[insert name of relevant Care Home Provider]

[address]

(hereinafter referred to as the “**Care Home Provider**”)

[insert name of Software Vendor] (the “**Software Vendor**”)

[address]

For the attention of [insert name]

[date] 2023

Dear [insert contact name or job title]

**[insert title of contract entered into by parties which contains Art 28 compliant data processing terms] entered into between the Care Home Provider and the Software Vendor dated [insert date] (the “Agreement”)**

**Processing instruction relating to Vivaldi Social Care Study**

We refer to clause [x] of the Agreement which requires that the Software Vendor shall only process [Personal Data] in accordance with the instructions of the Care Home Provider.

Further to recent discussions between the parties, and with Professor Laura Shallcross of University College London, with regards to the Vivaldi Social Care Study (the “**Project**”), this letter is a formal instruction from the Care Home Provider to the Software Vendor to release certain data (as detailed in the Annex to this letter) to UCL (acting on behalf of itself and its joint controllers - Care England and The Outstanding Society Community Interest Company), in the manner and to the location detailed in the Annex, for use in the Project.

The terms of the Agreement shall apply in full to the processing of the [Personal Data] by the Software Vendor.

Please acknowledge receipt of this instruction by email to [insert email address of relevant contact at Care Home Provider].

Yours [insert sign-off]

**Annex**

The Care Home Provider will, as soon as reasonably practicable following the date of this letter, provide the Software Vendor with a list of its homes that are participating in the Project (each, a “**Participating Care Home**”).

At regular intervals (daily, unless otherwise instructed by the Care Home Provider), the Software Vendor shall extract a list of NHS numbers for all residents at each Participating Care Home, except those residents who have opted out of data sharing by completing the NHS data opt-out or the Project specific opt-out. Each list extracted in this way will be labelled with (i) the relevant date of data extraction and (ii) the unique identifier (Care Quality Commission identifier) for the relevant Participating Care Home.

The Software Vendor shall, on a daily basis (unless otherwise instructed by the Care Home Provider), upload the aforementioned list, labelled as noted above, to a secure data environment within NHS England. Prior to doing so for the first time, the Care Home Provider shall share with the Software Vendor a standard operating procedure (SOP), which will be provided to it by UCL, outlining the process and other necessary details for uploading identifiable data to NHS England.