

## NHS Heywood, Middleton and Rochdale responses to public questions received during June 2021

*Please note the CCG will not provide a response to questions requesting an opinion-based answer and is only able to provide factual responses.*

*At present many of our staff are working on Covid solutions, therefore the CCG may not be able to answer your questions as quickly as we would normally do.*

*On this occasion some of the responses have been provided by colleagues from RBC, if you have any further questions in relation to Adult Care, Public Health or Healthwatch Rochdale, please contact the appropriate organisation directly.*

### **Questions submitted on 2 June 2021 @ 11:49hrs (by a member of the public AW)**

I have had anecdotal evidence from a number of people I work with about their treatment when accessing Mental Health treatment when in crisis and would like to ask whether the CCG aware of the use and imposition of legal recourses such as Community Protection Notices (CPN) and Community Behaviour Orders (CBO) — legal measures that were introduced primarily to deal with anti-social behaviour but are now being used for mental health patients in the Heywood . Middleton & Rochdale area?

**Q1** Does the HMR CCG retain data for the use of and number of Community Protection Notices (CPN) and Community Behaviour Orders (CBO)?

**Response:** *The CCG does not retain or have access to this data.*

**Q2** If so how many Community Protection Notices (CPN) and Community Behaviour Orders (CBO) were issued in our area in the last 12 months?

**Response:** *Please see response to Q1.*

Under this system Service-users are told that sharing information can happen with their consent or without it. but even when they agree, the nature of consent in this situation is highly problematic because the prospect of coercion remains an active option for those who continue what the team consider undesirable behaviour and yet show “refusal to engage with mentors.”

Professor of Social Psychiatry at Bangor University Rob Poole has said there was a trend to regard frequent users of emergency mental health services as a problem rather than as people with problems. “This is used to justify the use of coercion, withholding of services and overriding of rights.” He added: “In my opinion, it is unacceptable to marginalise people as ‘the wrong kind of patient’. We have the wrong kind of services.”

The ‘Stop SIM’ coalition has said: “Our concerns about SIM relate to the evidence, legality (including GDPR, Human Rights and Safeguarding), aims, governance and ethics.”

National mental health organisations have been vocal too, including Mind, Rethink and The Centre of Mental Health – which has said that any new approach needs to be tested “robustly and independently” before it is spread widely.

Professional bodies have also distanced themselves from the scheme. The National Director for Mental Health is writing to every mental health trust asking them to review their involvement in the scheme from a patient care and legal perspective. The letter says: “I would like to clarify that NHS England and NHS Improvement (NHSE/I) does not mandate the ‘SIM’ model and at this time, it is not formally endorsing or promoting its spread.”

**Q3** *What is the HMR CCG's view of the use of the 'SIM' Model in our area*

**Response:** *The CCG is unable to provide an opinion-based response.*

**Q4** *Are we to expect this 'SIM' model become more widespread in our area post Covid19 pandemic?*

**Response:** *The CCG is unable to provide an opinion-based response.*

**Q5.** *What steps will the CCG be taking to monitor the use of Community Protection Notices (CPN) and Community Behaviour Orders (CBO) for patients in our area?*

**Response:** *Please see response to Q1.*

**Questions submitted on 2 June 2021 @ 12:57hrs (by a member of the public AW)**

From 1 July 2021, and every day thereafter, the Government has Directed NHS Digital to take from patients and their family's GP records:

“data about diagnoses, symptoms, observations, test results, medications, allergies, immunisations, referrals, recalls and appointments, including information about physical, mental and sexual health”

“data on sex, ethnicity and sexual orientation”

“data about staff who have treated patients”

NHS Digital states that: “Data may be shared from the GP medical records about ... any living patient registered at a GP practice in England when the collection started – this includes children and adults”.

It goes on to say the data will be shared “from 1 July 2021”, although NHS Digital says that patients only have until 23 June 2021 to opt out – patients who haven't opted out by the deadline will find their entire GP history is first sent to NHS Digital this summer, this information will never be deleted.

