



7th October 2013

Our ref: NIC-218689-H1R0N

Dear Dr Bhatia

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

Thank you for your request. I can confirm that the Health and Social Care Information Centre (HSCIC) has considered your query dated 9 September 2013.

We have answered each of your questions, in turn, below.

- *Can patients request that their uploaded data be completely and permanently removed from care.data servers?*

Where an individual has objected to personal confidential data about them being extracted from their general practice medical record, no personal confidential data will be extracted by the HSCIC other than as required by law however, such situations rarely occur.

In cases where an individual objects to personal confidential data about them being held by the HSCIC when such an extraction has already taken place, the HSCIC will retrospectively anonymise these data. The data will not be removed or deleted; however any data held will no longer identify the individual.

All data in the HSCIC is held securely at all times, and access will be strictly limited, controlled and monitored.

- *If not, on what grounds does the HSCIC rely on to refuse such a request?*

In respect of personal confidential data, please see my response above.

In respect of anonymised data, the HSCIC would not be able to identify a given individual's information in order to delete it. It may also be worth pointing out that data which are anonymised are not subject to a duty of confidentiality and are not considered to be personal data under the terms of the Data Protection Act.

- *If not, please could you describe the process by which patients may appeal such a refusal, and who to apply to for such an appeal.*

Please see my responses above. Any concerns may be raised directly with the HSCIC via the email address at the top of this letter. If we cannot resolve concerns raised with us, a complaint may be made to the Information Commissioner's Office (ICO).

Details of how to raise a complaint are available on the ICO website:
<http://www.ico.org.uk/complaints/handling> or alternatively call 0303 123 1113.

• If patients can get their data deleted, please could you describe the process (the forms, and who to apply to) that patients must follow to ensure complete removal. Please could you supply the application form for this process, or a link to it, and details of where to send such a form to.

A patient must contact/visit their GP and say that they object to their GP records being extracted using the 'Dissent from secondary use of GP patient identifiable data' code (Read v2: 9Nu0 or CTV3: XaZ89 or SNOMED CT 827241000000103). There are no forms that would require completing.

I hope you find the above information helpful. 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,

James Smith
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