \(HSCN\)](#).

1.2 Overview

The Health and Social Care Network (HSCN) delivers new and significantly different network services for health and social care as part of its remit to provide successor services to the N3 network.

HSCN creates the effect of a single network across health and social care providers and their partners. All health and social care organisations in England are within scope of the HSCN solution, which supports the enablement of an integrated care delivery service.

The Transition Network (TN) provides a platform for continuation of services previously contracted under the N3 agreement. This service is managed as part of the HSCN Programme and is delivered by BT. The TN will be managed as a ‘run-down’ service and will be provided for the minimum period required to migrate services to HSCN.

2 The HSCN private IT Service Provider connecting from outside of England’s borders policy

This policy sets out when a private IT Service Provider (ITSP) may connect directly to the HSCN from outside of England’s borders.

To assist with this a set of criteria for provision of service and approved connection scenarios have been provided. These scenarios show what a private ITSP would need to adhere to if they are to connect to the HSCN from outside of England and provide their “value-add” capability to the wider HSCN user community.

2.1 Criteria for provision of service

The following criteria have been applied:

- a. The HSCN Connection Agreement (CA) can be signed by non-UK private ITSPs.
 - i. **Note:** The organisation will require an English presence (i.e. post code) to apply for an ODS code, which is a pre-requisite for submitting a CA.
 - ii. **Note:** If “a (i)” is not possible then by exception the HSCN Operations team will manually create a new organisation record and communicate a unique organisation identifier, so that the foreign organisation can then use the existing self-serve CA process.
- b. Private ITSP's are not governed by the [Health and Social Care Act 2012](#) (H&SCA 2012) or the HSCN 2017 Direction (i.e. they are not bound by the “*within England border*” condition)
- c. The private ITSP's geographical footprint aligns with NHS Digital [national guidance](#) regarding off-shoring and the use of public cloud services (i.e. UK, EEA or adequate countries).
 - i. **Note:** This alignment enables data owners scope to approve their data to be made available to the private ITSP.
 - ii. **Note:** Any geographic requirements outside of these countries will be considered on an exceptions basis.

- d. The HSCN Obligations Framework doesn't restrict a Consumer Network Service Provider (CNSP) providing a connection outside of England.
- e. The **CNSP Deed** supports user access (i.e. health and social care public sector bodies) being "within England (and with the potential to extend to Scotland, Wales, Northern Ireland, and the Channel Islands)".
- f. The access scenarios in the next section of this document adhere to the HSCN Access Policy:

Section 5.1 "The HSCN Connection Agreement states that 'connection to the HSCN is provided based on the business need to share information within the health and social care community'.

This means that HSCN is available to any organisation where the purpose of its connection to HSCN is the delivery, facilitation, or support of health and / or social care in England."

- i. **Note:** Once the three Devolved Nations have their HSCN Request Letters approved the HSCN Access Policy wording will be updated accordingly.

2.2 Access scenarios

The following three access scenarios have been defined, which describe the interactions between private ITSPs, CNSPs, the HSCN Peering Exchange Service (PES) and end consumers, which are outlined in Figure 1 below.

