

To prevent / monitor NHS Number proliferation

Why?

If the use of an NHS number is being made into “a club” then there should be a published membership list. For NHS bodies (clause 4) this can be handled as part of the routine monitoring of operations of the NHS local Registration Authorities which gives access to the PDS / spine / etc.

For non-Health and Social Care bodies, there must be a good reason for their use of an NHS number, not least to avoid it metastasising into a national ID card. When the National Data Guardian is made a statutory body it can act as the independent regulator of uses.

Intent

Public bodies must register all uses of an NHS number. (For organisations with access to PDS, this can be done via their NHS Registration Authority annual renewal process.) All private bodies must act similarly, except where they are simply a data processor.

Following an analogy with pharmacies, which must state who the responsible pharmacist is, private companies which retain NHS numbers must state where to find the details of any responsible medical professionals. N.B. this does not necessarily require that there is one, but that such details must be published if there is.

Amendment:

Part 1, insert new:

- (4) No public body shall request, process, or store any “consistent identifier” without a current notice of approval of the Secretary of State, to be given only for the purposes given in Regulations. All such notices shall be published, and shall expire no more than 3 years after publication.
- (5) Any body, other than covered by (4), requesting, processing or storing any “consistent identifier”, other than as a “data processor” for a public body, should have a notice of approval from the Secretary of State, to be given only for purposes given in guidance published by the National Data Guardian. All such notices shall be published and shall expire no more than 3 years after publication.
 - a) Notices shall give the location of a record of any responsible “fully registered medical professionals” registered under section 30 (1) of the Medical Act 1983.
 - b) “data processor” has the same meaning as defined in the Data Protection Act 1998;