

## **Workforce Minimum Data Set - GPC position - January 2015**

### **Summary**

NHS England has written to GP practices about the supply of a Workforce Minimum Data Set (WMDS). Practices have been asked to supply data on their staff, including recruitment, vacancies, absences and personal details, such as date of birth, National Insurance (NI) number and gender.

The intention of the data collection is to allow the Department of Health (DH), NHS England and Health Education England (HEE) to understand the current NHS workforce and plan for future needs. The data collection replaces the annual GP census and practices have been asked to submit data through the primary care web tool. The module is due to be available to practices in January 2015, with the first data submission due by the end of May 2015. Practices will thereafter be asked every six months to confirm the information held within the tool is correct.

The GPC has received a number of concerns from LMCs and practices about the submission of this data. Concerns are that the data being requested is excessive in relation to the purpose, will create workload for practices and that the sharing of personal staff data could be in breach of the Data Protection Act (DPA).

### **Legal position**

GPC has sought legal advice to help clarify practices' legal responsibilities. The advice has confirmed that under Section 259 of the [Health and Social Care Act](#) (HSCA), the Health and Social Care Information Centre (HSCIC) has the power to collect information considered 'necessary or expedient' for the purposes of any function it exercises. For the WMDS, the HSCIC is collecting this data under direction from the DH and NHS England. The advice therefore is that practices are legally obliged to provide the information requested for the WMDS.

With regards to personal data, information such as NI number, name, date of birth, gender and ethnicity will be collected. Under the DPA, Section 10, an individual is entitled to object to the processing of their personal data likely to cause damage or distress. However, the DH direction for this collection, under Section 259 of the HSCA, imposes a legal obligation on NHS bodies to provide the data, and this in turn overrides Section 10 of the DPA.

Although the right to object under the DPA is removed, we would advise practices to inform their staff of this data submission, to comply with the fair processing principle of the DPA. We understand practices will be provided with a template fair processing notice to explain to their staff how individual data will be used. The template will be available on the [WMDS webpage](#).

### **Next steps**

GPC remains concerned that the dataset is excessive and will create additional, unnecessary burden for practices at a time when they are already under severe workload pressure. As such, concerns will be raised again with NHS England during January and LMCs will be updated. GPC will also be responding to the [Privacy Impact Assessment consultation](#) for the dataset which closes on 20 February 2015, and would recommend LMCs and practices also consider responding.

Our interim advice is that practices should continue to arrange access to the primary care web tool module, as per the advice in the December HSCIC email (Appendix 1). The HSCIC will contact practices in the middle of January to grant access to the module, and provide details of the online training materials and further support. We understand that the module will be prepopulated with information from the Exeter system and the CE1 collection for practices not on Exeter. We would recommend that practices then proceed with the data preparation and submission.

Where practices remain concerned about the data collection, they should email the GPC Secretariat ([info.gpc@bma.org.uk](mailto:info.gpc@bma.org.uk)), giving specific examples of how this exercise is adversely impacting them, so that concerns can be taken back to NHS England. Please note that any queries about accessing the web tool should be taken to the HSCIC, as per the details in Appendix 1.

Further information on the dataset, including the data to be collected and the process for submission is available on the [HSCIC website](#), which includes a [specification overview](#) and set of [FAQs](#).



### Workforce Minimum Data Set - update and action

We sent a letter to NHS England area teams on 21 October 2014 asking them to provide you with an update on the progress of the Workforce Information Architecture (WIA) programme, and to advise you of the steps that your practice will need to take to supply the workforce Minimum Data Set (wMDS). You can access the letter [here](#)

We have developed a facility to submit your data using a newly built **workforce module** on the Primary Care Web Tool (PCWT) ([www.primarycare.nhs.uk](http://www.primarycare.nhs.uk)). Your practice can already access this tool for the purpose of submitting practice declarations alongside other information returns. This new module will be open all year for you to update any changes to your workforce. The first collection is due during April 2015, then once every six months we will ask you to confirm that the information held within the tool is correct.

