

## Patient privacy notice - Hospital Episodes Statistics (HES) and Civil Registration (Deaths) - Secondary Care Cut (CRD) data

Dr Foster processes patient data to help healthcare organisations achieve sustainable improvements in their performance.

This notice explains more about how we use your personal information as a data controller. Specifically it describes what we do with Hospital Episodes Statistics (HES) and Civil Registration (Deaths) - Secondary Care Cut data (CRD) supplied under licence by [NHS Digital](#).

We cannot identify you in the HES and CRD data that we hold but it is produced by NHS Digital using data about NHS patients.

### What information we hold about you

Our tools and services use HES and CRD to help healthcare customers improve their services. NHS Digital describe HES as 'a database containing details of all admissions, A and E attendances and outpatient appointments at NHS hospitals in England.' It is classed as special category data relating to health. You will be included in this database if you have been a patient at an NHS hospital in England. We hold a pseudonymised version of HES data, which does not include your NHS number, and we cannot identify individual patients from it.

The data is sent by NHS Digital to the Dr Foster Unit at Imperial College London (DFU). This includes a unique ID for each patient, known as a HESID. DFU further pseudonymise the data by replacing the HESID with a new reference number, known as a FOSID, and then transfer it securely to Dr Foster. Dr Foster do not receive the HESID. We cannot identify you in this data but the additional pseudonymisation process means that authorised Dr Foster NHS customers can take an additional service through DFU to identify patients in our tools. DFU's re-identification service allows authorised users at care providers to investigate patients under their care. The FOSID is used to extract an identifier from DFU's service so the care provider can review patients' records. Dr Foster cannot identify you in the data and we do not have access to the re-identification service.

A detailed explanation of HES can be found [here](#). You can manage your NHS personal data choices [here](#).

The CRD data is a record of deaths, including date, place and cause of death. It is linked to the HES data that we receive and provides NHS users of our service with a range of useful metrics to help them improve care.

### How we use your information

We present informatics, insights and analysis to healthcare customers using our tools and services. These are described on our [website](#). Customers use our services for a number of purposes including to:

- Assess and manage clinical quality and patient safety within NHS Organisations
- Identify pathways where there is potential for improvement
- Identify areas of best practice either within the Provider Trust or local/national health economies
- Better understand how they compare to other Provider Trusts with similar case mixes
- Identify improvements in operational efficiency
- Understand patient outcomes
- Identify and understand market activity
- Monitor the impact of implemented changes
- Identify variations in outcomes

We also use the data to publish articles and infographics to broaden public understanding.

We link HES and CRD data with the Emergency Care Data Set (ECDS) that we receive under the same agreement with NHS Digital. This provides NHS customers with a more complete view of care to identify areas for improvement.

HES and CRD data are provided to us by NHS Digital under licence and under sections 261(1) and 261(2)(b)ii) of the Health and Social Care Act 2012.

Under the General Data Protection Regulation (GDPR) we must identify specific legal bases for collecting and using your data.

We process HES data under the following legal bases:

- It is necessary for the purpose of our legitimate interests and those of our NHS customers. Our legitimate interest is in being able to provide tools and services that will benefit healthcare organisations. We have a legitimate interest in being able to offer a commercial service that is based on a trusted dataset. It is also in the interests of the NHS, patients and the public as a whole, because it brings benefits and improvements to health and social care. Without the processing of this data we would not be able to deliver these benefits. This would be to the detriment of healthcare professionals and patients.
- It is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

We only process ECDS under the terms of our data sharing agreement with NHS Digital. The processing is subject to additional safeguards, in particular the technical and organisational measures that fall under the scope of our independently and externally audited information security management system.

### Information we share with other organisations

Our NHS customers can access a secure portal to see HES and CRD data relating to their service. This is at record level. Though we cannot identify you in the HES data your healthcare provider will be able to do so. They can also see aggregated data relating to other organisations (their peers).

Our NHS customers can also use our bespoke services to receive reports, analysis and visualisations. We also use the data to publish reports and articles that aim to increase the public understanding of health and social care. We may also work with private companies to provide them with reports and analysis. Any information shared in this way will be at a high level so that individuals cannot be identified.

### Information only processed in the UK

The patient data we receive from NHS Digital and from other NHS bodies is only ever processed in the UK. It is never sent abroad.

### How long we keep your information

Our licence with NHS Digital provides us with data covering the last 15 years.

### Your rights

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| <b>Informed</b> | ✓ This notice and the <a href="#">one published by NHS Digital</a> are to inform you about how we use your data when processing HES.                            |
| <b>Access</b>   | ✓ We cannot identify you from the HES data we hold. Please contact <a href="#">NHS Digital</a> for more information on how you can access data relating to you. |

<b>Objection</b>	✓	You have the right to object to your data being processed on the basis of legitimate interests and may opt out by managing your patient data choices <a href="#">here</a> .
<b>Portability</b>	✗	Not applicable
<b>Correction or change</b>	✓	If any of the information we hold about you is incorrect or incomplete then this should be corrected through your healthcare provider or via <a href="#">NHS Digital</a> .
<b>Erasure</b>	✗	Not applicable
<b>Restriction</b>	✓	You can request that the use of your personal information is limited to storage only. We cannot identify you from the HES data we hold. Please contact <a href="#">NHS Digital</a> for more information on how to restrict your data.
<b>Informed of automated decision making</b>	✗	We do not use the data to produce decisions made solely by computers rather than people.
<b>Withdraw consent</b>	✗	The data is not processed on the basis of consent

Find out more about your personal data rights at the [Information Commissioner's Office \(ICO\) website](#).

#### Data Protection Officer and contact details

Our Data Protection Officer can be contacted by email on [DrFoster-InfoGovInbox@health.telstra.com](mailto:DrFoster-InfoGovInbox@health.telstra.com) or by post at Information Governance, Dr Foster, BioCity Nottingham, Pennyfoot Street, Nottingham, NG1 1GF.

For general enquiries please call 020 7332 8800 or write to Dr Foster, 3 Dorset Rise, London, EC4Y 8EN.

#### How to complain

If you feel that we have let you down in relation to your information rights then please contact our Data Protection Officer using the details above.

You can also make complaints directly to the Information Commissioner's Office (ICO). The ICO is the independent authority upholding information rights for the UK. Their website is [ico.org.uk](http://ico.org.uk) and their telephone helpline number is 0303 123 1113.