**Q6.** *What active steps have HMR CCG already taken to inform local NHS patients in our area that this sharing of personal data is about to take place ?*

**Response:** *As noted within your question, the Government has directed NHS Digital, as such this is a national campaign from NHS Digital to promote and inform patients. Below is a link to NHS Digital website which provides details of mythbusting social media posts.*

<https://digital.nhs.uk/services/national-data-opt-out/mythbusting-social-media-posts>

**Ahead of the initial deadline of 23 June 2021, NHS Digital made the following announcement** “To provide more time to speak with patients, doctors, health charities and others, the collection of GP data for Planning and Research in England has been deferred from 1 July to 1 September 2021”

**Further details can be found on NHS Digital website via this link:**  
<https://digital.nhs.uk/data-and-information/data-collections-and-data-sets/data-collections/general-practice-data-for-planning-and-research>

**Update 30 July 2021 – the Parliamentary Under Secretary of state sent a letter to all GPs** 19 July 2021, to set out a new process for commencing data collection, moving away from a previously fixed date of 1 September 2021.

There is no specific start date for the collection of data and it won't commence until certain criteria has been met. NHS Digital are working with GPs, patients, health charities and others to design a new approach. The initial Data Provision Notice to GPs has therefore been withdrawn and no action is required by GP practices or GP system suppliers in response to it. Further information can be found in the link: <https://digital.nhs.uk/data-and-information/data-collections-and-data-sets/data-collections/general-practice-data-for-planning-and-research>

**Q7.** What steps have HMR CCG taken to inform local NHS patients in our area of their rights to opt out of having their confidential medical records shared and the proactive steps they can take to opt out of this process ?

**Response:** HMR CCG has provided communications to all Member Practices to raise awareness of the process to follow and provided links to NHS Digital, in addition to raising awareness to members of the public via social media platforms.

As independent businesses, GP practices have decided how this will be communicated to patients. Some member practices across HMR have notified patients via SMS message.

**Questions submitted on 6 June 2021 @ 11:03hrs (by a member of the public ES)**

**Q8.** Can you absolutely guarantee that GPs will activate opt-out requests for the above? There are now only 17 days left before the deadline of 23rd June 2021 for requests to protect our GP medical records.

**Response:** Please see response to Q6 above, all GP practices are governed by NHS England / NHS Improvement and it is NHS England / NHS Improvement who is responsible for monitoring practice and investigating any concerns raised by patients.

**Q9.** Have GPs been advised to confirm to patients that these requests have been acted upon? I think they should have.

**Response:** HMR CCG has contacted all HMR GP practices to provide information and links to NHS Digital website, notifying of the process.

**Questions submitted on 19 June 2021 @ 11:53 and 12:16hrs (by a member of the public AW)**

Being immensely proud to be born and raised in the city of Kingston-Upon-Hull it was with a sense of huge civic pride I read the superb news that Hull CCG has been named UK's first clinical Commissioning Group of Sanctuary

Hull named as home of UK's first Clinical Commissioning Group of Sanctuary - Hull Live (hulldailymail.co.uk)

**Q10.** I wonder if you could please list the individual proactive steps NHS HMR CCG will be taking to become a Clinical Group of Sanctuary yourselves given the increasingly diverse & changing demographic of our NHS area and changing the needs of the refugee asylum seeker diaspora in our NHS footprint area ?

**Response: NHS HMR CCG commend the achievement of Hull CCG. In line with Government proposals all CCG's will cease to exist from April 2022. Therefore, initiatives of this kind will be governed by the Integrated Care System for Greater Manchester. Until the framework is published we are unable to advise who would take an initiative such as this forward.**

I have included a link to Hull CCG website for your information (please see below)

The first UK 'CCG of Sanctuary' launched in Hull – Hull CCG

**Q11.** Will NHS HMR CCG be following Hull CCG's exemplary lead as a well renowned centre of NHS health excellence and be appointing a nominated lead at executive level to initiate this process locally?

**Response: Please see response to Q10.**

**Q12.** When will a nominated lead at executive level be appointed?

**Response: Please see response to Q10.**

**Q13.** If not please can you indicate why not?

**Response: Please see response to Q10.**