

# GP feels 'vindicated' for protecting patient data after warning by National Data Guardian

## Award-winning doctor could still lose his two practices after lawfully refusing to share data with local health body

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### NEWS RELEASE - for immediate release

- **National Data Guardian warning over patient data sharing by local NHS bodies**
- **Labour MP to raise issues in parliament**
- **GP says he feels vindicated for refusing, with patients' backing, to share data**

An award-winning GP today said he felt vindicated for protecting patient data at his two London clinics following a warning that some NHS bodies may have been unlawfully sharing confidential records.

The warning to NHS Integrated care boards and senior data controllers will put pressure on NHS England, which has already been urged by the GP and his patients to urgently reinstate Dr Sashi Shashikanth in a long-running saga over patient data, which has placed his two popular practices under a cloud.

The [Health Service Journal reports](#) that the National Data Guardian for Health and Social Care has written to all Integrated Care Systems (ICS), which now run local health partnerships in England, warning that "organisations could be processing confidential patient information (CPI) without ensuring that the processing does not breach confidentiality."

**Dr Shashikanth said:** “I feel totally vindicated. This letter shines a bright light on my whole case. My patients didn’t want their records shared with the local Primary Care Network because they were worried they could be shared with third parties. And the National Health Guardian now states, in black and white, that they are aware this has happened.”

Local patients’ groups from Dr Shashikanth’s two West London surgeries met Labour MP John McDonnell this week as they launched a campaign to try to resolve Dr Shashikanth’s case without further legal action. Mr McDonnell has promised to raise the issues in parliament and with the Commons Health and Social Care Select Committee.

A High Court judge stated last month that Dr Sashi Shashikanth’s contracts were unlawfully terminated by NHS England – for a GP, the equivalent of being sacked - in a complex dispute which now raises major concerns for other GPs across England.

Dr Shashikanth, who operates two practices with more than 8,000 patients in Hillingdon, is now seeking permission to appeal the court judgment, because despite being unlawfully dismissed, the judge also ruled the case was not applicable for Judicial Review.

The court ruling raises major concerns for other GPs who seek to dispute decisions made by NHS England in future. And NHS England is now seeking £25,000 from the GP as an interim payment for the legal action, despite an application by his lawyers for permission to appeal.

The long-running saga was sparked by Dr Shashikanth’s refusal, supported by legal advice and the wishes of his patients, to give full access to confidential patients’ data to the local Primary Care Network (PCN), part of a larger private enterprise. The GP’s practices were the only local surgeries which chose not to join the PCN but offered to deliver services themselves.

As a result his contracts were terminated by Hillingdon’s now defunct Clinical Commissioning Group (CCG) which also lodged a series of unfounded complaints about the GP to a range of key bodies including the General Medical Council (GMC), NHS England’s GP performance management department, and the Care Quality Commission (CQC), each of which rejected the complaints. Both Dr Shashikanth’s teaching and training practices have ‘Good’ CQC ratings.

**Dr Shashikanth added:** “This whole saga is totally unnecessary. At a time when GP workload is on the increase, I’m being forced to divert time, energy and resources into fighting an unnecessary legal battle and unfounded complaints, where we should be concentrating on delivering services to our patients.

“I’m seeking to have my termination notices urgently rescinded by NHS England. I have also taken legal advice and I’m seeking permission to appeal the judge’s decision not to allow a Judicial Review. It’s time for this affair to be resolved, quickly, particularly because we’ve been treated differently to other similar practices in England.”

**Heart transplant patient, Dennis Ball, 77**, has been treated by Dr Shashikanth for nearly 20 years. He said: “I think he has been treated harshly, unfairly, and has been punished because his patients decided they did not want their data shared. Dr Shashikanth must be given his full status back and should be able to practise how he and his patients wish.”

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Notes to Editors:

The letter from the National Data Guardian (NDG letter to ICS) along with a full media Q&A, with comprehensive background on this case, and other relevant documents and a headshot of Dr Shashikanth, is [available here](#).

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