This email has been sent to provide further details about the module and to confirm who within your practice needs access to the module.

### What you need to do

Please respond by emailing [enquiries@hscic.gov.uk](mailto:enquiries@hscic.gov.uk), quoting '*Primary Care Web Tool*', confirming who in your practice will need access to the workforce module. For each user please provide the following:

- Forename
- Surname
- Telephone number
- Valid individual NHS Mail email address (e.g. [john.smith@nhs.net](mailto:john.smith@nhs.net))
- Your practice's National ODS organisation code (e.g. M12345)

As the module will hold personal information we need you to provide a valid NHS Mail (@nhs.net) email account assigned to a specific individual (e.g. not [practice.manager@practice.co.uk](mailto:practice.manager@practice.co.uk) or [admin.gp-e84746@nhs.net](mailto:admin.gp-e84746@nhs.net)). We appreciate that some of you will not currently have such an email address, however information governance considerations require this to ensure the security of your colleagues personal information. A new NHS Mail account can be obtained by visiting [www.nhs.net](http://www.nhs.net) and clicking on the 'Register here' button.

Note: We understand that some practices already provide workforce information within separate collections to Health Education England via the regional offices. In order to prevent duplication, if you are one of these practices then your information will be provided to us by Health Education England directly and you will not be required to provide it again via the workforce module on the PCWT. **You will still need to access this module to inform us that your data will be submitted via alternative means, and so will still need to respond to this communication confirming the contact details of the person who will need access to the module to do this.** Your local team from Health Education England will be in touch in due course regarding the workforce data collection for March 2015, however if you have any queries please do not hesitate to contact them directly.

### **What will happen next?**

We will then contact you in the middle of January to grant access to the module to ensure that you have as much time as possible to use the tool prior to the first collection period. At this point we will also provide you with details of the online training materials and further support that are available.

### **Further Information**

#### **What is the wMDS?**

The wMDS is a collection of data items describing all staff in all settings providing NHS services. These services include general practice, hospitals and community health services including the private sector where it provides NHS services. The data collected will include information on recruitment / vacancies, absences and some personal details. For more information please see the already established National Workforce Dataset, on the Department of Health website at:

<https://www.gov.uk/government/publications/health-workforce-information-review> and the Health and Social Care Information Centre (HSCIC) internet pages at: <http://www.hscic.gov.uk/wMDS>.

#### **What does the wMDS mean for providers of NHS services?**

Implementation of the wMDS will lead to a consistent approach to workforce data collections across all staff groups working for providers of NHS services that will align with other existing workforce data collections and assist workforce planners to analyse more accurately and provide a baseline and evidence for future education commissions. It will also mean that Health Education England (HEE) can make sure the service has the right staff with the right skills to meet the future demands for healthcare.

In addition, more accurate primary care baseline data will allow enhanced qualitative and quantitative modelling of future workforce scenarios.

The consistent approach and further granularity of the data will allow the HSCIC to present more detailed national statistics that feed into a variety of publications and process around workforce demographics as a whole.

### Personal data and data sharing

As part of implementing the wMDS the HSCIC has developed a privacy impact assessment (PIA) which sets out the risks and mitigations of this collection. The HSCIC is consulting on the PIA with all organisations that provide NHS funded care on the impact to them of providing data at an individual level for their entire workforce and as such we would welcome a response from you.

The consultation will last 10 weeks following its release on 10 December 2014 with further details, including how to respond, available at <http://www.hscic.gov.uk/pia>.

If you have any queries regarding this please email [enquiries@hscic.gov.uk](mailto:enquiries@hscic.gov.uk). Please quote **'Primary Care Web Tool'** in the subject field of the email. Alternatively, you can call our contact centre on 0300 303 5678.

Kind Regards

Health and Social Care Information Centre

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Please direct any queries to [enquiries@hscic.gov.uk](mailto:enquiries@hscic.gov.uk) or call 0300 303 5678.



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