

**GP Data for Planning and Research**  
**Check and Challenge Group**  
**Minutes of the meeting held 28<sup>th</sup> September 2022**  
**Final – Approved for publication**

**Attendees**

Name	Organisation	Name	Organisation
Nicola Byrne	National Data Guardian	Ruth Ellenby	Royal College of General Practitioners
Christina Barnes	Information Commissioners Office	David Parkin	British Medical Association
Tim Donohoe <b>Chair</b>	NHS Transformation Directorate	Michael Lewis	National Institute for Health Research
Ben Goldacre	Nuffield Department for Primary Care Health Sciences	Nicola Perrin	Association of Medical Research Charities
NHS Digital Programme Team Representatives			

**Actions & Decisions Recorded**

Action ID	Description	Owner	Target Date
<b>CAC-A012</b>	Review the TRE readiness proposal based on member feedback and iterate as required. - Action pushed back due to delayed TRE session	Programme Team	<del>31/08/2022</del> TBC
<b>CAC-A014</b>	Ensure discussion on TRE governance, security, and access oversight is included on an upcoming Check & Challenge meeting agenda. - Action pushed back due to delayed TRE session	Programme Team	<del>31/08/2022</del> TBC
<b>CAC-A015</b>	Schedule upcoming session in July/August to host joint presentations on the NHS Digital, ONS, and OpenSAFELY TREs - <b>Post meeting update:</b> Now planned for 9 <sup>th</sup> November and confirmed with all presenters and members	Programme Team	<del>31/08/2022</del> 09/11/2022
<b>CAC-A017</b>	Contact the Programme Comms lead with any proposed case studies to be used as initial proof of concepts for the ambient data comms campaign	All Members	26/10/2022
<b>CAC-A018</b>	Provide all members with links to the comms & engagement material published on the NHS Digital website throughout the summer	Programme Comms Lead	Complete
<b>CAC-A019</b>	Discuss individually with members on how they would like to engage with wider GP data challenges and topics either through Check & Challenge or through another channel	Programme Team	26/10/2022

<b>CAC-A020</b>	Understand how Data Strategy team are addressing Goldacre recommendation on mapping system wide data flows	Programme Team	26/10/2022
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## Meeting Notes

### Meeting Notes

#### Introductions and update on previous actions

- Chair welcomed members to the call following the summer break
- Chair noted that no external chair had been established for this session as it is to act as a briefing session for all members (as confirmed with members by email). Commitment made to return to rotating external chair from next meeting onwards
- Apologies noted from members due to prior commitments and/or annual leave

#### Programme Status and Progress Update

- GDPR Programme Director provided a status update and overview of the progress made since the last meeting in July
  - Programme remains focussed on delivering as per the ministerial commitments and has made progress towards their completion
  - Noted that NHS Digital has adopted the new terminology of Secure Data Environment (SDE), rather than Trusted Research Environment (TRE), in line with the Data Strategy. The new NHS Digital SDE is currently going through private beta testing. The action remains to set up a demonstration of this new SDE alongside the ONS and OpenSAFELY TREs
- Programme Comms Lead provided an update as to the progress made towards the commitment towards public transparency and understanding
  - The Listening Phase report and research findings from the General Practice survey have been published on the NHS Digital website alongside three blogs covering data topics. These have received positive feedback to date and have strong engagement metrics
  - The GDPR public and patient panel (PPECAP) membership has been updated and expanded to ensure a much more diverse and representative group to guide the programme on its public communication commitments
  - As part of the campaign to recruit new members, a further 51 individuals have expressed interest in being involved in the upcoming public and patient engagement activities planned for the Engagement phase of our comms approach

