



## National Opt Out Programme Activity –

Practices need to prepare for the national opt out programme, updated Privacy Notices have already been supplied and all the PCIG policies and procedures are being reviewed in August 2019 to ensure practices have National Opt out compliant documentation, the programme is concerned with the Patient Preference about use of confidential patient information for purposes beyond individual care, patients action this themselves, but it is important that GP practices make patients aware of the process.

- [www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters) (and telephone, print-and-post service)
- Set by patient themselves, cannot be set by the practice

### Top tips:-

Use 'Your Data Matters to the NHS' posters and patient handouts, display screen videos, ensure practice team are aware

- Review other materials about data use and opt-outs (posters, leaflets, website, privacy notice, registration forms) and remove/update any that are out of date (eg 'care.data', type 2 opt-outs)

Previous 'type 2' opt-outs were converted, and patients informed by letter from NHS Digital

- Type 2 opt-out codes (XaaVL/9Nu4.) must not be used (after 11 October 2018)
- Check for entries in patient records after 11 October 2018. If found, practice must contact the patient to inform them and signpost to new service
- Check the national website for staff guidance and ensure staff are aware of this programme
- Return your CCG compliance check list.

Resources available at: <https://digital.nhs.uk/nationaldataoptout/compliance>



## National Opt Out— DON'T PANIC

This week I have been inundated with queries and questions about the National opt out scheme and what practices need to do, despite covering it with some slides and last months newsletter. I think you've all received by now a Compliance preparation Assessment by now and that what worrying people. But with this Newsletter I've attached a completed Assessment for you, an updated Data Flow mapping example that shows where the National Opt Out will probably apply to your practice and the updated Privacy Notices required.

### What is it?

Its means where the public can opt out of their information being used for any purpose beyond their care, the patients have to opt out themselves, by using the NHS App, calling the opt out team (0300 3035678) or using the website, [www.nhs.uk/your-data-matters](http://www.nhs.uk/your-data-matters).

### What does it apply to:-

The opt out is only to sharing of data from the practice where the legal power for using so is to authorisation of the CAG –Confidentiality Advisory Group using s.251 powers –this is usually for research. But includes for GP's CCG invoice validation, IFR validation and Risk Stratification. You will know if a s251 power is the basis for sharing as it should be stated in any sharing agreement or DPIA sent with any request to share data. It does not apply to:-

- Anonymised data sharing
- Sharing where the patient has given consent (some research projects)
- Public interest disclosures
- Legal requirements to share

These disclosure will be identified in your annual Data Flow mapping exercise –I've attached a template DFM document which identifies typical GP disclosures and where the National Opt out would apply.

### YOU NEED TO:-

- You need to ensure you inform your patients of the above.
- Amend policies to show there is no type 2 opt out (done in all PCIG documents), I
- In the waiting area display the A4 poster, ensure the handouts are available, and you can display the Envisage or Jayex presentation on your waiting room monitors, all available from the links below:-

[Download an A4 poster - Your Data Matters to the NHS.](#)

[Download a patient handout - Your Data Matters to the NHS.](#)

[Download the Envisage waiting room screen presentation - Your Data Matters to the NHS.](#)

[Download the Jayex waiting room screen presentation - Your Data Matters to the NHS.](#)

- Display the updated Privacy Notice from PCIG which includes the National Opt out inform, both new Privacy Notices (EMIS and SystemOne) are available on the PCIG DSP Toolkit resources page and have been attached to this newsletter.
- Ensure staff are aware of the process by ensuring they do online training, First practice management, blue stream and practice managers association all provide online staff training for National Opt out.
- Review your current disclosures (using your data Flow mapping tool) available on the PCIG DSP Toolkit pages –example provided and ensure you know where this applies–my example is pretty comprehensive but double check.
- When you share data in the future ensure you use the DPIA provide in the PCIG DSP Toolkit resources page and ASK me if s.251 so the National Opt out applies.
- If you identify any disclosure as above let the people know who you share with that the opt out will apply and they may receive less data.
- Return the completed Compliance Check list (copy attached) to your CCG

### How about our systems and automatic data returns?

The four principal GP IT system suppliers are developing new functionality to support the national data opt-out. This will enable your practice to easily remove the records of patients who have registered a national data opt-out from data disclosures once you have assessed if the national data opt-out applies. You will however need to check any saved queries you may use and where applicable you will need to edit these or ask the organisation that created the queries to edit them to make sure national data opt-outs are applied when the search is run again. (see left for continuation)

National Opt out continued...

TPP and EMIS expect to have the functionality ready in September, and Vision and Microtest towards the end of 2019. To understand exactly when the national data opt-out functionality will be available for your practice, you are advised to contact your GP IT system supplier.



### DSP Toolkit Password

The Passwords for Setember and October are below:-

GDPR resources Page

MfAO5pGf

DSP Toolkit Resources

QfOYCw11

### DSP Toolkit 2019 EVIDENCE IS READY

The 2019 DSP Toolkit evidence and updated policies are all now available and contained within one table which links evidence to the DSP standard. Activities that you need to start now are your data flow mapping (double whammy as you can use this for the national opt out compliance too) and staff online IG training.