

Understanding Longitudinal Population Study Data and the Law

# Control of Patient Information (COPI) Regulations 2002

(and Section 251 of the NHS Act 2006)

For more information  
[ukllc.ac.uk/lps-data-and-the-law](http://ukllc.ac.uk/lps-data-and-the-law)

COPI regulations/Section 251 allow the Common Law Duty of Confidentiality<sup>1</sup> to be temporarily lifted, enabling confidential patient data to be used for research in the public interest, where collecting consent is not possible.

## “I’m a longitudinal population study participant, what are the key points of Section 251?”

“The use of my confidential patient data is **subject to approval** from an NHS Research Ethics Committee.”



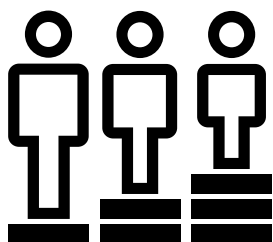
“Our confidential patient **data can be used** in times of a **major health crisis**<sup>2</sup>. Or, for research in the public interest where consent is not possible.”



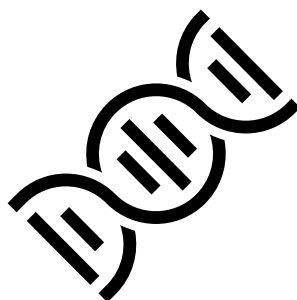
“To use section 251, my longitudinal population study would need to provide me with **transparent information** about this change and allow me to opt out.”



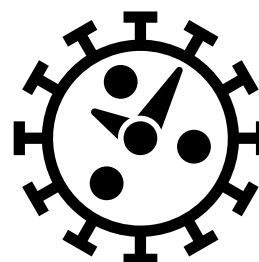
## Where collecting consent is not possible, some longitudinal population studies use COPI regulations/Section 251 to:



**Improve research equity, fairness and transparency**



**Enable research in rarer outcomes and medical conditions**



**Provide a faster research response in times of crises**

<sup>1</sup> See sheet 3 – ‘Common Law Duty of Confidentiality’ for more details.

<sup>2</sup> For example, the coronavirus pandemic.

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