

# GLOUCESTERSHIRE LOCAL MEDICAL COMMITTEE



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## **Further comment on Access PES and the Apollo software**

I am sorry to burden you all with further piecemeal bites of information but I thought it might be helpful for you to be aware of the LMC Executive's view of whether or not to use the Apollo software if you are considering participating in the Access PES.

You will be aware from the circulating Department of Health guidelines that by agreeing to use the Apollo software to facilitate data extraction that the practice becomes the data controller. The data controller has the responsibility to ensure appropriate consent has been gained for release of relevant information. The GPC lawyers have indicated that an appropriately worded poster in the waiting room should suffice.

However, our view is that unless the poster has already been in place in your waiting room for the last three months [the time period during which patient details will be surveyed] then such consent will be invalid.

The only recourse left to practices who find themselves in such position [I suspect all of us!] is to allow the PCT to become the data controller; this occurs by default if you answer neither yes nor no to the question about downloading the Apollo software. The PCT should have their own mechanism for ensuring appropriate consent as they are now the data controllers.

I hope that this might clarify some further issues for you if you are considering remaining involved with this PES.

Andrew Seymour  
LMC Chairman