Completing the NHS Prescription Services request for information and data proforma

 **Guidance for applicants**

**1. Purpose**

This guidance has been devised to help the applicant complete the NHS Prescription Services request for information and data proforma to obtain NHS Prescription Services information in line with current legislation and regulation.

The proforma aims to provide NHS Prescription Services with sufficient information to allow the release of prescription data and information. It does not intend to supersede any existing service level agreements or legislation, unless stated in the body of this guidance

The purpose of this Process is to standardise and record all requests, made by external regulatory or NHS bodies, and has been designed to allow the applicant access to prescription information and data as held by the NHS Prescription Services under the regulatory and/or legislative powers as defined.

**2. Legislation and regulation**

 This application for information and data complies with and meets the requirement of:

1. **General Pharmaceutical Council:** General Pharmaceutical Council: Article 49 Subsection 1, 2 (a) and 3 of The Pharmacy Order 2010 No 231
2. **Police Service**:Data Protection Act 2018 Schedule 2 part 1 2 (1)(a)

The listed GDPR provisions and Article 34(1) and (4) of the GDPR (communication of personal data breach to the data subject) do not apply to personal data processed for any of the following purposes —

(a) the prevention or detection of crime,

(b) the apprehension or prosecution of offenders, or

(c) the assessment or collection of a tax or duty or an imposition of a similar nature

Requests made under this legislation must be authorised by a ranking officer of Inspector or above and provide sufficient information to determine whether a disclosure is to be made. This request form does not oblige the recipient to disclose; it enables a disclosure to be legally made.

1. **General Medical Council**: Section 35A (1) (b) of the Medical Act 1983 (as amended 2000) SI 1803
2. **Coroner's Office**: Coroners and Justice Act 2009 Schedule 5.
3. **Care Quality Commission**: Section 17(4) of the National Health Service (Complaints) Regulations 2004 no 1768.
4. **HM Revenue & Customs**: Schedule 11, section 7 (2) of the Value Added Tax Act 1994.
5. **Others**: Please clearly state the legal position which obliges disclosure of the requested information.

This list is not exhaustive, and you should contact the NHS Prescription Services Gatekeeper if your request is made under the provision of alternative different powers or regulations.

**3. Instructions on completion**

< …. > Please insert information in all cases.

\* Please provide full explanation and details of information required.

**Part 1 – Recipient/applicant details**

**To:** NHS Prescription Services Gatekeeper nhsbsa.cfsrequests@nhs.net

**From:** <NAME>, LCFS, <CCG>

**Contact Email:** < EMAIL ADDRESS >

**Contact Address:** <ADDRESS>

**Contact Tel No:** <TEL >

**cc:** NHS Protect PFT Manager PFT.BSADR@nhsprotect.gsi.gov.uk

**Date:** <…>

**Part 1 guidance notes:**

1. All requests must be submitted **securely** to the NHS Prescription Services Gatekeeper either by **fax** to 0191 264 8801 or by **email** to the address above, and copied to the NHS Counter Fraud Authority PFT email address (above). Emailed requests must be sent from NHSmail or secure government domains to transmit this information securely. Please note that currently NHSmail will remove any encrypted files, so requesters without access to NHSmail or secure government domains should use the secure fax line.

2. All contact details must be completed to verify your authority to access this information. It is essential that state which organisation you represent e.g. GPC / CCG / Area Team / NHS Counter Fraud Authority etc.

**Part 2 – Regulations**

This section sets out the regulations and powers required to release the data and information.

*The following information/data has been requested under regulatory and or legislative powers as defined by my professional role (\* Please delete as applicable)*

1. **General Pharmaceutical Council:** General Pharmaceutical Council: Article 49 Subsection 1, 2 (a) and 3 of The Pharmacy Order 2010 No 231
2. **Police Service**:Data Protection Act 2018 Schedule 2 part 1 2 (1)(a)

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**Part 3 – Further information**

**1. Who is requesting this information/data? \***

Please state your title/role and the organisation you are representing.

*This information is essential to verify your authority to access the information.*

**2. Specifics of information required\*** [e.g. FP10, account numbers, months etc.]

*This should include a summary of the allegation which will facilitate the extraction of any information. Use additional sheets as necessary*

*You* ***must*** *detail what information you require: e.g.*

* *Prescriptions, FP10 – identified by Prescriber (GP/Hospital/Dentist)*
* *Prescriptions, FP10 – identified by Pharmacy Contractor/Hospital Dispenser*
* Prescriptions, FP10 – identify medication dispensed by pharmacy
* *Prescription data – to establish Net Ingredient Cost (NIC) and associated fees*
* *Payment schedules – to identify total monthly payments.*

*In all cases you* ***should*** *identify the prescriber number, pharmacy contractor account number (F code), drug type and month/period to be analysed [where applicable].*

**3. Additional Information attached : Yes\* / No**

Indicate additional information attached, e.g. spreadsheet.

**4. Why is this information required:- \***

Provide detail of enquiry type, e.g. criminal, civil, disciplinary

*You must indicate why this information is required e.g. criminal investigation, civil recovery, disciplinary hearings.*

**5. How will this information be used:\***

Provide detail of any third party use, e.g. solicitor/police

**6. Timescales**

**• When is this information required? \***

**• How long will you retain/use the information provided?**

*It is essential to determine when the information is required by e.g. trial date, as this will determine the priority of your request.*

**Part 3 guidance notes:**

1. NHS Prescription Services do **not** currently hold Patient FP10 forms indexed by name or address etc. All FP10 prescription forms are stored by dispensing month/pharmacy account.

2. **Please note that prescription paper forms are held for 6 months and then securely destroyed. Images are normally held for 18 months.**

3. You should indicate whether you require a hard or electronic version [an electronic image of FP10 will be available under the development of the CIP / EPS process]

4. Due to archiving and quantity of information held, it is essential that timescales are realistic. NHS Prescription Services cannot always contact you and advise an estimated time for the information to be extracted and provided. If you require this service, please state it in your request.

5. NHS Prescription Services will acknowledge your request **within one week** of receipt and indicate an anticipated completion date for the work requested.

6. Some NHS Prescription Services information and data is only retained for a short period. In line with legalisation other information is retained in archive. This may affect the timescales for your work requisition.

7. All extracted prescription forms **must** be annotated with the pharmacy account Number (F code) and dispensing/accounting month to facilitate refilling and or destruction in line with NHS Prescription Services retention guidelines.

**4. Timescales, retention and return**

As set out above, NHS Prescription Services have a retention policy and procedure in respect of all data and information retained. NHS Prescription Services will advise you of the retention period relevant to your request.

NHS Prescription Services operates an archiving system for all data. NHS Prescription Services will advise you on the current and archived status of the data requested. This may impact on the time required to extract and produce the data.

You are required to return all information which is no longer required for your enquiries to NHS Prescription Services for retention and destruction in line with the NHS Prescription Services retention policy and procedure