

Privacy Advisory Committee, Northern Ireland

23 June 2010

Dear Ms Hughes

Thank you for your enquiry and for the attached letter from ECC of which I am a member. I have been aware of the BANS work and am pleased to hear that it has moved to a pseudonymised platform.

I should first advise you that PAC, unlike ECC, has no statutory basis. Our role therefore is, among other things, about advising rather than authorising.

In relation to the issue you raise provided that the HSC organisations holding clinical data for direct care purposes carry out an effective pseudonymisation process there should not be ethical or legal constraints in relation to the duty of confidentiality or in relation to data protection. It will be important in these regards that the recipients of any information are unable to identify individuals whose data they hold.

You might find it helpful to discuss the local arrangements with me.

Yours sincerely,

A handwritten signature in black ink that reads "Roy McClelland". The signature is written in a cursive style with a large initial 'R' and 'M'.

Professor Roy McClelland
Chair, Privacy Advisory Committee

Note: The Privacy Advisory Committee (PAC) in Northern Ireland is Chaired by Professor Roy McClelland. The Committee has issued a code of practice (3rd resource)¹ designed to help healthcare staff make the right decisions about protecting and disclosing patient information.

For more information please contact Michael McArdle, Information Management Branch, Department of Health, Social Services and Public Safety.

1. <http://www.dhsspsni.gov.uk/confidentiality-code-of-practice0109.pdf>