

NDG's Review of Data Security, Consent and Opt-Outs  
Room 2N12  
Quarry House  
Quarry Hill  
Leeds  
West Yorkshire  
LS2 7UE

7 September 2016

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Dear Sir or Madam

**National Data Guardian's Review of Data Security, Consent and Opt-Outs**

The General Pharmaceutical Council is the regulator for pharmacists, pharmacy technicians and registered pharmacies in Great Britain. It is our job to protect, promote and maintain the health, safety and wellbeing of patients and the public who use pharmacy services. As part of our role, we set the [Standards for Registered Pharmacies](#), as well as for pharmacists and pharmacy technicians, through our [Standards of Conduct, Ethics and Performance](#). Our standards and supporting guidance address the importance of maintaining patient confidentiality and obtaining consent in administering patient care.

Whilst the consultation document as a whole is of interest to us we have limited our response to general feedback on areas where we feel our work is directly relevant to the proposals. We understand that the data security standards are intended to be applied across all health and social care organisations, and take this to include pharmacies on the high street as well as those that are part of secondary care.

**Proposed data security standards**

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Overall we are very supportive of the aims of the ten standards. We consider it is most important that there is a simple, co-ordinated approach to information security across the health and care sector. These standards should be achievable and applicable to all organisations regardless of their size or resourcing.

**Proposed consent/opt-out model**

The eight elements of the model may be aided through supporting guidance material, to explain in clear language the potential implications and risks of limiting the information the care team may share and the extent of personal data likely to be shared.

In particular, patients receive health and care advice from a range of health and care professionals including pharmacists and pharmacy technicians, doctors and nurses. The practicalities of sharing this information, whilst ensuring the patient's decision to consent or opt out is respected, would be challenging in terms of the limitations of infrastructure across health and social care organisations.

Further exploration about the information technology capabilities required to implement an opt-out process that shares preferences across all health and social care organisations would be required.

We note the intention to review sanctions and penalties in future. It will be important to consider both the intent behind any changes to the law in this regard and the possible impact on professional behaviours and patient outcomes.

Given our role in regulating registered pharmacies, we are keen to be kept informed of the development of the standards and the proposed model to ensure that there is consistency for patients and the public, as well as those we regulate.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Hugh Simpson', with a horizontal line underneath.

Hugh Simpson  
**Director of Strategy**

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