



Our ref: NIC-252414-Z0V5B

21st March 2014

Dear Mr Booth,

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 21st February 2014.

Thank you for your request. I have answered each of your questions in turn below:

Please would you provide the following:

1) A copy of the HSCIC's review of the use of pseudonymisation at source;

I can confirm that the HSCIC intends to publish its review of the use of pseudonymisation at source. Two documents will be published; one will summarise the input provided by participants in the review and the other will set out our plans for taking the work forward in a way that is informed by those views.

Both documents will be published together at the earliest opportunity and will be available to the general public.

Section 22 of the FOIA provides an exemption from a public authority's obligation to comply with a request for information where the information in question is intended for future publication.

2) Copies of any and all HSCIC documents relating to its review of the use of pseudonymisation at source;

The only HSCIC documents relating to its review of the use of pseudonymisation at source are slides relating to a workshop and webinar that were conducted on January 22nd and 23rd respectively and a set of notes of interviews carried out with review participants.

These are preparatory materials that will feed into the two published documents mentioned at 1) above. However, since these documents contain information that may not be incorporated into the two published documents, we have decided to release them in line with your request. Please see enclosed .zip file.

The interview notes were taken during interviews with a variety of subject matter experts as part of the HSCIC's review into data pseudonymisation. All interviews were conducted by Gavin McIntosh, Review Lead.

The interviews were carried out in a manner that encouraged openness and frank expression and for this reason it should not be assumed that the views expressed represent an official view of either the HSCIC or any other organisation.

The name of one individual cited in these documents has been redacted as they are exempt information under Section 40 (Personal Information) of FOIA. This is in line with guidance issued by the Information Commissioner's Office in relation to the release of personal information in respect of staff not at a senior level.

We have also redacted information from the interview notes regarding the physical location of HSCIC data centres. This information is being withheld under section 38 of the Freedom of Information Act 2000.

Section 38 provides an exemption from disclosing information if such disclosure would endanger any individual.

Section 38 is a qualified exemption and is therefore subject to a public interest test. Providing details of the location of the data centres that host patient clinical information could potentially lead to cyber or physical attacks against the hosting provider. Any resulting loss to the services provided at the data centre could result in harm to patients being treated by the NHS, for example, an inability to dispense prescriptions, an inability to view a patient's SCR in an emergency or prescribing a drug to which the patient is allergic.

For these reasons we consider that there is a substantial expectation that harm would be likely to result from disclosure of the information requested. Furthermore; we consider that the balance of public interest is best served by maintaining the exemption

Please note; I can confirm that the HSCIC does not hold any separate documentation of the follow up on notes/actions within the interviews.

3) A list of the meetings held and the attendees and minutes of those meetings relating to HSCIC's review of the use of pseudonymisation at source;

A full list of meetings and the participants in those meetings has been provided. Please note, we have redacted the name of one individual cited in these documents as they are exempt information under Section 40 (Personal Information) of FOIA. This is in line with guidance issued by the Information Commissioner's Office in relation to the release of personal information in respect of staff not at a senior level.

Section 40 – 'Personal Information' is an absolute exemption and is therefore not subject to a public interest test.

I can confirm that there were no minuted meetings other than the interviews, the workshop and the webinar (details of which are provided).

4) Copies of any other written communications, including e-mails, relating to HSCIC's review of the use of pseudonymisation at source.

Section 12 of the FOIA provides an exemption from a public authority's obligation to comply with a request for information where the cost of compliance is estimated to exceed the appropriate limit. The Fees Regulations state that this cost limit is £450 (which equates to 18 hours work) for public authorities such as the HSCIC.

I can confirm that the HSCIC holds a large volume of correspondence including emails which reference the review of pseudonymisation at source. These are held within different systems covering several teams, thus making searches time consuming and difficult. In order to ascertain whether the information contained in each email falls within the scope of your request; each email thread would need to be reviewed and the relevant information extracted. Therefore, due to the

number of emails to be reviewed, we estimate that compliance with your request would take in excess of 18 hours and the HSCIC is therefore exempt from the obligation to answer any further aspects of your request under Section 12 of the FOIA.

If you are able to modify or limit your request in any way which would allow us to extract the information you require, please resubmit your request.

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