

Dr Ian Harris
Deputy Chair
General Practitioners Committee Wales

7 August 2023

Dear Dr Harris

Equality and Social Justice Committee inquiry: Data justice

Thank you for your letter in relation to our current inquiry, which we considered at our meeting on 15 May 2023.

We were grateful for your comments and noted in particular the role that GP partners have as data controllers under GDPR regulations. We would welcome further information about how GPs discharge these additional responsibilities, including the training and support available to them.

We noted that as part of the GP contract documentation in NHS England for 2019-20, that as from 1 November 2022 it was intended that all patients over the age of 16 would be able to automatically have access to all medical records held electronically in GP systems.

It was later reported by the BMA that when there are safeguarding concerns, practices can prevent patients from having automatic access to the full record at switch on by adding a specific SNOMED code to the patient's record before 1 November 2022. This commitment on software installation by the UK Government would make it easier for GPs to edit patient records of matters relating the 3rd parties before they were released to the patient

However, it was subsequently agreed that "Following extensive negotiations and discussions with NHS England, the national mass roll out to turn on prospective access to the medical record from 30th November 2022 is not now occurring for those who wish to delay the process". It seems unclear whether the deadline of November 2022 was adhered to and if the English NHS digitised patient notes went live without this important commitment having been adhered to. It would be helpful to know if you have any information on the current position and how this may have impacted adoption of the English NHS digitisation of patient notes.

The Committee would be interested to hear about any alternative models which would allow GPs in Wales to more effectively share or delegate this GDPR role and whether these models could be considered within NHS Wales.

We look forward to receiving your response.

Yours sincerely

A handwritten signature in black ink that reads "Jenny Rathbone". The signature is written in a cursive style with a large initial 'J' and 'R'.

Jenny Rathbone MS

Chair, Equality and Social Justice Committee

