

## **Information Sharing – Bungay Practice Patient Reference Group meeting 25-11-13**

The background – Changes to the NHS by the Health & Social Care Act 2012 has meant that who has access to what has changed. In summary this means that unless it's for direct patient care, there is a legal basis, or that consent is in place. The clinical commissioning groups (CCGs) and the commissioning support units (CSUs) do not have the same powers of the previous PCTs. The CCGs and CSUs are not allowed to use data patient-identifiable data for commissioning purposes unless it is fully pseudonymised, or consent is in place.

The Health & Social Care Information Centre (HSCIC) has been put in place to conduct data analysis and processing on behalf of the commissioning organisations.

There are still some areas that require further work and NHS England is working to resolve these, eg invoice validation and risk stratification.

Instances where your information may be used by the CCGs and CSUs in an identifiable form would be to investigate a complaint on your behalf or look into a concern that has been raised on safety or care. On these occasions the CCGs and CSUs would ask for your consent or it would be covered by a legal basis such as the Data Protection Act and the management of health care services.

The Information Commissioners Office (ICO) is the organisation that enforces the Data Protection Act and the Freedom of Information Act – it has the power to impose enforcement notices and decision notices and a fine of up to £500,000.

The ICO has a general statement that members of the public should not be surprised about what is happening and who has their data. If this is the case the organisation has failed to fulfil its fair processing obligations.

### **SCR, GPES, Care. Data.**

All of the above are national systems and the local CSU and CCGs have not implemented these. It has been done at a national level

### **SCR**

A Summary Care Record is an electronic record which contains information about the medicines you take, allergies you suffer from and any bad reactions to medicines you have had. Patients are given the option to opt out of having a Summary Care Record. If no opt-out is received an SCR will have been created for you.

More information on SCR is available [www.nhscarerecords.nhs.uk/](http://www.nhscarerecords.nhs.uk/)

### **GPES**

The service is being developed and centrally managed on behalf of the NHS by the Health and Social Care Information Centre (HSCIC) with the sponsorship and support of the Department of Health

The General Practice Extraction Service (GPES) is a centrally-managed primary care data extraction service that extracts information from GP IT systems for a range of purposes at a national level. It also forms part of the new process to provide payments to GPs and Clinical Commissioning Groups (CCGs). GPES is of vital strategic importance and plays an essential role in the NHS's information needs

Practices will not be given a general choice to opt in or out of all queries that extract patient identifiable data; they will be informed about each such query and asked to choose on a query-by-query basis.

Where no response is received from a practice about the general choice above, or about a particular query, GPES will assume “no” and will not extract data.

GPES will always respect practice choices about access to practice data. It is expected that all practices will agree to certain essential extracts such as QOF (which is a planned GPES query). General Medical Services contractors are required to provide any information which is reasonably required for the purposes of, or in connection with, the contract.

Regardless of their general preference with respect to effectively anonymised queries, a practice may choose a different preference with respect to a particular query. So, even if a practice has chosen “yes” in relation to effectively anonymised queries, they may choose “no” in relation to a particular query. Before every patient's identifiable query is run, practices will be asked to agree to the extract.

More info on this can be found:

[www.hscic.gov.uk/media/1532/GPES-Information-Governance-principles/pdf/GPES\\_IG\\_Principles\\_0312.pdf](http://www.hscic.gov.uk/media/1532/GPES-Information-Governance-principles/pdf/GPES_IG_Principles_0312.pdf)

### **Care.data**

This service has been commissioned by NHS England and will be delivered by the HSCIC. The HSCIC is England's central authoritative source of health and social care information. This is another national programme and is linked to GPES. Care.data will make increased use of information from medical records with the intention of improving healthcare, for example by ensuring that timely and accurate data are made available to NHS commissioners and providers so that they can better design integrated services for patients. In the future, approved researchers may also benefit. The HSCIC will link Patient Confidential Data (PCD) extracted from GP systems with PCD from other health and social care settings. Patients have the right to object to any extraction of PCD from the GP practice unless there is (a) a statutory duty to share information, (b) a court order or (c) an overriding public interest in disclosure. The Secretary of State for Health, however, has given a commitment that, for extractions of PCD from GP records that are to be sent to the HSCIC, patient objections will be respected.

The patient is given consent options which are

- **Prevent PCD leaving the GP practice –**
- **Prevent PCD leaving the HSCIC –**

Patients can change their minds and reverse a previous Objection.

The ICO has asked that NHS England (NHSE) looks at its obligations again regarding Care.data and as such has asked that NHSE deliver an awareness-raising campaign which will be a leaflet drop to all patients, to inform them fully on Care.data, which should happen early 2014. NHSE has a specific task force who have a work stream dedicated to Care.data, and a patient information line is being put in place by the HSCIC to answer specific queries, to be ready for the national awareness campaign that will happen in early 2014.

More information on care.data can be found :

[www.ico.org.uk/for\\_organisations/sector\\_guides/health/care\\_data](http://www.ico.org.uk/for_organisations/sector_guides/health/care_data)

[www.england.nhs.uk/wp-content/uploads/2013/08/cd-pat-faqs.pdf](http://www.england.nhs.uk/wp-content/uploads/2013/08/cd-pat-faqs.pdf)