

11 September 2018

Our ref: NIC-223620-F5Y9G

Dear Mr Leaton,

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

Thank you for your email dated 13 August 2018 requesting the following information:

*“My understanding is that the NHS sells and gives away medical records. The TPP instance proves this is going on.*

*For the last 5 years please supply a summary of*

- 1. the data shared - details of the data set*
- 2. with whom it was shared, company name, etc*
- 3. The date of the sharing*
- 4. The payments, if made”*

We have considered your request and in accordance with S.1 (1) of the Freedom of Information Act 2000 (FOIA) I can confirm that we do hold the information that you have requested.

For questions 1 to 3, if you wish to view all releases that contained information about you, we can provide you with a Personal Data Release Statement. This will identify all data releases that contained information about you where opt-outs would have applied.

It's important to note that your Personal Data Release Statement will show all data releases that go back to when the opt-out was first introduced in April 2016, when NHS Digital received legal instruction from the Secretary of State for Health and Social Care to process and apply opt-outs.

If you had set your opt-out after April 2016, it would only have applied to data releases from that later date. Due to the TPP problem, which meant NHS Digital did not receive information about your opt-out earlier, it will only show as being applied to data releases when this was fixed on 28 June 2018.

If you wish to request this information, we would need your NHS Number so that we can conduct a search for you on our systems.

If you are wishing to view all data releases by NHS Digital, you can view this on our Data Release Register.

<https://digital.nhs.uk/services/data-access-request-service-dars/register-of-approved-data-releases>

For question 4, Information on the charges NHS Digital makes can be found below:

<https://digital.nhs.uk/services/data-access-request-service-dars/data-access-request-service-dars-charges-2018-19>

Please note, that NHS Digital is publically funded, and we operate on a cost recovery basis. We do not charge for the data, but we do apply charges to cover the cost of processing and delivering our service.

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 NHS Digital 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@nhsdigital.nhs.uk](mailto:enquiries@nhsdigital.nhs.uk) email address or by post at the above postal address.

Your request to NHS Digital will now be closed on our internal CRM (customer relationship management) system.

Yours sincerely,

**A Simpson**  
**Information Assurance Advisor**

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.org.uk](http://www.ico.org.uk).

NHS Digital 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 [here](#)