

Response ID ANON-JE4C-RY2T-Q

Submitted to **Caldicott Principles: a consultation about revising, expanding and upholding the principles**
Submitted on **2020-09-03 12:01:25**

About you

1 In what capacity are you responding to this consultation?

On behalf of an organisation

Other:

2 If applicable, please provide the name of your organisation:

Organisation:

FODO - the Association for Eye Care Providers; Local Optical Committee Support Unit - LOCSU; Association of Optometrists; Association of British Dispensing Opticians; Optometry Wales

3 If applicable, please tell us what type of organisation you work for - please tick all that apply:

Professional body representing clinicians

Other:

4 If applicable, please tell us what your role is - please tick all that apply:

Managerial

Other:

Revising and expanding the Caldicott Principles

5 Do you agree that the NDG should introduce the new proposed principle (number 8 in the list above)?

Strongly agree

If you think it would be useful for us to know why, or if you have specific amendments to suggest, please use the free text box to tell us.:

In health and social care, patients and services users should always have a clear expectation of how the confidential data they provide will be used without 'surprises' – without that they cannot provide their personal data in an informed way. The absence of such clarity across the NHS, combined with serious data breaches, may explain why patients have chosen to opt out in some cases.

However in the case of optical practices, this will already be clear in the practice's data policy and we would suggest that having such a policy and making it available e.g. signposting in practice or on their website should also fully meet the requirements of the new principle.

6 Do you agree that the revised Caldicott Principles are a useful tool to help ensure that confidential information about patients and service users is used appropriately?

Agree

If you think it would be useful for us to know why please use the free text box to tell us.:

They are less a tool and more a helpful reminder and ethical guideline.

Upholding the Caldicott Principles: the role of the Caldicott Guardian and NDG statutory power to issue guidance

7 Do you agree with the NDG's proposal to issue guidance that all public bodies within the health and adult social care sector in England, and all organisations which contract with such public bodies to deliver health or adult social care services, should have a Caldicott Guardian?

Disagree

8 What issues should NDG guidance about Caldicott Guardians cover? Please select all that apply.

Relationships to other key roles eg Data Protection Officer, How small organisations could arrange a Caldicott function where it's not proportionate to have their own Caldicott Guardian

Other:

Comments relating to Question 7:

In our experience the Caldicott principles and guardian system seem to be working well and to be highly regarded. Part of the reason for that is flexibility and proportionate and appropriate implementation across health and social care sectors.

It is not clear from the consultation what the need or evidence base is for further guidance beyond simply updating the 2017 Manual for Caldicott Guardians e.g. to take account of the role of the Data Protection Officer (DPO).

There can be a tendency in the public sector for 'industries' and 'inflexibility' to build up around such guidance which detract from the simplicity of the primary message and turn a helpful professional mindset into yet another 'tick box' exercise.

Comments relating to Question 8:

If there does have to be further guidance - and this seem to be thrust of the consultation - this could be a simple updating of the 2017 Manual. In that case it could usefully cover how the Guardian role fits with the newer role of the DPO and how these fit together or might be combined.

In either case, we welcome the recognition in the consultation document "that it may not be proportionate for some smaller organisations to appoint a dedicated Caldicott Guardian" and that instead "all such organisations should have a Caldicott function".

This is certainly the case in optical practices many of which are SMEs or sole trader organisations which could not sustain a fully trained Caldicott Guardian on their own.

We welcome therefore the suggestion that "one Caldicott Guardian might serve several organisations (eg a consortium of GPs)". In the case of optical practices this would probably be regional groupings of Local Optical Committees in England (Local Optical Committees being organisations derived from statute, equivalent to Local Medical Committees),or Optometry Wales, Area Optical Committees in Scotland, or Optometry Northern Ireland in those countries as the case may be.

We would welcome this being made clear in an updated Manual or further guidance.

9 What additional support would be necessary to help implementation of the guidance?

Training for Caldicott Guardians, Peer-to-peer support for Caldicott Guardians

Other:

Training and peer to peer support options are always helpful. NHS funded training and peer to peer support should be open and actively advertised to the optical sector.

10 Is there anything else you want to tell us about the proposals in this consultation?

Comments:

The optical sector fully supports the revised Caldicott Guardian principles. However, if further guidance is issued, it will be important for this not to be over-prescriptive and to make clear that this still only has the status of guidance. This will preserve helpful flexibility and proportionality in specific health and social care sectors. Over-rigidity in implementation will risk losing the clarity of the principles which we would like to see fully part of the professional ethos of healthcare provision.

11 We will treat all responses in the strictest confidence.

If you are happy for us to contact you to clarify your comments, please tick here and provide your email address below.:

Yes

Please tick this box if you would like to be alerted when the results of this consultation are published and provide your email address below.:

Yes

Email:

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