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Dr Emma Carlyon
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10th April 2018

Dear Dr Carlyon,

Re: Report to Prevent Future Deaths (Regulation 28) following the conclusion of the inquest into the death of David John Buttriss

Thank you for your Regulation 28 Report to Prevent Future Deaths ("Report") following the inquest into the death of David Buttriss. I would like to express sincere condolences to Mr Buttriss's family.

In your report you have asked NHS England to consider several matters of concern to ensure to prevent future deaths.

As the first two points within section 6 are concerned with information sharing we will provide a response to both these points together.

NHS England is committed to working with the National Data Guardian to encourage health and care practitioners to share information in the interests of patients. There are clear guidelines that encourage information sharing such as the principles and recommendations published in the 2013 review of information governance in the health and care system ("To Share or Not to Share"¹). This report was conducted by Dame Fiona Caldicott who has since been appointed to be the National Data Guardian.

There are also obligations on clinicians under the common law duty of care to ensure that data is shared appropriately with colleagues, but much of this is dependent on the professional judgement of clinicians. We understand that not all data is shared as there may be circumstances in which this could be detrimental to the health and wellbeing, however we would expect that these incidents are documented.

We recognise that there are many challenges across the NHS to support secure data and record sharing, and we are actively leading a number of initiatives to address this. For example, the *Global Digital Exemplar* ("GDE") programme, led

¹ <https://www.gov.uk/government/publications/the-information-governance-review>

by NHS England, will improve electronic information sharing as many parts of the service still rely on paper-based systems. This will join up and digitise the health systems so that clinicians have timely access to accurate patient information and equally patients will have better access to their records too.

The GDE programme will also support digitally advanced acute and mental health Trusts to share their learning and experiences with other NHS Trusts to ensure they can also harness the use of digital technology and information sharing to deliver high quality care. NHS Trusts will receive support through funding and international partnership opportunities to become Exemplars over the next two to three and a half years. NHS Trusts participating in the GDE programme will also be required to support digital record-sharing with local partners across physical and mental health. They are expected to adopt appropriate technologies, implement standards and business processes which will enable patient and service user information to be shared across care settings.

In addition, NHS England is working with a number of Local Health and Care Record Exemplars to support the provision of safe integrated care across health and care settings. The aim will be to establish a local record for authorised staff in different organisations to access permitted information about a patient's history of contact with the NHS and related care services. This may include information from 'physical health checks' for people with serious mental illness which NHS England is encouraging a greater take up of. We have made progress on this with around 60 local information sharing initiatives underway, each aiming to share information across organisations – such as GP, Acute and Social Care settings – and across geographies as the patient moves.

With regards to the third point within section 6, NHS England has set an ambition in the Five Year Forward View for Mental Health to ensure that community based mental health crisis and acute services are available 24/7 everywhere by 2021, and to expand provision of 24/7 specialist mental health services in A&E and general hospitals.

NHS England has already published guidelines on the provision of urgent and emergency mental health provision in A&E / general hospitals, and intends to publish guidelines in 2018/19 to clarify the pathways of care for urgent, emergency and acute mental health services in the community. This includes ensuring that anyone, including health professionals, police, family members are able to access timely, 24/7 specialist care for people with emergency mental health needs.

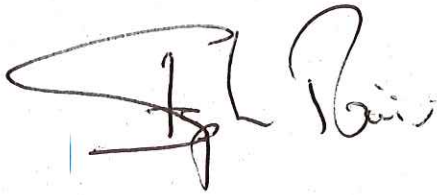
With respect to point 4 within section 6, GPs, as specialists in primary care medicine, have to manage risk and uncertainty in their day to day clinical practice. There are established procedures in place in general practice to ensure urgent and important referrals and actions are followed up or "safety netted" to ensure a patient's care is not compromised by administrative failings. The Care Quality Commission ("CQC") as part of its inspection regime review practices systems and processes.

The judgement when to "safety net" by arranging a follow up contact with the patient will be a clinical one, with the clinician balancing the benefits of an earlier review with the need to ensure the practice can provide sufficient access to other patients with acute or urgent health problems. GP IT systems already offer systems for GPs to use prompts and reminders for them to take an action to ensure a patient has been contacted by appropriate specialist services.

In response to this Report, NHS England proposes to disseminate a reminder to GPs to safety net urgent mental health referrals, reflecting in particular the inherent vulnerabilities associated with patients with mental health problems who may find it more difficult to engage with specialist mental health services when they are acutely unwell, and furthermore consider giving a patient written guidance on what to expect and when following a referral, given the impact mental health problems have on concentration and hence memory.

I hope this provides you with the assurance that NHS England is responding to the concerns raised and has taken action to improve the provision of mental health care services to patients.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Powis', written in a cursive style.

Professor Stephen Powis
National Medical Director
NHS England