

Privacy Notice: Hospital Episode Statistics (HES)

About us

This privacy notice sets out how The King's Fund collects and uses your personal health care and treatment data included in HES.

We are based at the following address:

The King's Fund, 11-13 Cavendish Square, London W1G 0AN

For the purposes of this processing The King's Fund is the controller of your personal data.

What personal data we collect

The King's Fund collects and uses HES data for the purposes of research and analysis. In particular, the national data is processed for the Policy Research Programme for the Department of Health. This patient data includes the following types of information:

- Patient demographics
- Medical conditions and treatments received
- Patient pathways, e.g. admission and discharge dates
- Hospital attended

You will be included in the HES data if you have had a hospital admission, attended A&E or had an outpatient appointment at an NHS hospital in England. You will not be included if you have decided to opt-out <https://www.nhs.uk/your-nhs-data-matters/manage-your-choice/>

All HES data that The King's Fund receives from NHS Digital is pseudonymised. We cannot identify individual patients in the HES data, and we do not have access to any way of re-identifying individual patients.

How we collect and store HES data

The pseudonymised HES data is sent by NHS Digital to The King's Fund via a secure file transfer service using a 256-bit AES encryption mechanism. The HES data is then downloaded to a secure data centre accessible via a VPN and only accessible by named individuals.

For what purpose

The King's Fund will use the HES data to provide a fast-track facility to the Department of Health to assess strategic health policy decisions. This will be in the form of expert advice using quantitative and qualitative analysis including HES data. The overall aims are to:

- improve the quality of evidence
- aid the development of health policy
- support the successful implementation of health policy
- encourage the evaluation of policy interventions

Our legal basis for processing this personal data

We rely on Legitimate Interests [6(1)(f)] and scientific or statistical research purposes to process this personal data [9(2)(j)]

Data Sharing

The pseudonymised HES data will not be shared. Outputs from using the HES data, e.g. publications, reports, papers etc will only include aggregated data so no individual patient is identifiable.

Data transfers or processing outside the European Economic Area (EEA)

HES data will not be transferred or processed outside the EEA.

Retention of HES data

The length of time the HES data is kept by The King's Fund is dependent on the relevant Data Sharing Agreement (DSA) between itself and NHS Digital. The DSA will also include requirements such as destruction certificates on disposal and destruction of the data when the retention period is reached.

Your rights

Under data protection legislation you have a number of rights including the right of access; a right to rectify and erase personal data we hold about you; the right to restrict or object to our processing; the right to data portability; and the right to lodge a complaint with the ICO. Please see the ICO website for further details on your rights:

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

However, The King's Fund will not be able to identify you from the pseudonymised data we hold. Please contact NHS Digital <https://digital.nhs.uk/about-nhs-digital/corporate-information-and-documents/publication-scheme/how-to-make-a-subject-access-request> for more information on how you can access HES data relating to you.

You also have the option to opt out of HES data altogether, meaning you will not be included in the data The King's Fund receives from NHS Digital.

<https://www.nhs.uk/your-nhs-data-matters/manage-your-choice/>

How to contact us

Tim Judkins

Information Governance Manager

dataprotection@kingsfund.org.uk

You can also contact the Information Commissioner's Office if you have any concerns on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.