



Department of Health & Social Care

Department of Health and Social
Care
39 Victoria Street
London SW1H 0EU

Simon Bolton
Chief Executive
NHS Digital
The Leeds Government Hub
7&8 Wellington Place,
Leeds,
LS1 4AP

12 October 2021

Dear Simon,

1. The Acute Data Alignment Programme Discovery Directions 2021

- 1.1 I am writing on behalf of the Secretary of State for Health and Social Care (**the Secretary of State**) 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 section 254(1) 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 the Secretary of State as the Secretary of State may notify in writing from time to time to NHS Digital.
- 1.4 These Directions are to be known as the **Acute Data Alignment Programme Discovery Directions 2021** and come into force on the date signed.

¹ 2012 c.7

2. Purpose

- 2.1 The purpose of these Directions (**Purpose**) is to support the aims of the Acute Data Alignment Programme (**ADAPt**)², by piloting the collection and analysis of information about private healthcare. The information will be collected from the Private Healthcare Information Network (**PHIN**)³ with the source being private healthcare providers that have agreed to participate in the pilot.
- 2.2 The information will be analysed to assess whether there are service delivery and patient care benefits in combining NHS and private healthcare data; to assess whether such collection could support a reduction in the reporting burden on NHS and private providers; and to assess the feasibility of such information to meet a variety of other use cases, for example, derivation of performance metrics, the requirements of healthcare regulators and supporting authorised research.

3. Establishing and operating information systems for the Acute Data Alignment Programme Discovery Directions data collection

- 3.1 In accordance with sections 254(1) and 254(6) of the 2012 Act, the Secretary of State for Health and Social Care directs NHS Digital to establish and operate a system for the collection and analysis of information described in the Acute Data Alignment Programme Requirements Specification (**the Specification**) attached at Annex 1 of these Directions, such system to be known as the **Acute Data Alignment Programme Discovery 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 the Secretary of State.

4. Analysis and linkage

- 4.1 Pursuant to the Secretary of State'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.

² ADAPt is a joint programme between NHS Digital and the Private Healthcare Information Network Limited (PHIN)

³ PHIN is the designated information organisation for private healthcare data under the Competition and Markets Authority Private Healthcare Investigation Order 2014 (as amended)

5. Requirement for these Directions

- 5.1 In accordance with section 254(2)(b) of the 2012 Act, the Secretary of State considers that it is in the interests of the health service in England or of the recipients or providers of adult social care in England for these Directions to be given.
- 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

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

7. Dissemination

- 7.1 In accordance with section 261(2)(e) of the 2012 Act, despite the 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 PHIN, NHS England, NHS Improvement, the Care Quality Commission, and the Getting It Right First Time (GIRFT) programme⁴ to support the Purpose of these Directions. The information disseminated will be anonymous aggregated data.
- 7.2 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 in accordance with paragraph 7.1 above.

8. Fees and Accounts

NHS Digital must keep proper accounts, and proper records in relation to the accounts, in connection with the Acute Data Alignment Programme Discovery Directions 2021.

9. Duration

NHS Digital is directed to operate the Acute Data Alignment Programme Discovery Directions Information System (the **Directed Function**) until 12 months after the date these Directions are issued, unless and until revoked earlier or replaced by a further direction or instructed in writing by an authorised officer of the Department of Health and Social Care on behalf of the Secretary of State 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.

⁴ Getting It Right First Time (GIRFT) is a national programme designed to improve medical care within the NHS by reducing unwarranted variations: <https://www.gettingitrightfirsttime.co.uk/>

10. Review of these Directions

These Directions will be reviewed when the Specification is amended.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Marian Holliday', written in a cursive style.

Marian Holliday

Deputy Director

Signed by authority of the Secretary of State

ANNEX 1

**REQUIREMENTS SPECIFICATION: ACUTE DATA ALIGNMENT PROGRAMME
DISCOVERY DIRECTIONS 2021**