



Dr. Lars Bjerrum
Forskningsenheden for almen praksis
Syddansk Universitet
J.B. Winsløws Vej 9 A
5000 Odense C

lbjerrum@health.sdu.sk

7 September 2006

"HAPPY AUDIT"

The Danish Data
Protection Agency
Borgergade 28, 5.
DK-1300 Copenha-
gen K

Phone +45 3319
3200
Fax +45 3319 3218

E-mail
dt@datatilsynet.dk
www.datatilsynet.dk

J.no. 2006-226-0045
Ref.

Camilla Daasnes
Direct +45 3319
3225

The Data Protection Agency (DPA) has received your e-mail of 25th of August 2006 with attachments regarding the implementation of the project HAPPY AUDIT (Health Alliance for Prudent Prescribing, Yield and Use of Antimicrobial Drugs in the Treatment of Respiratory Tract Infections) (Proposal Number 044154).

Being a data controller established in Denmark you wish to clarify whether you shall notify the Danish Data Protection Agency prior to the commencement of any data processing. The data processing activities are carried out within the territory of the European Community.

The project design and objectives are described in further details in the attachments.

It is clearly specified, that the processing is carried out for the sole purpose of carrying out a scientific study of social importance. It is also specified, that the processing is necessary in order to carry out the study.

The aim of the project is to strengthen the surveillance of respiratory tract infections in primary health care in Europe through development of intervention programmes targeting general practitioners (GPs), parents of young children and healthy adults.

The project is based on an earlier developed and tested method for auditing GPs in primary healthcare called APO. In HAPPY AUDIT the APO will be used at European level involving 400 GPs from 12 countries (10 EU member states, Russia and Argentina).

Over a period of 3 weeks the 400 GPs involved will register all patients with respiratory tract infections. Patient information will be collected anonymously. Only information on birth date and gender will be collected. Thus, HAPPY AUDIT will contain no data on identifiable patients.

Personal data on the partaking GPs will be collected, but no data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, or data concerning health or sex life, criminal re-

cords, serious social problems and other purely private data will be collected or processed.

Information will be recorded regarding the initial prescription pattern of the individual GP.

Based on results from the audit registrations, locally adapted guidelines, courses for GPs, workshops and patient information will be developed.

The Danish Data Protection Agency can inform you of the following:

The Danish Act on Processing of Personal Data shall apply on the processing of personal data in HAPPY AUDIT if the processing of data is carried out on behalf of a controller who is established in Denmark, and the activities are carried out within the territory of the European Community.

As the project does not concern the processing of data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, information about health or sex life, criminal records, serious social problems or other purely private data there is no obligation to apply for authorisation under the provisions of the Danish Act on Processing of Personal Data.

Nevertheless The Danish Act on Processing of Personal Data does apply when concerning security of processing, disclosure, completion of the project etc. Following rules of conduct applies to the project:

- The data may not subsequently be processed for other than statistical or scientific purposes.
- The data may only be disclosed to a third party with prior authorisation from the supervisory authority.
- When publishing the results from the project this must be done so that it is impossible to identify individual persons.
- The data collected may not be kept in a form which makes it possible to identify the data subject for a longer period than is necessary for the purposes for which the data are processed.
- Where the personal data have been obtained from the data subject (the GPs), the controller or his representative shall provide the data subject with the following information: The name of the controller, the purpose of the project, the fact that it is voluntary to participate and that consent may be withdrawn at any time. The data subject shall furthermore be advised that the project is carried out in accordance with Act on Processing of Personal Data.

Concerning security of processing see provisions 41-42 of the Act on Processing of Personal Data, which reads as follows:

- Individuals, companies etc. performing work for the controller or the processor and who have access to data may process these only on instructions from the controller unless otherwise provided by law or regulations.

- The controller shall implement appropriate technical and organisational security measures to protect data against accidental or unlawful destruction, loss or alteration and against unauthorised disclosure, abuse or other processing in violation of the provisions laid down in this Act. The same shall apply to processors.

For further details please find the Act on Processing of Personal Data on our website.

Yours sincerely
Camilla Daasnes