



1st April 2014

Our ref: NIC-254453-K7X3H

Dear Mr Bhatia

Re: Information Request – Freedom of Information Act (FOIA) 2000

I can confirm that the Health and Social Care Information Centre (HSCIC) has considered your query dated the 4th March 2014.

"I note with interest this document:

http://www.hscic.gov.uk/media/13602/Withdrawal-of-consent-to-the-processing-of-personal-information-for-secondary-care-purposes/doc/Withdrawal_of_Consent_Form.doc

I am only interested in SUS and HES, in the processes involved in, and the results of, the HSCIC processing such a request.

I am familiar with the action of the 9Nu4 read code when added to the GP record, in that it prevents the release of "Red" data sourced from a patient's HES record (or any other datasets) as held by the HSCIC.

I am aware that 9Nu4 has no effect on SUS.

I am aware that there is no mechanism available to stop the release of "green" data sourced from HES or from any other datasets that the HSCIC holds (as "green" data is not regarded as personal data under the DPA).

I am also familiar with the entitlement of patients to request that trusts completely anonymise SUS submissions about them, as per your guidance

http://www.hscic.gov.uk/media/9719/Schema-validation-and-SUS-handling-of-sensitive-anonymous-records/pdf/4_SUS_Handling_of_Sensitive_Records_v9.pdf

If a patient, using the withdrawal of consent form above, ticks the SUS box, please could you confirm that:

- 1) Trusts will continue to send identifiable information to the SUS warehouse*
- 2) But that on arrival at the SUS warehouse, the information will be automatically anonymised or de-identified*
- 3) And that this is a permanently enduring agreement (i.e. for all subsequent SUS submissions)*
- 4) If so, please could you provide details of exactly what you mean by "anonymised" or "remove all links to anything identifying you" - what identifiers are removed at the SUS, or how exactly is it de-identified?*
- 5) Please could you provide details of how the SUS record will differ if that tick box withdrawal alone is enacted, compared to if the patient writes to all trusts submitting information to SUS about him/her, requesting complete anonymisation - would there be a difference?*
- 6) And does this mean that all subsequent HES extractions from the SUS to the HSCIC will, de facto, be anonymised by default?*

If a patient, using the withdrawal of consent form above, ticks the HES box:

- 1) Please could you provide details of exactly what you mean by "anonymised" or "remove all links to anything identifying you" - what identifiers are removed from the HES record, or how exactly is it de-identified?*
- 2) Will the HSCIC continue to extract identifiable HES information from the SUS (unless the SUS box has also been ticked) but the data is then anonymised on arrival at the HSCIC, or is only anonymised information extracted from the SUS?*
- 3) Could you kindly confirm that the action of the HES tick box means that no Red OR Amber data releases, sourced from HES, can take place (since the HES record will be de-identified)?*
- 4) Can you kindly confirm that this is a permanently enduring agreement (i.e. for all subsequent HES extractions)?"*

Thank you for your request for information. In response to your numbered questions above:

SUS:

- 1) Yes,
- 2) Yes

- 3) Yes
- 4) Please see the following guidance document re [Schema validation and SUS handling of sensitive/anonymous records \[158kb\]](#) Anonymisation in SUS really means a data item's data is replaced with nothing (record is Nulled).
- 5) There would only be a difference if the patient is treated by a trust and does not request they dont send their personal confidential data to SUS
- 6) Yes

HES

- 1) The person supplying the NHS number will have the following records blanked from the processing of HES data:

2) APC	OP	AE	CC
Homeadd	lopatid	lopatid	nhsno
Dob	newnhsno	newnhsno	newnhsnops
Provspno	dob	dob	lopatidps
Newnhsno	homeadd	homeadd	dob
Lopatid	patpathid	patpathid	dobps
Motdob	bookrefno	bookrefno	provspnops
local_pat_id_1_baby			cclocid
local_pat_id_2_baby			
local_pat_id_3_baby			
local_pat_id_4_baby			
local_pat_id_5_baby			
local_pat_id_6_baby			
local_pat_id_7_baby			
local_pat_id_8_baby			
local_pat_id_9_baby			
local_pat_id_mother			
nhs_number_1_baby			
nhs_number_2_baby			
nhs_number_3_baby			
nhs_number_4_baby			
nhs_number_5_baby			
nhs_number_6_baby			
nhs_number_7_baby			
nhs_number_8_baby			
nhs_number_9_baby			
dobbaby1			



dobbaby2			
dobbaby3			
dobbaby4			
dobbaby5			
dobbaby6			
dobbaby7			
dobbaby8			
dobbaby9			
Patpathid			
Bookrefno			

- 2) It would be dependant on where the request to withdraw consent to process is received at. If at SUS then the data arriving at the HSCIC will already be anonymised.
- 3) That is correct if the withdrawal of consent form has been provided then the data will have the entries blanked as per the table above.
- 4) This is for current processing. Withdrawal of consent is not applied retrospectively.

In line with the Information Commissioner's directive on the disclosure of information under the Freedom of Information Act 2000 your request will form part of our disclosure log. Therefore, a version of our response which will protect your anonymity will be posted on the HSCIC website.

I trust you are satisfied with our response to your request for information. However, if you are not satisfied, you may request a review from a suitably qualified member of staff not involved in the initial query, via the enquiries@hscic.gov.uk e mail address or by post at the above postal address.

I will assume that your request to the organisation is now closed.

Yours sincerely

Kathryn Anderson
Higher Information Governance Officer

Further information about your right to complain under the Freedom of Information Act is available from the Information Commissioner's Office, Wilmslow, Cheshire, and on The Information Commissioner's website www.ico.gov.uk.

The Health and Social Care Information Centre values customer feedback and would appreciate a moment of your time to respond to our Freedom of Information (FOI) Survey to let us know about your experience. Please access the survey through this link

https://www.surveymonkey.com/s/HSCIC_FOI_Feedback