

# Commercial Principles for Sub-national SDEs for R&D

September 2022

# NHS data can drive important innovations that improve patient care

Data partnerships are central to accelerating opportunities for innovation, this has been made clear in the [Data Saves Lives Policy](#) which features a dedicated section on [working with partners to develop innovations that improve health and care](#).

Over recent years, the UK has seen the growth of multidisciplinary innovation, with collaboration between health and care partners, academia and industry, occurring at increasing scale and pace.

However, at present there is no overall commercial approach around access to NHS Data which has led to a number of problems.

- In some cases partnerships do not bring back as much value back to the NHS as could be achieved. This may be taking money away from frontline services.
- Often, there is no clear process for agreeing commercial contracts which incurs legal and advisory costs. This long process also slows innovation.

The [CIDC](#) has been asked to develop a commercial approach that addresses these problems.

# We are developing a set of Commercial Principles to safeguard the value of NHS data

In order to secure fair terms for the NHS and to safeguard the value of the data\* [the CIDC](#) is developing commercial principles to ensure that partnerships for access to data for research and development have appropriate safeguards, and benefit the public.\*\*

The aim of the Commercial Principles is to:



Align incentives so that the NHS and companies want to develop innovations that work for patients



Support and encourage worthwhile innovation and research that deliver patient benefit



Speed up negotiations, make them simpler and contracting save costs and support innovation



Ensure that any income is shared fairly across the NHS

We have heard that patients expect value return from this data:

“

81% of people believe benefits that come from health data partnerships should be distributed across the NHS.

[UPD 2020](#)

”

“

Over 60% of people would rather that commercial research organisations have access to health data than society miss out on the benefits these companies could potentially create.

[Ipsos Mori 2016](#)

”

# The commercial approach for accessing NHS data follows three key principles



## **Maximise benefits to patients in the NHS.**

Our approach must support (and not prevent) worthwhile research that can lead to innovations that improve care to patients.



## **Deliver benefits to the taxpayers and UK plc.**

Support companies develop, grow and bring jobs to the UK.



**Bring income back to the NHS** to spend on frontline services to patients.

# What have we done so far, and what will you be provided with?

In order for commercial principles to align across all regions we will provide guidance to be locally implemented.

## **We will provide each region with:**

### **Commercial principles to follow**

- We have developed draft principles together with NHS colleagues, innovation experts, through learning from other industries and countries and our hands on experience at seeing NHS data partnerships in practice.
- We are now engaging patients, the NHS and industry more broadly to iterate the approach.

### **Detailed supporting guidance to implement**

- We are currently piloting a Resources Hub with materials to help think about data partnerships
- We also provide a pricing flowchart with a starting point to use in negotiations, a costing template, and template standard contracts

### **Hands on support**

- Initially we will provide hands on support in reviewing all partnerships
- In longer run, we will provide hands on support for complex partnerships