**National data opt**-**out** **policy** 

**Compliance with national data opt**-**out** **policy**

NHS Digital and a number of other organisations are applying the national data opt-out to any in scope data releases and are compliant with this policy. All relevant organisations are required to be compliant with the national data opt-out by March 2020.

**About this information standard**

The national data opt-out policy was introduced on 25 May 2018, enabling patients to opt out from the use of their data for anything other than their individual care and treatment, (for example research or planning purposes, in line with the recommendations of the National Data Guardian).

(**National data sets** collect information from care records, systems and organisations on specific areas of health and care. This is used to inform policy and monitor and improve care.)

By September 2021 (the compliance deadline for the national data opt-out to be implemented by remaining organisations was extended to 30 September 2021, in line with the extension of the Control of Patient Information (COPI) Notices) all health and adult social care organisations are required to be compliant with the national data opt-out policy, where they are using confidential patient information for purposes beyond an individual’s care and treatment. This information standard provides a set of requirements to ensure that all health and adult social care organisations in England can comply with the [National data opt-out policy.](https://digital.nhs.uk/services/national-data-opt-out/operational-policy-guidance-document)

This information standard is published under section 250 of the Health and Social Care Act 2012.

This requirement is supported by [Information Standard: DCB3058: Compliance with National Data Opt-outs](https://digital.nhs.uk/data-and-information/information-standards/information-standards-and-data-collections-including-extractions/publications-and-notifications/standards-and-collections/dcb3058-compliance-with-national-data-opt-outs).

A member of the public is able to set an opt-out via a number of channels that include online, digitally assisted and non-digital channels. Any person registered on the Personal Demographic Services (PDS) and who consequently has an NHS number allocated to them is able to set a national data opt-out. The opt-out is stored in a central repository against their NHS number on the [Spine](https://digital.nhs.uk/services/spine), which supports the IT infrastructure for health and social care in England.

In order to meet this Standard KASBAH will:

* Review procedures to ensure current uses or disclosures of confidential patient

information meet current operational policy, record this activity with the date it was

reviewed and update procedures if required.

* Review the technical solution implemented to ensure it still check lists of NHS numbers against those with national data opt-outs registered, record this activity with the date it was reviewed and update the solution if required.
* Review process in place, when we get the results back, to ensure that KASBAH only use or disclose information for the returned list of NHS numbers, as any with national data opt-outs registered will have been removed, record this activity and update the process if required.