

8 October 2018

For Attention of the Data Protection Officer/Caldicott Guardian  
'GP Practice Name'  
'Address line 1'  
'Address line 2'  
'Address line 3'  
'Post code'

## Reminder that type 2 objections are no longer valid

Dear Colleague,

We are writing to remind you that from 11 October 2018 patients are no longer able to register a type 2 objection via a GP practice. This means that type 2 codes added to a patient's record after this date will no longer be processed and your patient's request to opt-out **will not** be applied.

Patients who wish to opt-out must be advised that instead of setting a type 2 objection they should go to the 'Your NHS Data Matters' website ([www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters)) where they can find out more about data sharing and set a national data opt-out.

We know from the monthly General Practice Extraction Service Patient Objections Management data collections since May that some GP practices have continued to set type 2 objections and we have contacted those practices individually using the email address registered with the Care Quality Commission, to remind them of the changeover to national data opt-outs.

The type 2 code will be removed by your GP system supplier, so in the future it will not be in the selection list when adding a READ/CTV3 code, but until this happens there may be a risk that a type 2 objection could be recorded against a patient record in error. As data controllers, you should take all measures possible to prevent this from happening, including ensuring practice clinicians and staff are aware they must stop recording the type 2 objection codes.

It should be noted that if a type 2 objection is set after 11 October and then the patient later learns that this has not been applied, then they may raise a complaint.

## Type 2 objections recorded after 11 October 2018

We suggest that you run a weekly/monthly search on your clinical system to identify any new type 2 objection code entries since 11 October 2018. If any patients are identified from the search you must:

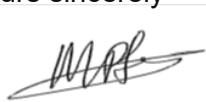
- Contact the patient to explain the type 2 objection was set in error and it will not be processed (see suggested template letter to patients attached)
- Advise patients that instead of setting a type 2 objection they can go to the 'Your NHS Data Matters' website ([www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters)) where they can find out more about data sharing and set a national data opt-out
- Advise patients that there is also information for patients about the national data opt-out in the GP practice

### **Further information for patients**

We provided a pack of patient communication materials to all GP practices in June including posters and leaflets to help explain to patients how their data is used and the choice available to them. Please do check these materials are available and on display within your practice. More information on the materials available for patients, including how to order extra materials and further supporting information for practice staff can be found at: <https://digital.nhs.uk/national-data-opt-out>

Please see overleaf for further detailed questions and answers. If you need any more information, please email [enquiries@nhsdigital.nhs.uk](mailto:enquiries@nhsdigital.nhs.uk) or call us on 0300 303 5678.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M Severs', enclosed within a thin black rectangular border.

**Professor Martin Severs, Caldicott Guardian and Medical Director, NHS Digital**

## Additional information

### 1. What was a type 2 objection?

The type 2 objection instructed NHS Digital not to share a patient's confidential information for purposes beyond their individual care. It was recorded in the GP patient record, using the following codes:

	Read v2	CTv3	SNOMED CT	Rubric
Set Type 2	9Nu4.	XaaVL	881561000000100	<i>'Dissent from disclosure of personal confidential data by Health and Social Care Information Centre'</i>

### 2. What is the national data opt-out?

The national data opt-out allows patients to choose to stop their confidential patient information from being used for purposes beyond their individual care. The opt-out has been applied by NHS Digital since 25 May 2018 and by 2020 all health and care organisations must apply national data opt-outs in line with the policy. For more information about the national data opt-out see:

<https://digital.nhs.uk/national-data-opt-out>

### 3. How do GPs record a national data opt-out?

The national data opt-out cannot be set through GP systems. Anyone registered with the NHS who has an NHS number can register an opt-out online or via a telephone number, details of which are included in the patient materials.

### 4. Why are type 2 codes still available in GP systems?

Read v2/CTv3 codes are now 'legacy' terminologies and being replaced by the SNOMED clinical terminology standard from 1 April 2018. As part of this transition all existing Read v2/CTv3 codes have been mapped to an equivalent SNOMED CT code, with dual coding in both Read and SNOMED CT for a period of time. As such, many practices are still entering Read codes, with the system adding SNOMED CT in the background. This approach means the system may allow GP practices to continue to set type 2 objections, even though practices must not use these codes.

The type 2 codes have been marked as inactive in the October 2018 SNOMED CT UK Edition code release, however the code releases are not implemented immediately by each GP system supplier to enable time to update national registers, templates and decision support.

### 5. What does inactivation of the type 2 code mean?

SNOMED CT allows for codes to be removed from data entry while still preserving the original code in the patient's electronic record, so it will still be possible to see type 2 objection codes that have previously been recorded in the patients record.

### 6. What happens if a type 2 code is recorded in October 2018 or later?

Registering a type 2 objection code after 11 October 2018 will mean the patient will **not** have a national data opt-out put in place and the type 2 objection will not be applied as it is no longer valid. The patient will not be aware that their objection request has not been registered as a national data opt-out and that their personal confidential information will continue to be used, against their wishes, across the health and care system for purposes beyond their individual care.

## **Suggested Patient Template Letter**

GP practice details

Date

Dear (Patient name here)

You recently contacted the GP surgery to set a type 2 objection to prevent your confidential patient information being used for research and planning purposes.

We are writing to you to inform you that this type 2 objection has been set in error as it has been replaced by a new national data opt-out launched on 25 May (see attached handout for more information).

It is therefore important you understand that the type 2 objection you had set with us will not be applied and your confidential patient information will continue to be shared for research and planning purposes.

If you still wish to opt-out, you will need to record a national data opt-out that offers you a new way to prevent your confidential patient information from being used for research and planning. You can also find out more about the national data opt-out online at: [www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters)

Unfortunately, the national data opt-out cannot be set by the GP surgery, you can instead record your opt-out on line following the link above or by contacting: 0300 3035678.

We are sorry for any inconvenience this change causes you and hope that the information provided in this letter is helpful and provides you with an alternative should you wish to use it.

*GP practice signatory & signature block*