



coordinator@medconfidential.org

10 April 2020

Dear Mr Hester,

We hope you, your family and your staff are well.

- 1) We understand TPP proposes to repeat its past actions, when it acted as a data controller, to enable widespread access nationwide (worldwide?) to GP records by any other TPP user under the Notice¹ from DHSC to health service providers. Please could you explicitly confirm TPP's actions in this regard?

We note the text *"Once you have turned on data sharing, you will be unable to turn it off again"* on TPP's COVID-19 page.²

- a) Given TPP has previously had to allow practices to turn such functionality on and off before, why is it now appearing to claim practices will be unable to do so again?
- 2) For those who have followed TPP's guidance – or if TPP chooses to act under an interpretation of the DHSC guidance to organisations providing health services – for every practice which follows your guidance and widens access to patient records, will those actions also enable the patient-visible audit trail of who has accessed their record? Otherwise, at a time of heightened anxiety, TPP's past problems and an 'irreversible' action risk undermining confidence in the data held within your customers' records.

Indeed, this offers an opportunity to test whether the second argument TPP previously advocated, which resulted in TPP being found to have acted as a data controller in breach of DPA98, worked out in practice.

- 3) For those who have followed TPP's guidance, what statistics will TPP publish on the efficacy of wider access to records and patient access to audit trails, and where TPP would know how access was misused in the categories of our letter of 14 December 2016?

As the NHS lowers its alert status, TPP not returning to good, normal, and lawful practice would be seen as something for further clarification.

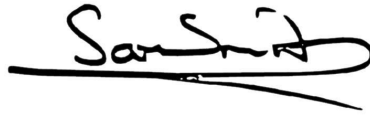
¹ <https://www.gov.uk/government/publications/coronavirus-covid-19-notification-of-data-controllers-to-share-information>

² <https://s3-eu-west-1.amazonaws.com/tpp-uk/dd1a9d7a5cd777a88b98219db4b7ba9c.png> on <https://www.tpp-uk.com/tpp-systemone-coronavirus-covid-19-guidance>

Yours sincerely,

A handwritten signature in black ink that reads "Phil Booth". The letters are cursive and connected, with a prominent loop at the end of the word "Booth".

Phil Booth, medConfidential

A handwritten signature in black ink that reads "Sam Smith". The signature is written in a cursive style and is underlined with a single horizontal line.

Sam Smith, medConfidential