- It was noted that we have had challenges ensuring a fair and appropriate remuneration system was in place to ensure any individuals engaged are properly reimbursed for their time and input, but these have now been worked through
  - Members noted this was not a specific challenge for NHS Digital and finding an appropriate solution, which is fair and promotes diversity and inclusivity can be challenging. The programme will follow-up with members offline about lessons learned in this area to apply the programme where needed
- The ambient data campaign proof of concept work has been progressed and a final concept is now being refined and taken forward. This work is not specific to GDPR but provides a wider platform to inform public understanding of the current data uses within the NHS and the benefits to patients' lives as a result
  - As previously noted in this forum, this final concept will be brought to the group for review and comment
  - Members have previously noted that they may be able to provide specific case studies which could be used to promote the beneficial use of data within healthcare. We are now in a position to discuss these with members and begin to use these examples. Members were asked to please contact the programme comms lead with their case studies (**CAC-A017**)
- A blog and research study on our Type 1 opt-out user testing is currently being finalised for publication and is expected to be published on the NHS Digital website in October
- Links to all published documentation will be shared with members following the meeting. All information is on the NHS Digital website and can be publicly accessed, therefore members can share with their wider organisations as needed (**CAC-A018**)
- The GDPR Programme Director continued to provide an update against the other ministerial commitments
  - Research has completed into the backlog of Type 1 opt-outs caused by the spike in opt-outs in May/June 2021, and the programme has confirmed that the backlog in Type 1s and National Data opt-outs has been addressed. A report noting the completion of this commitment is being prepared for member review
  - The service design has been completed for the digital Type 1 service to simplify the Type 1 opt-out process and reduce the burden on General Practice. The implementation of this service has been paused at present until the programme is in a position to deliver GDPR as planned

- Members questioned whether this pause was a result of opt-out policy. The programme confirmed this was not the case as the service did not impact policy, but the pause will give time for policy discussions to progress regarding Type 1 opt-outs
- The Programme Director noted that we are currently working to brief the new ministerial team following the change in government and reconfirm ministerial support for the programme and the previous ministerial commitments
  - This is having an impact on our ability to confirm a set date for GDPR to go live and begin collecting data as we need to ensure we are fully aligned with ministers before we do so
  - It was reiterated that although there is no set date to deliver GDPR, the programme is still working towards the current ministerial commitments and the principles behind them

### **Update on GPES capacity challenges**

- Programme Director provided an overview of the current capacity and capability challenges impacting the existing General Practice Extraction Service (GPES), which has been previously discussed with members
- The programme team is currently working with NHS England colleagues to design a solution to improve the infrastructure and alleviate these challenges for direct care use cases only (vaccinations, screening, and treatments)
- A draft proposal is being worked through with ministers, the GP Profession, and other key stakeholders for direct care, and if this is approved to be delivered, it will use the same skilled resources currently delivering the GDPR programme
- Members were reassured that the GDPR programme will maintain focused on progressing against the ministerial commitments whilst these urgent patient care needs are prioritised to support the NHS in addressing the current direct care pressures within the system
- Key discussion points and member questions as follows:
  - Could the new Federated Data Platform (FDP) meet these urgent needs?
    - At present, this is unclear, but the proposed solution has been developed to solve a live operational issue as quickly as possible. FDP is not being considered as part of this proposal
  - Is there a similar check & challenge advisory group being set up for this new solution?
    - The current solution is only a draft proposal, but once it is confirmed then we want to apply the same level of transparency and engagement as

GDPR. We will engage with members of this group offline to understand how they would like to engage with this new solution if it is approved to proceed (**CAC-A019**)

- Members noted that transparency and communications will be extremely important to avoid unwanted similarities being drawn between this new proposal and historic proposals, which received significant negative public responses
  - The programme fully agreed with members and outlined that the new proposal is being designed to mirror the existing GPES service as much as possible whilst addressing the capacity and capability challenges. The solution will collect exactly the same code set, for the same purposes under the same legal basis as now. Only the technology will change.
  - Despite this it was agreed that the risk of negative public perception needed to be managed. The programme should clearly provide the facts and information for the new solution to build trust and support with patients and the public that it will meet its aims of using data securely to care for patients
- Would it be helpful to map out the wider system data needs and current flows to help position this within the system and show the value more clearly?
    - Noted this was a recommendation for the NHS as part of the Goldacre review, but group were unclear how this was picked up and integrated into the Data Saves Lives data strategy. Action for programme team to engage with Data Strategy team to understand this more (**CAC-A020**)
  - Programme Director reiterated that we will actively review the scope of the Check & Challenge group to review how we can harness the expert guidance being provided for GDPR to support on wider GP Data challenges and topics, and will reach out to members to engage individually on this topic as per **CAC-A019**

#### **AOB**

- All members reconfirmed the need for the TRE showcase session as per **CAC-A015**, and the programme team will reach out to begin to rearrange in the near future
- Members were thanked for their time and the call was ended by the chair