



NHS England
Quarry House
Leeds LS2 7UE

Simon Bolton
Chief Executive
NHS Digital
7 & 8 Wellington Place
Leeds
West Yorkshire
LS1 4AP

19th July 2021

Dear Simon,

1. **Talent Insights (Board Vacancies and Commercial Spend Collections) Directions 2021**

- 1.1 I am writing on behalf of the National Health Service Commissioning Board (known as **NHS England**) to provide Directions to the Health and Social Care Information Centre, known as and hereafter referred to in these Directions as **NHS Digital**.
- 1.2 These Directions are given in exercise of the powers conferred by sections 254(1), (3) and (6), section 260(2)(d), section 261(2)(e) and section 304(9), (10) and (12) of the Health and Social Care Act 2012¹ (**the 2012 Act**).
- 1.3 In exercising the activities and functions described in these Directions, NHS Digital must have regard to such priorities, policies, advice or guidance of NHS England as NHS England may notify in writing from time to time to NHS Digital.
- 1.4 These Directions are to be known as the **Talent Insights (Board Vacancies and Commercial Spend Collections) Directions 2021** and come into force on the date signed.

2. **Purpose**

¹ 2012 c.7

The purpose of these Directions (**Purpose**) is to support Talent Insight's strategic objective to develop one single, efficient, cost effective and flexible data collection service for all Talent Insight's workstreams. Included within this is data on vacancies, spend, future capabilities and talent supply at Executive Director, Non-Executive Director and Chair level in line with the NHS Long Term Plan and NHS People Plan. It is intended that the move to NHS Digital collection using the Strategic Data Collection Service (SDCS) will reduce burden and provide increased scope for validation and therefore improve data quality.

3. **Establishing and operating information systems for Talent Insights (Board Vacancies and Commercial Spend Collections) Directions data collection**

- 3.1 In accordance with sections 254(1) and 254(6) of the 2012 Act, NHS England directs NHS Digital to establish and operate a system for the collection and analysis of information described in the Talent Insights (Board Vacancies and Commercial Spend Collections) Directions Requirements Specification (**the Requirements Specification**) attached at Annex A of these Directions, such system to be known as the **Talent Insights (Board Vacancies and Commercial Spend Collections) Directions Information System**.
- 3.2 Pursuant to NHS England's powers under 254(1) and 254(6) of the 2012 Act, NHS Digital is directed to analyse the information collected pursuant to and/or obtained by NHS Digital complying with these Directions, as may be requested by NHS England or as NHS Digital determines is necessary to achieve the Purpose.
- 3.3 Such analysis referred to above includes:
 - 3.3.1 analysis by reference or linkage to other data obtained by NHS Digital under any other direction under section 254 or a request made under section 255 of the 2012 Act, or any other lawful basis where NHS Digital is a controller² of the other data;
 - 3.3.2 analysis for data quality purposes, including undertaking comparison and consistency analysis of the same or similar information obtained through other information systems established by NHS Digital under any other direction under section 254 or request made under section 255 of the 2012 Act, and taking such steps as NHS Digital considers appropriate to maintain data quality, accuracy and consistency of information it has obtained under these Directions and across all information systems.
- 3.4 NHS Digital is directed to carry out the activities above in accordance with the Requirements Specification and generally in such a way as to enable

² As defined in Article 4(7) of the UK General Data Protection Regulation 2016

and facilitate the Purpose described above. The Requirements Specification may be updated periodically (within the confines of the scope set out in these Directions) by NHS Digital and agreed in writing by NHS England.

4. Requirement for these Directions

- 4.1 In accordance with section 254(3) of the 2012 Act, NHS England considers that the information which could be obtained by complying with these Directions is information which it is necessary or expedient for NHS England to have in relation to its exercise of functions in connection with the provision of NHS services.
- 4.2 In accordance with section 254(5) of the 2012 Act, NHS Digital has been consulted before these Directions have been given.

5. Publication

In accordance with section 260(2)(d) of the 2012 Act, NHS Digital is directed not to publish any information that is obtained by complying with these Directions.

6. Dissemination

- 6.1 In accordance with section 261(2)(e) of the 2012 Act, despite any prohibition on publication, NHS Digital may disseminate under section 261(1) of the 2012 Act the information it has obtained by complying with these Directions to NHS England and NHS Improvement, where section 261(1) would otherwise not apply due to the restriction on publication, and where it would be lawful for NHS Digital to do so.
- 6.2 Pursuant to section 262(3) of the 2012 Act, NHS Digital is directed to exercise its powers under section 261(4) of the 2012 to disseminate the information collected pursuant to these Directions to the organisations that provided the information where it would be lawful for NHS Digital to do so.
- 6.3 Under section 262(5) of the 2012 Act, NHS Digital is directed not to exercise its powers under section 261(1) and 261(4) of the 2012 Act other than to disseminate information to NHS England and NHS Improvement and to the organisations that provided the information.

7. Fees and Accounts

- 7.1 Pursuant to section 254(7) of the 2012 Act, NHS Digital is entitled to charge NHS England a reasonable fee in respect of the cost of NHS Digital complying with these Directions.
- 7.2 NHS Digital must keep proper accounts, and proper records in relation to the accounts, in connection with the Talent Insights (Board Vacancies and Commercial Spend Collections) Directions 2021.

8. Duration

NHS Digital is directed to operate the Talent Insights (Board Vacancies and Commercial Spend Collections) Directions Information System (the **Directed Function**) unless and until revoked by a further direction or instructed in writing by an authorised officer of NHS England on reasonable notice to suspend and/or permanently cease the Directed Function. Where the Directed Function is to cease, such written request will also contain a direction to revoke these Directions in accordance with the timescales and arrangements to be agreed with NHS Digital.

9. **Review of these Directions**

These Directions will be reviewed when the Requirements Specification is amended.

Yours sincerely

A handwritten signature in black ink, appearing to be 'S. H. B.', written in a cursive style.

Signed by authority of NHS England

ANNEXES - Talent Insights (Board Vacancies and Commercial Spend Collections) DIRECTIONS 2021

Annex A - Board Vacancies and Commercial Spend Collections Directions Requirements Specification