# Opt Out Policy

## Introduction

* 1. This Opt-Out Policy is ***insert organisation name here****’s* (hereafter referred to as "us", "we", or "our") policy regarding how services users can opt out of having their data used in the Vivaldi Social Care research project .

## Purpose

* 1. This policy has been implemented because we are participating in the Vivaldi Social Care research project.
  2. This policy will ensure that our organisation does not use service user’s data in this project where they have opted out of doing so.
  3. This policy will detail how service users can opt out of having their data used either by:
     1. The National Data Opt Out
     2. In-service opt out.

## Scope

* 1. This policy applies to all service users.
  2. The data which is covered by this policy is specifically NHS numbers processed digitally. No other service user data is in scope for this project.
  3. This policy does not apply to staff data as this is not included in the project.

## The National Data Opt Out

* 1. All citizens can choose to opt-out of having their data used for purposes beyond direct care. This is called the National Data Opt Out. There is more information on how service users can opt out on the [Your Data Matters website](https://www.nhs.uk/your-nhs-data-matters/).
  2. As part of the Vivaldi Social Care research project, we have instructed our digital social care records system supplier, ***Insert name of software supplier here***, to send NHS numbers of participating service users to NHS England’s secure data environment daily.
  3. Records of national data opt outs are kept on the NHS Spine against an individual’s NHS number. Before any data is transferred from ***Insert name of software supplier here*** to NHS England’s secure data environment, the supplier will use the [Messaging Exchange for Social Care and Health (MESH)](https://digital.nhs.uk/services/national-data-opt-out/compliance-with-the-national-data-opt-out#the-check-for-national-data-opt-outs-service-technical-solution) to check if an opt out is in place. If a service user has opted out, no data will be shared with the VIVALDI project or with NHS England’s secure data environment.

## In-service Opt Out

* 1. When we join the VIVALDI social care research project, all current service users will be informed and will be told how they can opt out in our **Information for Care Home Residents** leaflet.
  2. Service Users can opt out verbally or in writing (either on paper or digitally) at any time throughout the lifespan of the project. There is more information about this in the **Information for Care Home Residents** leaflet.
  3. Where a new service user enters the service, they will be informed of the research and their options for opting out **before** any data processing as part of this research occurs.
  4. Where a service user has opted out, this will be recorded in ***Insert name of software supplier here*** on the service user’s care record. That service user’s data will not be processed by our software supplier as part of the research project.
  5. A record of in-service opt outs will be kept within the ***Insert name of software supplier here*** system against that individual’s care record. This record will be stored for 7 years.

## Changes in opt out decisions

* 1. All service users have the right to change their mind on whether they opt out of having their data used as part of the VIVALDI social care research project at any time.
  2. Where a service user decides to opt out in-service, the processes outlined above will be followed, even where they have previously been included in the study. This change will be implemented within 7 days of the initial request.
  3. Where a service user who has previously opted out in-service decides that they wish to be included, we will utilise the existing opt-in and opt-out functionality within ***Insert name of software supplier here***’s system and that service user data will then be included going forward.
  4. Where a service user has opted out through the National Data Opt Out process. They can amend their opt out decisions using the guidance available on the [Your Data Matters website](https://www.nhs.uk/your-nhs-data-matters/)

## Responsibilities

* 1. ***Insert Job Role*** is responsible for maintaining and monitoring records of opt outs. A review of all opt outs will be carried out in line with ***our care plan review process***.
  2. ***Insert Job Role*** is responsible for communicating with ***Insert name of software supplier here*** about service user opt outs.
  3. ***Insert Job Role*** will monitor compliance with this Policy and has responsibility for reviewing the policy at least annually.

## Approval

* 1. This policy has been approved by the undersigned and will be reviewed at least annually.

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| --- | --- |
| Name |  |
| Signature |  |
| Approval Date |  |
| Review Date |  |