

ESORT Privacy Notice

Introduction

This privacy notice sets out the ways in which personal data is managed by the London School of Hygiene & Tropical Medicine (**LSHTM**) for the purposes of the Emergency Surgery Or noT (**ESORT**) projects. LSHTM is a university in the UK with registration number RC000330. Our main office is at Keppel Street, London, WC1E 7HT.

This notice specifically sets out how LSHTM will manage the data received from NHS Digital for the purposes of the ESORT studies. It is intended to supplement the existing LSHTM [Data Protection Policy](#) and [privacy notices](#). For example, if you are seeking information about how your data will be handled as a participant in the PPI element of this study, please see the [Research Participant privacy notice](#).

For the purposes of this privacy notice, LSHTM is a Data Controller, as defined in the General Data Protection Regulation (**GDPR**) and the Data Protection Act 2018 (we'll refer to these together as **data protection laws**). LSHTM is registered with the Information Commissioner's Office. Its registration number is Z7513362 and its entry on the ICO website is [here](#).

The ESORT Projects

The ESORT projects are led by Professor Richard Grieve. The purpose of the main ESORT study ("ESORT", funded by NIHR) is to determine how effective and cost-effective is emergency surgery for patients with common acute conditions presenting as emergency admissions to NHS hospitals. The purpose of the second ESORT study ("ESORT-C19", funded by the Health Foundation) is to consider this issue in the context of the COVID-19 pandemic.

We will use the results of this study to help the NHS to better understand the benefits, risks and costs of emergency surgery purposes.

How we get data for the ESORT study

We will receive data from NHS Digital, the nation's provider of information and data in health and social care. We will receive it under a data sharing agreement.

All the data we receive from NHS Digital are [pseudonymized](#). What this means is that individuals are not identified in the data and the researchers working on ESORT have no way of identifying any specific individual from the data that we receive.

What data we will use

We will use patient record data, including special category data on health, race and ethnic origin.

The main dataset we will be working with relates to Hospital Episode Statistics for all patients with an emergency admission for certain acute conditions between 1 April 2009 and 31 October 2020. We plan to access further data up to 30 September 2021. For any such admissions, we will access data on the reasons for the admission, treatments received during the admission, and basic patient characteristics. We will also access information on prior and subsequent admissions within one year of any such admission. (To be clear, we will not access any details such as name, exact date of birth or NHS number.)

We will access linked Office for National Statistics mortality data for these patients to see whether mortality differed between patients experiencing surgery and non-operative care.

Less detailed data on a broader sample of patients will also be accessed in order to calculate some surgeon-, hospital- and Trust-level summary statistics on non-emergency admissions for the same acute conditions which are required as part of our analysis.

How long we will use the data

Data will be retained for the duration of the project, its connected PhD and until all outputs from the research have been published. We anticipate that this means that we will keep the data until December 2024. Data will then be destroyed safely, in accordance with both the data protection laws and the requirements in our data sharing agreement with NHS Digital.

Legal basis for using this data

LHSTM will process this data for research purposes under Article 6(1)(e) of the GDPR and under Article 9(2)(i) & (j) (public interest).

Protecting your interests

The design of all LSHTM studies is checked by a committee of people trained in ethical issues. Before the study team can access data from NHS Digital, this committee makes sure that privacy rights have been considered and protected.

Data will only be accessed by individuals within LSHTM who have authorisation to do so. The data will not be shared with anyone else nor be linked to any other data. We maintain a register of which individual needs access for each project and we restrict researchers' access to the data strictly on the grounds of the data required for their individual project. We will not use the NHS Digital data for anything else.

The data will be securely stored at LSHTM. The data security arrangements at LSHTM form part of the data sharing agreement with NHS Digital; these are documented in detail and regularly audited.

Data rights

Under the Data Protection Laws, you have a number of rights in relation to your personal data. For example, you have a right to access it, delete it and correct it. However, in relation to the data obtained from NHS Digital for this project, please note:

- we do not know the identity of any individuals in the data that we receive from NHS Digital, so we cannot act on any data subject requests in relation to named individuals. If you would like to opt out and not have your NHS data used for research of this kind, please contact NHS Digital: enquiries@nhsdigital.nhs.uk. Further information about opting out can be obtained on their website: <https://digital.nhs.uk/services/national-data-opt-out-programme>; and
- not all rights apply where data are processed purely for research purposes. For further information on this, please see paragraphs 19-21 of LSHTM's [data protection policy](#).

Transferring data

We will not transfer the data to anyone outside LSHTM.

Contact details

If you want further information about how LSHTM uses personal information, please see www.lshtm.ac.uk/dpo or contact dpo@lshtm.ac.uk.

If you have questions about the ESORT project, please contact Prof. Grieve at richard.grieve@lshtm.ac.uk.

If you have concerns about the way we handle your personal information, you have the right to lodge a complaint with the Information Commissioner's Office: <https://ico.org.uk/make-a-complaint/your-personal-information-concerns/>.