

## Cloud Based Telephony update August 2024

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As part of the 2024/25 contract imposed on the profession in April, NHS England has sought directions from the Secretary of State to extract data from our clinical systems on our Cloud Based Telephony (CBT) usage.

An email will have been sent by NHS England to your practice outlining the instructions to comply with this data extraction under section 259 (1) (a) of the Health and Social Care Act 2012. NHS England go on to state *'All general practices are therefore mandated to comply with this invitation and approve the collection.'*

The legal basis for the collection is explained in the Data Provision Notice you will also have been sent [here](#). This will enable your call data to be extracted on a monthly basis. The BMA has taken its own legal advice on this request: practices cannot decline the instructions, as doing so will risk breaching their contract. GPC England has made it clear to NHS England that the data must not be used to performance manage practices or single them out for criticism.

The PCN DES has provision for a Capacity and Access Improvement Payment (CAIP) which has three components. On behalf of PCN member practices, PCN CDs can sign up to and receive payments for each of these components.

You may recall from our roadshows and webinars this Summer, that the PCN DES includes three components of the Capacity and Access Improvement Payment (CAIP). This data extraction is the component pertaining to the existing use of CBT and the above data extraction for relevant metrics. **GPCE advice is that should a practice fail to sign up to the CBT data extraction ahead of the October 1<sup>st</sup> deadline, there may be a risk of a breach notice being imposed as well as contravening the Health and Social Care Act 2012.**

There is another component to mention here as it relates to ask No 9 in our [collective action campaign](#). You may recall the discussions around online consultations being available to patients every working day 08:00-18:30, irrespective of practice pressures. GPCE has significant concerns around online consultation software being available to patients for the duration of 08:00-18:30 given practices' lack of capacity, and their responsibilities for ensuing patient safety.

**GPCE advice continues to apply here: CDs are advised not to sign this particular declaration presently, but to await further guidance closer to the financial year end.**

We hope this advice is helpful. If you have questions or queries, please email us at [info.gpc@bma.org.uk](mailto:info.gpc@bma.org.uk)

Dr David Wrigley  
GP England Deputy Chair

