

A Parliament Street Policy Paper

Getting the NHS ready for the

GDPR



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partnership in policy

Introduction

The National Health Service (NHS) occupies a special place in the hearts and minds of the British people. The hard work and dedication of our doctors, nurses and health professionals provides our country with free healthcare services, which is occasionally criticised, but always respected.

The ability to live your life safely in the knowledge that you are protected by the NHS, whatever your financial or personal circumstances, stands in stark contrast to private systems in other countries.



This security comes at a price. In recent years NHS net expenditure has increased from £78.881 billion in 2006/07 to £120.512bn in 2016/17. In the last financial year it reached £123.817bn and for 2018/19 it is £126.269bn. For this financial year, it equates to approximately a personal of contribution of £1,980 per person in the UK, funded through taxation and national insurance.

Despite this generous funding, our health service is also facing a financial crisis. Years of mismanagement, bloated administration and rising costs for social care, mean resources are at breaking point. It is against this backdrop that the NHS faces a new challenge which threatens to add further strain to its resources; the General Data Protection Regulation (GDPR).

From 25th May 2018, all organisations which operate within the EU and process the data of its citizens will be subject to this new data protection regulation. The consequences for a breach of this regulation include the possibility of being fined €20 million or 4% of annual global turnover.

In addition, the complexities and legal landmines facing NHS chiefs as they implement changes to adhere to this regulation are immense.

This report has been commissioned to see how NHS Trusts can prepare for the GDPR, revealing new insights into current plans, expenditure and resources to deal with it.

Methodology

Parliament Street issued Freedom of Information (FOI) requests on NHS expenditure on the GDPR in February 2018, with 46 trusts responding. We asked for detail on expenditure to date, projected expenditure for the next year and specifics around how the money was being used.

Analysis

The NHS is struggling to prepare for the GDPR.

Research from the Digital Health Alliance (DHI) has stated that 55% of acute trusts and 47% of mental health trusts have an implementation plan for the General Data Protection Regulation (GDPR).

This suggested that around half of trusts are properly equipped with a plan to tackle this complex legislation. A key issue for the NHS is how they manage and secure sharing of confidential patient records and data, which is extremely sensitive and personal to individuals.

Our research showed that in total the financial toll of the GDPR on NHS Trusts was significant, with a total of £1,076,549 being spent on it across the 46 trusts which responded to our requests under the Freedom of Information (FOI) Act.

Topping the list for biggest spender was Luton and Dunstable Hospital Foundation Trust which set aside £111,200 for GDPR implementation, targeted at staff support and training.

This was closely followed by Lincolnshire Partnership NHS Foundation Trust which spent £106,915 on staffing and training, including £1,755 on specialist training.

South Central Ambulance Service NHS Trust set aside £95,000 for GDPR. This was followed by St George's University Hospitals NHS Foundation Trust which also spent £95,000 on 'research, analysis and resourcing'.

Sheffield Teaching Hospitals NHS Foundation Trust spent £78,000 preparing for the regulations.

Dorset HealthCare University spent £70,000 on a GDPR specialist for six months, supported by staff training.

Top 10 Highest Spending Trusts	
Luton and Dunstable Hospital Foundation Trust	£111,200
Lincolnshire Partnership NHS Foundation Trust	£106,915
South Central Ambulance Service NHS Trust	£95,000
St George's University Hospitals NHS Foundation Trust	£95,000
Sheffield Teaching Hospitals NHS Foundation Trust	£78,000
Dorset HealthCare University	£70,000
South Staffordshire and Shropshire Healthcare NHS Foundation Trust	£55,000
The Christie NHS Foundation Trust	£54,010
Tavistock and Portman, NHS Foundation Trust	£51,600
Northumbria Healthcare NHS Foundation Trust	£47,092

Provision

As part of the research we discovered extra detail on how trusts were spending their resources.

The Christie NHS Foundation Trust spent £54,000 on Information Security Management System and consultancy resources. The Queen Elizabeth Hospital King's Lynn NHS Foundation Trust spent nearly £11,000 on a data flow mapping licence, software training and configuration consultancy.

Lower budgets

Some hospitals provided lower spending figures, with Royal Derby hospital stating that it has only spent £500 on GDPR. Goodmayes Hospital also spent £500 with an additional £70 a month on a secure email system for sending patient records.

Alder Hey Children's NHS Foundation Trust spent £553 on practitioner training. Cheshire & Wirral Partnership NHS Foundation Trust spent £662 on training along with an exam.

Recommendations

Our research has shown NHS Trusts have already spent over £1million on GDPR preparation. This includes consultancy, secure email systems, software, staffing and training.

- We propose that the NHS establishes a national programme for managing and funding the GDPR and lobbies the Treasury for extra funding to support it.
- The government should look to provide dedicated legal advice in the form of solicitors and specialist counsel to enable all trusts to gain free consultancy on implementation
- A national NHS GDPR strategy should be established, bringing together lawyers, chief information officers and CEOs to ensure consistency between trusts

Top 10 lowest spending trusts	
The Royal Orthopaedic Hospital	£2,000.00
Camden and Islington NHS Foundation Trust	£1,600.00
Cambridge University Hospitals NHS Foundation Trust	£1,500.00
Milton Keynes University Hospital NHS Foundation Trust	£1,489.00
The Rotherham NHS Foundation Trust	£1,080.00
East Kent Hospitals University NHS Foundation Trust	£999.54
Rotherham Doncaster and South Humber NHS Foundation Trust	£900.00
Cheshire & Wirral Partnership NHS Foundation Trust	£662.00
Alder Hey Children's NHS Foundation Trust	£553.00
Goodmayes Hospital	£500
Royal Derby Hospital	£500