

# Update on Crowdsourcing Use Cases, and Blockers on Information Standards Adoption Survey

Future Vision & ICS Strategy Transformation Directorate





## Crowdsourcing Use Cases

- **Purpose:** to identify interoperability, integration or data architecture issues and blockers in patient pathways that involve several care settings.
- **Intended outcome:** evidence and clear articulation of care settings impacted, better determination of the priority areas that interoperability needs to be improved in, value and case for change
- Gathering commenced from May 20<sup>th</sup> and is still ongoing. Received about 450 use cases to date; good number of use cases for the care effectiveness, and care efficiency categories, but low in research and planning as well as integration issues that include social care.
- The analysis of the use cases is still pending, awaiting DHSC Ministerial approval for business case.



## Survey on blockers to standards adoptions

- **Purpose:** to identify the institutional, behavioural, commercial, and financial blockers to standards adoption that may be preventing or slowing uptake of standards.
- **Intended outcome:** hypotheses for intervention to address identified blockers, and ranks in terms of potential impact that can generate a case for change.
- Survey commence from May 20<sup>th</sup> and was closed on July 31st, 2022
- Analysis from the survey is being finalised and will be shared by the Standards and Interoperability team to the stakeholders soon.

# DCMS Bill on Information Standards for Health and Adult Social Care

Future Vision & ICS Strategy Transformation Directorate



# Overview

**18 July**, the Transformation Directorate introduced changes to Information Standards within the **DCMS Data Protections and Digital Information (DP&DI) Bill** (in Part 4 of the Bill)

The new changes are designed to make everyone involved in the processing of health and care information accountable for meeting basic information standards.

The intended outcomes are improved clinical outcomes for patients, improved clinical decision making enabled by access to accurate and complete information, better procurement and commissioning by health and care providers, and a more dynamic and responsive health and care IT market.

# (Why) Changes to Information Standards



## the issues

Service users and care team cannot easily access or share, in real time, all the health and/or social care information that is relevant to patient care.



**Lack of uniform from IT suppliers in providing products and services based on shared principles that incorporate or enable interoperability.** This causes problems for NHS and care organisations such as the need to pay - and often wait - for information held in third party systems to be released in order to access and make best use of the data.

Current Information Standards in law apply to private providers. But **they do not apply to IT suppliers** who provide products and services encompassing the core record for day-to-day clinical tasks



**There are no existing powers that can help drive IT suppliers to adopt the information standards** that the NHS and Adult Social Care organisations as well as private providers are already obligated to meet.

## the requirements

The 2022 Health and Care Act seeks to establish a legislative framework that supports collaboration and partnership-working to integrate services for patients across NHS organisations, local authorities, VCSE organisations and communities themselves.

As **Integrated Care Systems come together, there is a clear need for more effective information sharing between care settings,** organisations and geographies, as well as between professionals and citizens.



Joined-up data is a requirement for joined-up services and timely access to accurate information is essential for safe, seamless patient care; as well as to improve population health and deliver new models of care. However, information sharing is reliant on the ability of IT systems across health and care to be [interoperable](#).

# (How) Intended Changes



Information Standards ensure that data can easily be shared in real time between organisations that use different systems. They include obligations such as the use of standard coding (use of FHIR); the use of open application programming interface (APIs) which remove concerns around data lock; and adopting an 'open' approach to data architecture - all of which are essential for information to flow in readable manner



The primary powers within the Bill would enable the Government to enforce this on behalf of the NHS and adult social care system through a system of compliance notices, public censure and financial penalties, along with a power to establish and operate an accreditation scheme.



# (How) Overview Information Standards

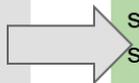


- Existing, new and upcoming legislation

## Health and Social Care Act 2012

Allows for the publication of information standards relating to the processing of information on (public) providers of health and adult social care.

Providers must 'have regard' to the information standards.



## Health and Care Act 2022 (Clause 95)

Allows for the publication of mandatory information standards relating to the processing of information and extends the provisions to private providers of health and adult social care. It requires organisations to 'comply' with standards, rather than, as previously, simply to have regard to them.

This is to help ensure that information flows through the system in a standardised way so that it is easily accessible, in a meaningful format, to recipients and users, as well as helping to ensure the security of that information when processed



## DCMS Data Protection and Digital Information Reform Bill (Information Standards)

Will allow for the publication of mandatory information standards under section 250 of the Health and Social Care Act 2012 in relation to the processing of information to include standards relating to IT or IT services. It also extends the provisions to include providers of IT products and services to the health and adult social care sector in England.

The aim is to improve the free flow of individuals' health and care information and to bring individuals closer to their health and care data.

# (How) Overview on Enforcement



- Existing, new and upcoming legislation

## Health and Social Care Act 2012

No enforcement clauses. Existing accountability mechanisms and judicial review could be used as only public bodies were in scope.



## Health and Care Act 2022 (Clause 100)

Introduced powers to impose a financial penalty to those private providers who fail to comply with an information standard.

**An enforcement mechanism** is required because private organisations are not subject to usual accountability mechanisms and judicial review in the same way as public bodies.



## DCMS Data Protection and Digital Information Reform Bill (Information Standards)

Will introduce powers to issue IT suppliers whose products and services do not comply with the relevant information standards with a notice requesting compliance or a financial penalty.

**An enforcement mechanism** is required because there is no legal basis upon which to issue a compliance notice or a fine to IT suppliers who do not comply with information standards.

# (When) High level timeline



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**April 2022**

Primary Impact  
Assessment  
Submission

**July 2022**

Bill presented to  
House of  
Commons

**October 2022**

Bill presented to  
House of Lords

**Dec 2022**

Report Stage

**Jan 2022**

Amendments

**March 2023**

Royal Assent  
Full Impact  
Assessment

**March 2024**

Guideline and  
Secondary Powers

# The Asks

- 1 **Gathering evidence on Interoperability's blockers, issues and challenges:**

We welcome your use cases and please send it to [england.futurevision@nhs.net](mailto:england.futurevision@nhs.net) especially on interoperability, integration, data architecture issues and blockers in patient pathways that involve several care settings. Please do not write a new use case but send us your existing work. There is no form or template to complete.



- 2 **For any immediate queries about the bill please contact [england.futurevision@nhs.net](mailto:england.futurevision@nhs.net)**

Information and updates related to the DCMS Bill will be distributed and updated in subsequent engagements.