

CAS Consent Update – 1st June 2020

As you will be aware the implementation of the GDPR regulations in May 2018 brought significant challenges to a number of clinical networks who were required to obtain explicit patient consent before they were added to the Clinical Audit System (CAS). The impact of this was monitored and last year a paper detailing the impact was taken to the NSD Senior Management Team, the NSS Data Protection Lead and NHS Scotland's Central Legal Office. They noted that the impact of obtaining explicit patient consent was hindering the networks in being able to develop a documented evidence base for quality improvement and audit as laid out in CEL 29 (2012) and endorsed a proposal to remove the requirement for networks to obtain explicit consent.

This approach has been further endorsed by the NSS Medical Director and Caldicott Guardian and the NSS Senior Information Risk Officer (SIRO) This now means that networks have legal basis to collect patient data for the purpose of quality improvement and audit without explicit consent.

The information leaflet that was produced for each network for the introduction of the General Data Protection Regulations has now been updated to reflect this important development and we ask that every network implements this with immediate effect. The information should be displayed to ensure optimal reach. At minimum this should be on network leaflets and websites but may include posters for clinics or other means relevant to each network.

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