

Sarah Wilkinson  
Chief Executive  
NHS Digital  
1 Trevelyan Square  
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LS1 6AE

25 November 2020

Dear Sarah

## 1. **Physical Health Checks for people with Severe Mental Illness Directions 2020**

- 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 260(4)(a), section 261(2)(e), section 262(5) and section 304(9), (10) and (12) of the Health and Social Care Act 2012<sup>1</sup> (**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 the 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 **Physical Health Checks for people with Severe Mental Illness Directions 2020** and come into force on the date signed.

## 2. **Purpose**

- 2.1 The purpose of these Directions (**Purpose**) is to collect information that will support implementation of the NHS Long Term Plan under which access to

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<sup>1</sup> 2012 c.7

physical health checks is identified as a clinical priority in reducing the levels of premature mortality for people living with severe mental illness, aiming to ensure individuals have their physical health needs met by increasing early detection and expanding access to evidence-based physical care assessment and intervention.

2.2 The aim of the information collection is to support the monitoring of delivery of physical health checks and benchmarking on the uptake of the corresponding relevant follow-up interventions and access to national cancer screening programmes.

### **3. Establishing and operating information systems for the Physical Health Checks for people with Severe Mental Illness 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 such systems for the collection or analysis of information described in the Physical Health Checks for people with Severe Mental Illness Directions Specification (**the Specification**) attached at Annex A of these Directions, such system to be known as the **Physical Health Checks for people with Severe Mental Illness Directions Information System**.

3.2 NHS Digital is directed to carry out the activities above in accordance with the Specification and generally in such a way as to enable and facilitate the Purpose described above. The 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. Analysis and linkage**

Pursuant to NHS England's powers under 254(1) and 254(6) of the 2012 Act, NHS Digital is further directed to analyse the information collected pursuant to these Directions, including by such reference or linkage to other data held by NHS Digital as NHS Digital determines is necessary to achieve the Purpose.

### **5. Requirement for these Directions**

5.1 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.

5.2 In accordance with section 254(5) of the 2012 Act, NHS Digital has been consulted before these Directions have been given.

### **6. Publication**

6.1 Where, pursuant to section 260(1) of the 2012 Act, NHS Digital publishes information obtained by complying with these Directions, in accordance with

section 260(4)(a) of the 2012 Act it must do so in the form and manner agreed with NHS England, that being publication of anonymous statistical data (with small numbers suppressed).

- 6.2 In accordance with section 260(2)(d) of the 2012 Act, NHS Digital is directed not to publish information that is specified as not for publication in the Specification.

## 7. Dissemination

- 7.1 Under section 262(5) of the 2012 Act, NHS Digital is directed not to exercise its powers under sections 261(1) and 261(4) in relation to the information it obtains by complying with these Directions, other than to disseminate information to NHS England and NHS Improvement to support the Purpose of these Directions, where it would be lawful for NHS Digital to do so.
- 7.2 In accordance with section 261(2)(e) of the 2012 Act, where pursuant to paragraph 6.2 above NHS Digital is prohibited from publishing the information obtained by complying with these Directions, NHS Digital may under section 261(1) of the 2012 Act disseminate that information to NHS England and NHS Improvement to support the Purpose of these Directions, where it would be lawful for NHS Digital to do so. Any information disseminated will be anonymised in accordance with the Information Commissioner's Office Anonymisation Code of Practice<sup>2</sup>.

## 8. Fees and Accounts

- 8.1 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.
- 8.2 NHS Digital must keep proper accounts, and proper records in relation to the accounts, in connection with the Physical Health Checks for people with Severe Mental Illness Directions 2020.

## 9. Duration

NHS Digital is directed to operate the Physical Health Checks for people with Severe Mental Illness 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.

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<sup>2</sup> <https://ico.org.uk/media/for-organisations/documents/1061/anonymisation-code.pdf> or any subsequent document, guidance or code on the same topic published by the ICO

## 10. Review of these Directions

These Directions will be reviewed when the Specification is amended. This review will include consultation with NHS Digital as required by section 254(5) of the 2012 Act.

## 11. Saving and Revocation

For the avoidance of doubt, the “*Establishment of information systems for NHS services: serious mental illness data collection Direction 2018*” issued by NHS England on 29 January 2019 remains in force, but will be revoked by NHS England once NHS Digital analysts confirm with NHS England that the information collected under these Physical Health Checks for people with Severe Mental Illness Directions 2020 is of sufficient quality and coverage to fully meet the Purpose.

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

**Annex A - Physical Health Checks for people with Severe Mental Illness Directions Requirements Specification**