General Data Protection Regulation – Cyres Cinergy

In response to the General Data Protection Regulation (GDPR) introduced in May 2018, Cyres have taken expert advice on the software and operations we conduct. We have since undertaken a full review and would advise current and prospective customers and partners that for the purposes of all applicable data protection and privacy legislation in force from time to time in the UK, including the General Data Protection Regulation ((EU) 2016/679) ("GDPR") and the Data Protection Act 2018, (the "Data Protection Legislation"):

- Cyres is neither a "data controller" nor a "data processor" in relation to Cyres Cinergy software for reasons set out below. This document is intended to assist your organisation in fulfilling the regulatory requirements of the GDPR

- When referring to "data controller", "data processor", "processing" and "personal data", we are using the definitions of those terms which apply under the GDPR

- Cyres has been a Microsoft Accredited Partner for over 20 years and builds all systems in line with the latest industry standards particularly as far as security and confidentiality of data is concerned

- Cyres Cinergy (including Cinergy Cytology, Cinergy Colposcopy and Cinergy Online) systems collect cervical screening data from existing Cytology Laboratory and Colposcopy Clinic systems for reporting purposes as required by the National Health Service Cervical Screening Programme (NHSCSP)

- Cyres Cinergy systems are not designed for data entry

- Cyres Cinergy systems have been designed to meet the defined standards of the NHSCSP and any upgrades are sanctioned and approved by Public Health England (PHE) before release. Such upgrades are supplied to customers for them to install and run

- Cyres has neither control nor possession over the data and we do not decide the purpose for which, nor the way in which, the data is processed

- The actual operation of the software is undertaken entirely by customers' own staff and Cyres has no direct independent access to the software once it is operational

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- At no stage does Cyres have access to any “personal data” – either identifiable or pseudonymised

- Cyres does not engage in processing since it does not obtain, record, store, update or share personal data using this system

- Cyres is therefore neither a data controller nor a data processor with regards to Cyres Cinergy systems. There is therefore no need to enter into any additional agreements

- Cyres Cinergy is standardised reporting and querying software which is used at numerous NHS sites. This enables NHS Trusts to interrogate, and to report on, data to which they have access. When we supply our software it does not store or contain any personal data

- Our software is installed on customers’ own systems rather than on an external platform managed by Cyres. During installation, Cyres does not have access to any identifiable data

- Authorised users are able to access the installed software via a UserName and Password login. These names and passwords are managed by the local administrator and allow access on a tiered basis. This means that basic users only have access to their own performance metrics whereas senior staff (consultants and administrators) have access to all metrics

- Cyres supplies an empty Microsoft SQL Server Database for the storage of data. The configuration and security of this database is the responsibility of the local IT team and should be carried out in line with local policy

- There is still the odd NHS Trust which does not use Microsoft SQL Server as the backend but opts for Microsoft Access instead. This is against Cyres recommendations. In such instances it is again the responsibility of the local IT team to load the MS Access database in a folder with appropriate permissions to ensure that security is in line with local policy

- Our software, once installed, is able to connect to the customer’s own data sources within their own systems. Any data transfer is manual and initiated by the customer

- Most NHS Trusts have access to Cyres Cinergy Online. Cyres Cinergy Online is hosted on an N3 server by Public Health England and not by ourselves. Cyres supplies initial login credentials to activate the product but has no control over the second stage of authentication, which is via a

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unique Yubikey. Cyres itself does not have this two-stage access and cannot bypass it independently

- Data transfer from a local Cinergy system to the NHS England National Cinergy Server meets the highest possible standards of security in that (a) it uses the HTTPS 256 bit protocol (b) Cinergy also encrypts the data to 256 bit (so there is double encryption) and (c) the data remains on the N3 network so is only accessible to authorised N3 users, and in this case only those with a registered Yubikey

- In developing this software we have considered privacy at the initial design stages and throughout the development process and we believe that Cyres Cinergy systems accord with the principles of "Privacy by Design"

- Data within Cyres Cinergy systems is held for current and historical reporting purposes. Data cannot therefore be deleted as retention could be critical in the event of the need to investigate an incident. Deletion of data would occur if the patient record was deleted in the host system i.e. the Trust system from which the data has been imported.

- There are Search facilities within Cyres systems based around key identifiers e.g. Patient Name; Patient ID; NHS No etc. Such searches will return all relevant data.

- Data can be exported in a number of ways – it can be printed or sent electronically to PDF or Excel format

- All Cyres systems are designed with full relational databases for storage meaning that each patient is stored as a single record with all associated data stored in a series of linked tables

- Cyres staff conduct staff training on a dummy system which only has access to fictitious or anonymised data which cannot be linked back to any identifiable individuals. (It is therefore not "personal data" for the purposes of the legislation)

- When providing product support, Cyres staff do not have independent access to client systems and provide only advice and guidance on the use and functionality of the software. Cyres staff will never operate software on behalf of customers

- All Cyres staff are made fully aware of the need to respect customer data security obligations when visiting customer sites. In particular, our staff are aware that no personal data should

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ever be disclosed to them by our customers. If they become aware that any such disclose has occurred then they are required to report that fact so that Cyres can formally notify the customer concerned. To date, no such disclosures have occurred

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