

To all practices Surrey and Sussex LMCs

19<sup>th</sup> May 2021

Dear Colleagues

### **GDPR [General Practice Data for Planning and Research]**

NHS Digital has sent a Data Provision Notice [DPN] to all GP practices advising them of the imminent roll out of the General Practice Data for Planning and Research [GDPR]. This is the replacement for the GPES (GP Extraction Service). There is a legal requirement for practices to comply with the DPN.

GDPR extraction will commence from 1<sup>st</sup> July 2021; the exact method and form of the invitation will depend on practices IT system, but the invitation will include instructions on how to comply with the DPN.

The intention is that GDPR will replace the multiple different extractions that were formerly occurring. NHS Digital has agreed that whilst GP remain the Data Controller of practice patient records, once the data has been extracted from the practice record and passed to NHS Digital, NHS Digital will then be the responsible Data Controller under GDPR for allowing access to this data and its discrimination for planning and research. GP data has a key role in public health research and planning.

In terms of next steps, please look at the 'Further Information for GP Practices' section of NHS Digital's information page on GDPR at: -

[General Practice Data for Planning and Research \(GDPR\) - NHS Digital](#)

In summary, practices will need to

- 1) **Register your participation on the GP IT System**, this need only be done once, and data extraction will not commence before 1<sup>st</sup> July 2021.
- 2) **Update your patient privacy information**; GP practices have to inform patients under GDPR about the data they are sharing with others. NHS Digital has produced a sample GP Practice Privacy Notice which informs patients about GDPR, and links to further information.
- 3) **Register patient Opt-outs**  
There are two opt-outs

Local Medical Committees for  
Croydon, Kingston & Richmond, Surrey,  
East Sussex and West Sussex

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**The National Data Opt-out;** which means NHS Digital will not share any confidential patient information from the data it holds, but data will be collected from GP medical records. Patients can be diverted to <https://digital.nhs.uk/services/national-data-opt-out> for more information.

- **Type 1 opt-out**, this means NHS Digital will not collect data from GP practices where the patient has registered a Type 1 opt out. In order for no data to be extracted, the opt out must be registered before 23<sup>rd</sup> June 2021. If a type 1 Opt-out is registered after that date, no extraction will occur from the date but NHS Digital will still hold data extracted before the opt-out date. In order to prevent NHS Digital sharing data, a National Data Opt-Out is required. In time, Type 1 opt-outs may be phased out and be replaced by the National Data opt-out, but for the present Type 2 opt-outs remain valid.

The following documents are available to practices.

- 1) The Data Provision Notice  
<https://digital.nhs.uk/binaries/content/assets/website-assets/corporate-information/directions-and-data-provision-notices/data-provision-notices/general-practice-data-for-planning-and-research-dpn-v1.0.pdf>
- 2) Privacy Statement  
[General Practice Data for Planning and Research: GP Practice Privacy Notice - NHS Digital](#)
- 3) Patient Information on GDPR and Transparency Notice  
[General Practice Data for Planning and Research: NHS Digital Transparency Notice - NHS Digital](#)
- 4) Type 1 opt-out form: a copy of this form accompanies this letter
- 5) BMA/RCGP statement  
[Statement on GP data for planning and research \(bma.org.uk\)](#)

I hope this background is helpful, practices with further queries can contact their Data Protection Officer, or the LMC Office.

With best wishes



Dr Julius Parker  
**Chief Executive**