

Date: 14/01/2019

## FREEDOM OF INFORMATION REQUEST 014525 – Information sharing

The questions below are designed to help me and my organisation better understand the scale and scope of requests for information sharing arrangements being made of individual NHS trusts and their constituent hospitals by research organisations and businesses over the duration of the past 3 financial years.

Specifically, I would like to ask your NHS trust about any requests to use or access data for commercial or research purposes of which, it is/has been a controller, joint controller or controller in common, in the financial years 2015-16, 2016-17 and 2017-18 as follows:

- the number of requests made in each of the financial years 2015-16, 2016-17 and 2017-18;
- the percentage of requests that have been accepted, rejected or held pending in each of the financial years 2015-16, 2016-17 and 2017-18;
- a breakdown of the form, size and sector type of the entities that made the requests in each of the financial years 2015-16, 2016-17 and 2017-18; and
- a breakdown of the form, size and sector type of the entities whose requests were successful in each of the financial years 2015-16, 2016-17 and 2017-18; and
- a percentage of those successful requests which resulted in the trust, or its constituent hospitals, entering into a commercial or financial relationship with the requestor or its affiliates in each of the financial years 2015-16, 2016-17 and 2017-18.

The Trust does not enter into sharing agreements for health research purposes.

If confidential patient information is requested to be shared without patient consent staff need to apply to the Confidentiality Advisory Group (CAG) <https://www.hra.nhs.uk/approvals-amendments/what-approvals-do-i-need/confidentiality-advisory-group/>

Non-research projects involve completion of Section 251 form of the NHS Act 2006 and Health Service (Control of Patient Information) Regulations 2002 Section 251 was established to enable the common law duty of confidentiality to be overridden to enable disclosure of confidential patient information for medical purposes, where it was not possible to use anonymised information and where seeking consent was not practical, having regard to the cost and technology available [https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=2ahUKEwi9i46XyO3fAhW3ThUIHT37CXEQFjABegQIAxAC&url=https://www.hra.nhs.uk/documents/2222/FHRA\\_decision\\_procedure.pdf&usg=AOvVaw33vVrqbgoB0Bi1O1N9h5v9](https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=2ahUKEwi9i46XyO3fAhW3ThUIHT37CXEQFjABegQIAxAC&url=https://www.hra.nhs.uk/documents/2222/FHRA_decision_procedure.pdf&usg=AOvVaw33vVrqbgoB0Bi1O1N9h5v9)

Research projects should apply through the Integrated Research Application System (IRAS) <https://www.hra.nhs.uk/about-us/committees-and-services/integrated-research-application-system/>

The Trust does not enter into sharing agreements involving patient information with third parties for commercial purposes.

The Trust enters into processing agreements, involving third party access to relevant and specific patient information, Where the third party is providing health care services to the Trust.

- Notwithstanding the above, can the trust confirm whether it, or one of its constituent hospitals, has entered into a commercial or financial relationship with any of the following entities as a result of the requests made in each of the financial years 2015-16, 2016-17 and 2017-18? Google; DeepMind; Sensyne Health; Benevolent AI; Orion Health; IBM;

The Trust did not enter into a commercial or financial relationship with Google; DeepMind; Sensyne Health; Benevolent AI; Orion Health; IBM; in any of each of the financial years 2015-16, 2016-17 and 2017-18.

- can the trust supply a copy of the trust's intellectual policy document/s, if any covering the period 2015-present?

NHS England is responsible for managing and developing the NHS Identity on behalf of the Department of Health. Please also see: <https://www.england.nhs.uk/nhsidentity/applying-the-identity>