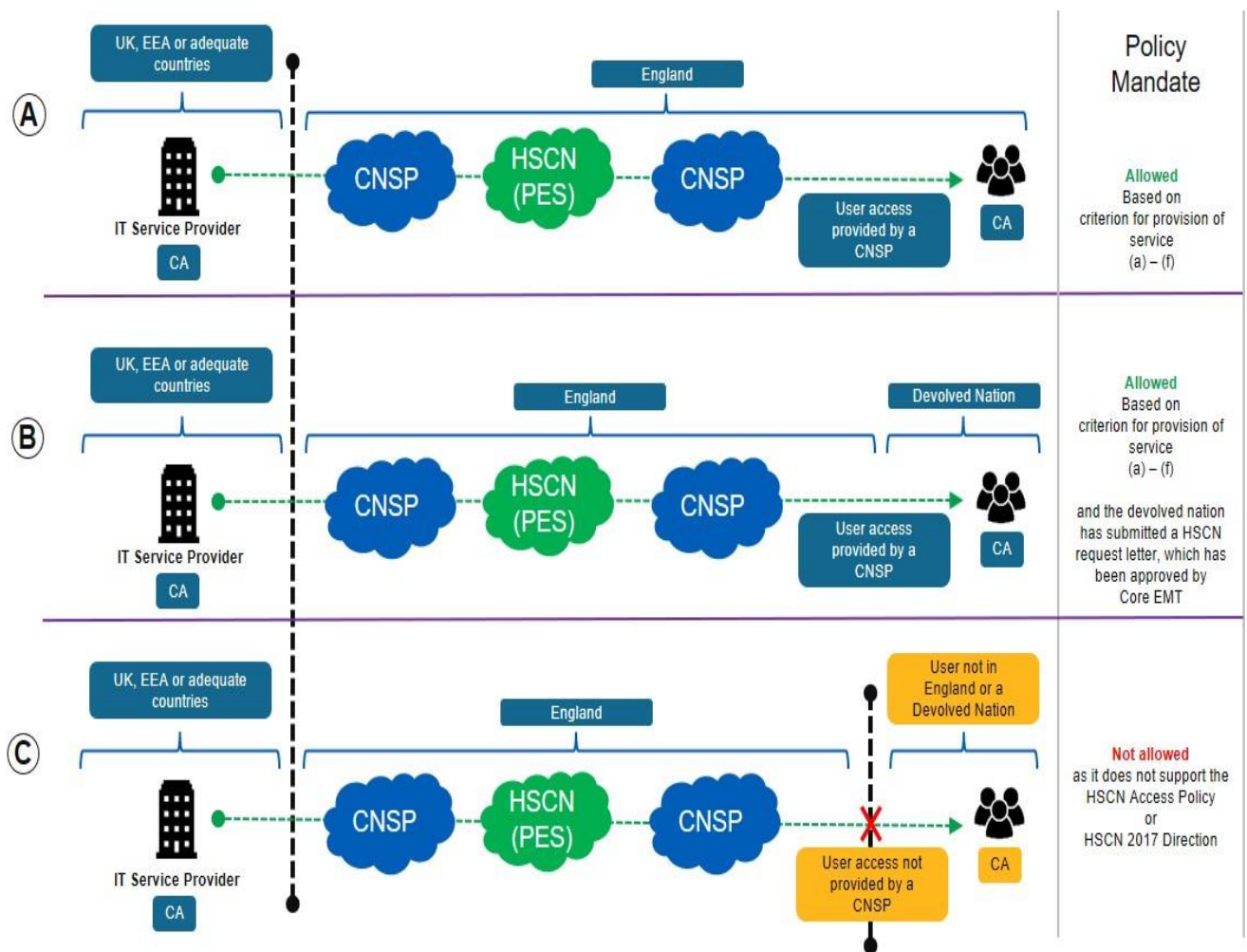


Figure 1 – HSCN private IT Service Provider connection scenarios from outside of England's borders

Based on the above, a private ITSP can connect to HSCN, via a CNSP, and offer a value-add capability based upon adherence to the “A” and “B” scenarios outlined in Figure 1. A description of what constitutes “Adequate Countries” can be found [here](#).

2.2.1 Scenario A

Summary: Providing value add capability to end consumers in England.

A private IT Service provider, who is located outside of England, is provided with a HSCN connection to enable their value add capability to be made available to public sector health and social care communities in England.

Key supporting messages:

The Private ITSP needs to comply with the criteria listed in section 2.1

In particular:

- “a (i)” and “a (ii)”, for which the ITSP will need to apply for, sign and adhere to the ITSP Connection Agreement.
- “c”, for which the ITSP will need to maintain adherence to the specific list of allowable countries.
- “f”, for which the ITSP needs to know where their end public-sector customer base is located.

2.2.2 Scenario B

Summary: Providing value add capability to end consumers in a Devolved Nation.

This follows the same approach as Scenario A, however their value-add capability can be made available to public sector health and social care communities within a Devolved Nation.

Key supporting messages:

The private ITSP needs to comply with the criteria listed in section 2.1

In particular:

- “a (i)” and “a (ii)”, for which the ITSP will need to apply for, sign and adhere to the ITSP Connection Agreement.
- “c”, for which the ITSP will need to maintain adherence to the specific list of allowable countries.
- “f”, for which the ITSP needs to know where their public sector end customer base is located.

2.2.3 Scenario C

Summary: End consumers who are not in England or a Devolved Nation.

For completeness this scenario has been included as the HSCN Access policy outlines that HSCN is available to any organisation where the purpose of its connection to HSCN is the delivery, facilitation, or support of health and / or social care in England.

This is being extended to Devolved Nations upon the submission and approval of their HSCN Request Letters in accordance to Section 255 Health and Social Care Act 2012.

- Note: At time of writing “*Crown Dependents*” are still under review and will be added via the appropriate process channels in due course.

A CNSP will therefore not be permitted to provision a HSCN connection to a public sector organisation outside of the above countries.

A private ITSP will therefore not be permitted to offer their value-add capability to a public sector organization outside of the above countries.

Key supporting messages:

The private ITSP needs to comply with the criteria listed in section 2.1

In particular:

- “b”, which covers the subtlety between a private sector and a public sector health organisation.
- “f”, for which the ITSP needs to know where their public sector end customer base is located.

3 Policy mandate

In summary this policy mandates that a private ITSP can proceed with connecting to HSCN, from outside of England's borders, on the condition that:

- The private ITSP adheres to the criteria for provision of service “a”, “c” and “f” (as per section 2.1)
- The private ITSP aligns with access scenarios “A” and “B” (as per section 2.2)

This Policy shall be adopted by:

- All private ITSPs who intend to connect to HSCN, via a CNSP, from outside of England's borders.

4 Further information and enquires

For further information and enquiries please email the NHS Digital enquires team at enquiries@nhsdigital.nhs.uk

Glossary of Terms

Term / Abbreviation	What it stands for
Adequate Country	The European Commission has the power to determine, on the basis of article 45 of Regulation (EU) 2016/679 whether a country outside the EU offers an adequate level of data protection, whether by its domestic legislation or of the international commitments it has entered into. Full details can be found at this URL .
CA	Connection Agreement
CNSP	Consumer Network Service Provider – a supplier of HSCN services.
Crown Dependant	The Crown Dependencies are not part of the UK but are self-governing dependencies of the Crown. The Crown Dependencies are the Bailiwick of Jersey, the Bailiwick of Guernsey (which includes the jurisdictions of Guernsey, Alderney and Sark) and the Isle of Man.
Devolved Nation	These are Wales, Scotland and Northern Ireland
EEA	European Economic Area
H&SCA 2012	Health and Social Care Act 2012
HSCN	Health and Social Care Network. The successor service to the N3 network.
ITSP	IT Service Provider
ODS	Organisation Data Service
PES	Peering Exchange Service
Request Letter	Formal letter submitted by a Devolved Nation requesting access to HSCN beyond England's borders. (re: Health and Social Care Act 2012 – Section 255 and the HSCN Direction 2017)
TN	Transition Network - Continuation of services to assist migration to HSCN.