General Data Protection Regulation – SONAR

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 SONAR 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 supplies SONAR, which is a software system for newborn childrens' hearing peer-review. When we supply SONAR it does not store or contain any personal data

- Cyres does not undertake any data processing of personal data on behalf of customers (this role is played by each Trust who are therefore the data processors) nor does Cyres determine the purpose for which or the way in which the data is processed (this is specified by NHS England who are the main data controller)

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

- SONAR is hosted by NEC Software Solutions UK Ltd on their S4H server. It is populated with data on hearing tests for new-born children with hearing problems. This data is imported automatically from the S4H system (owned, hosted and managed by NEC) for patients that users at registered NHS Trusts have manually flagged as requiring peer-review. Cyres does not have access to any of the data within SONAR

- The transfer of such data is encrypted through the HTTPS protocol and the data does not leave

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the NEC network

- The data is stored in a Microsoft SQL Database on the NEC network. The configuration and security is therefore controlled by NEC

- Permission for data to be released from S4H to SONAR has been obtained from all patients or their parents or guardians and has been signed off by the NHS Trust Caldicott guardians

- The actual operation of the software is undertaken entirely by registered users and Cyres has no direct independent access to the software once it is operational

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

- Access to the system is managed through UserNames and Passwords (these are controlled by the local NHS System Administrator) and Yubikeys (these are one-time two-factor authentication devices)

- In developing this software we have considered privacy at the initial design stages and throughout the development process and we believe that SONAR accords with the principles of “Privacy by Design”

- The system contains a SEARCH facility that is only available to the local NHS System Administrator which enables a patient to be found via key data including NHS No etc

- The system allows the local NHS Administrator to delete data on a case by case basis

- Data is retained indefinitely as one of the key requirements of the system is to allow a report to be run by the System Lead or Administrator should an incident occur

- There is no general Audit function within the system – however (a) once a specific case has been opened by a reviewer that case is only accessible by that reviewer unless and until it is referred to the QA Lead at which point it becomes locked to them and (b) all activity is logged against each case as it happens. There is therefore a record of who opened which case and what happened

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- The export and report functions are only available to the local NHS System Administrator – this allows data to be printed and exported e.g. to PDF or Excel formats. A reviewer is able to print a case that they are reviewing at the time

- 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 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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