

March 2019

Dear colleague,

ACTION REQUIRED:

- 1. Prevent the recording of type 2 objection codes**
- 2. Use the proxy form to submit any type 2 objections recorded in error**
- 3. Share this information with appropriate healthcare staff**

We wrote to you on 5 November 2018 to advise that you should no longer be using the type 2 objection codes in the SystemOne prison module. Patients wishing to record a type 2 objection must be informed that it has been replaced by the national data opt-out. If they wish to register a national data opt-out, a healthcare professional from your organisation must complete a [Detained and Secure Estates Proxy National Data Opt-out Form](#) on their behalf.

Please remind your healthcare staff of the changeover to the national data opt-out and make sure they are aware of; and are using the proxy form and associated guidance issued to your organisation in November 2018 and which can also be found at:

<https://digital.nhs.uk/services/national-data-opt-out-programme/ndop-guidance-for-detained-and-secure-estates>

The type 2 codes have been made inactive within the code browser, **however if the codes are in use within existing data entry templates and those templates are not changed then type 2 objection codes can still be recorded in error.**

Detained estates healthcare staff have a responsibility to take all measures possible to prevent an invalid type 2 objection code being recorded in a patient record. If a patient learns later that the objection has not been applied, then they may raise a legitimate complaint with the detained estates healthcare provider.

We have provided guidance covering checking and removing codes in existing templates and help with identifying any new entries of type 2 codes since you submitted your last type 2 collection to NHS Digital. The guidance and the letter sent in November are also available at the link above.

Please see overleaf for more information or visit: <https://digital.nhs.uk/national-data-opt-out>. You can also email enquiries@nhsdigital.nhs.uk or call us on 0300 303 5678.

Yours sincerely



Dr Arjun Dhillon
Clinical Director and Caldicott Guardian

Additional information about the national data opt-out

1. Why have you made this change?

This change is the result of an independent 'Review of Data Security, Consent and Opt-outs', which was conducted by Dame Fiona Caldicott and which recommended the introduction of a simple data opt-out. It has been put into policy by the Department of Health and Social Care to give people a clear choice on whether their confidential patient information is used for research and planning. A patient will be able state their preference once and expect it to be applied by all health and adult social care organisations in England by March 2020.

2. 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 SystemOne prison module patient record using the following code:

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

3. How do I know if my patients have had their type 2 objection changed to the national data opt-out?

All Detained and Secure Estate healthcare services that have previously submitted type 2 objections data collections to NHS Digital can be assured that their patients' objections have been changed to national data opt-outs.

If your Detained and Secure Estate healthcare service has never submitted a type 2 objections data collection, then your patients' type 2 objections will never have been received by NHS Digital, so they cannot be converted. Please use the Detained and Secure Estate Proxy National Data Opt-out Form to submit any outstanding type 2 objections.

4. Is the type 2 code still available in the SystemOne prison module?

The inactivation of the SNOMED type 2 codes in SystemOne has taken place. However, the equivalent CTv3 legacy codes can still be recorded if they are included within any existing templates in the SystemOne prison module that are used by your organisation. It has not been possible for TPP to make changes to existing templates and if you have templates that use the type 2 codes these should be edited to remove the codes. More information on inactivation of type 2 codes and checking clinical templates can be found on our web page <https://digital.nhs.uk/services/national-data-opt-out-programme/ndop-guidance-for-detained-and-secure-estates>

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

It is still possible to see type 2 objection codes that have previously been recorded in a patient's electronic record in SystemOne. However national data opt-outs cannot be seen in a patient's electronic record as this information is held on the NHS Spine.

6. Where can I get more information for my patients?

Visit: <https://digital.nhs.uk/national-data-opt-out>, where you can find links to accessible materials such as an easy-read guide and handouts in different languages as well as information on how to order additional copies of the patient communication materials.