

Standard Operating Procedure for NACP Data Sharing at NACO and SACS

1. Definitions with respect to NACP Data Management:

Head of NACO/SACS: Additional Secretary and Director General (AS & DG) or Joint Secretary or any officer authorized by AS & DG at NACO.

Project Director or Additional Project Director at State AIDS Control Society (SACS).

Head of Division: Senior most officer and in-charge of respective programme division at NACO and SACS.

SACS: It includes all State AIDS Control Societies and Mumbai Districts AIDS Control Society.

Officers: Permanent and contractual staffs in all divisions of NACO and SACS who have access to National AIDS Control Programme (NACP) data.

Organization authorized to share data: At national level, NACO and at state level, SACS.

Agencies under MoU/Other Government Department: Institutions involved in NACP related activities (including Technical Support Unit) as per MoU with NACO/SACS and other government department at National and State level.

Outside NACP: Bilateral/ Implementing Partners/ Agencies without MoU/Individuals/Non-governments/Private/Others.

National Data Hub: Repository of all approved NACP data including data from research, surveillance, survey/ study conducted by NACO and SACS.

Custodian of Data: NACO and concerned SACS are the custodians.

2. Scope

This SOP applies to all personnel involved in NACP data sharing at NACO/SACS and those who seek data from NACO/SACS. Monitoring activities under the National AIDS Control Programme will be excluded.

3. Goal

The main goal of this SOP is to streamline and facilitate the data sharing at NACO & SACS and to restrict unauthorized data sharing.

4. NACP data access and sharing

Head of Division at NACO & SACS will have access to NACP data available in the Information Management System. Data Management and repository function will be look after by HoD SI at NACO or SACS.

Data sharing will be done only by NACO and SACS as per point number 5 and 6.

5. Exemption through Shared Confidentiality

- By a healthcare provider to another healthcare provider who is involved in the screening/testing, linkage, care, treatment, support or counselling of HIV and other related disease of such person, when such disclosure is necessary to provide appropriate healthcare to that person
- By an order of a court that the disclosure of such information is necessary in the interest of justice for the determination of issues and in the matter before it
- In suits or legal proceedings between persons, where the disclosure of such information is necessary in filing suits or legal proceedings or for instructing their counsel
- To the officials of the Central Government or the State Government/SACS for the purposes of monitoring, evaluation, and related activities
- If it relates to statistical or other information of a person that could not reasonably be expected to lead to the identification of that person.

In all other scenarios, no paper or electronic records containing the HIV-related information of protected persons shall be shared or transferred to other establishments or persons without written informed consent of concerned person or his or her representative.

6. Process of review and approval for NACP data sharing:

Process of review and approval for data sharing is given in table below:

| Category of NACP Data | | Approving Authority of data sharing for; | | |
|-----------------------|--|---|--|---|
| | | Inter-divisional within NACP | Agencies/individuals under MoU with NACO#/Other Govt. Dept. (Including TSU) | Agencies/Individuals outside NACP (Bilateral/Implementing partners, agencies without MoU/Individuals/Non-govt/private/others) |
| Aggregate data | A* (Published aggregate data) | Approval not required | | |
| | B (Unpublished aggregate data) | Respective Head of Division at NACO/SACS | One state, one division data: Respective Head of Division at SACS One state, more than one division data: Head of Division-SI at SACS More than one state, one division data: Respective Head of Division at NACO More than one state, more than one division data: Head of Division-SI at NACO | One State data: Head of Division-SI at SACS More than one State data: Head of Division-SI at NACO <i>Wherever data is not available readily, the request may be placed before the concerned Data Management Committee</i> |
| Individual level data | C[§] (Individual level data without personal identifiers) | Respective Head of Division at NACO/Additional Project Director at SACS** | | Head of NACO/SACS After review by National /State Data Management Committee. |
| | D (Individual level data with personal identifiers) | | Head of NACO/SACS <i>For direct access to NACP data for Information Technology (IT) related work</i> | |

*Published aggregate data to be placed for free access on website & disseminated

** Data request may be referred to concerned Data Management Committee, if felt necessary

Data sharing as per approved workplan/MoU

\$ Copy of shared data should be sent to datasharing.naco@gmail.com for National Data Hub.

7. Data sharing monitoring:

The shared data cannot be shared further to any other organizations/individuals. Responsibility for the data security of shared data will be with concerned agency/individual and the data shall only be used for the approved purpose.

Access to files/data containing HIV-related information of protected persons will be monitored by the SI Division (Data Analysis & Use) at NACO and i/c SI at SACS on regular basis. I/c SI of the respective SACS have to prepare monthly report on data sharing and have to submit the report to the SI division (Data Analysis & Use) of NACO by 10th of every month.

Reference:

1. Exemptions for disclosure of HIV-related information based on HIV and AIDS (P&C), 2017

For additional information, NACO's guidelines and official website may be referred to from time to time.