

**NHS England National Commercial and Procurement Hub**

**Dynamic Purchasing System (DPS)
Online Consultation (for patients of GP practices)**

Dear Supplier,

**Clarification of Control of Patient Information (COPI) Notice of 20th March 2020 and the requirement for GP system suppliers to provide information required to support NHSE/I’s response to COVID-19**

I refer to the Notice issued by the Secretary of State on 20th March 2020 made under Regulation 3(4) of the Health Service (Control of Patient Information) Regulations 2002 (COPI) which was addressed to GP Practices.

**Primary Care: Online and Video consultations**

In response to the COVID-19 pandemic and the Notice, NHS England are collating practice level data on the utilisation of online and video consultation systems. This is to support service delivery including implementation, resourcing, planning and research to respond appropriately during the pandemic. This practice level information on the capability and use of online and video consultation services will be shared with the department of health and social care, national NHS, regional, system, CCGs, Primary Care Networks and practice teams.”

You are therefore required to provide the data requested by NHS England for a range of activities, including:

* Delivering services to patients, clinicians, the health services;
* Research and planning in relation to COVID-19;
* Resourcing and implementation

System suppliers are requested to inform GP practices of this action using the text provided below.

**Effect of the Notice**

As the regulation 3(4) requires, this Notice was issued directly to the GP practices; rather than to the system suppliers. However, in order to remove any doubt about the legal effect of the Notice, I can confirm that the notice does require GP practices to provide the requested information for purposes outlined in that Notice.

As you are aware GP practices are under pressure at the current time and therefore, in response to these unprecedented circumstances, you can enable these changes without explicit instruction from individual GP practices if this is required. As GP practices are under a legal duty to share confidential information and these changes will enable that, we consider that you can proceed without further instruction from GPs, which will enable important and necessary information sharing to be facilitated in response to Covid-19.

You should however inform GP practices in advance of making these required changes, so that they are aware of their obligations under the Notice and that these changes are also being facilitated by you.

**Information to send to practices using your online/video consultation systems**:

*“Under the Notice issued by the Secretary of State on 20th March 2020 made under Regulation 3(4) of the Health Service (Control of Patient Information) Regulations 2002 (COPI) which was addressed to GP Practices, NHS England and NHS Improvement are collating practice level data on the utilisation of online and video consultation systems. This is to support service delivery including implementation, resourcing, planning and research to respond appropriately during the pandemic. The information is being collected directly from online consultation and video consultation suppliers. This practice level information on the availability and use of online and video consultation services will be shared with the department of health and social care, national NHS, regional, system, CCG, PCN and practice teams.”*

Yours sincerely,

National Commercial and Procurement Hub

On behalf of NHS England and NHS Improvement