

NHS admits new medical records database could pose privacy risk

NHS's own risk analysis admits patient confidentiality could be undermined as campaigners warn patients “deliberately kept in the dark” about privacy issues



An NHS logo Photo: PA

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Patient confidentiality could be undermined by the new medical records database, the NHS's own risk analysis has warned.

The controversial database could be vulnerable to hackers or could be used to identify patients “maliciously”, the document, seen by The Telegraph, states.

It says the scheme could damage public confidence in the NHS and result in patients withholding information from doctors out of fear it may not be kept confidential.

Information about past illnesses, medication, weight and blood pressure will be taken from medical files next month and put into a central database.

All 26 million households in England are being notified about the Care.data scheme, so that individuals can choose to opt out. Those behind the £50 million data-sharing plan say it will

improve healthcare and help medical research.

Health researchers and private firms will be able to access data from the records if they can demonstrate it will benefit patient care or enable further scientific advances.

However, there has been a growing backlash against the scheme with family doctors and privacy campaigners raising fears that data could be misused. On Sunday night patients' and privacy groups said the analysis document, which details a host of potential risks, "confirms some of our worst fears".

NHS officials have repeatedly sought to assure the public that the risks are minimal, stating that the majority of information passed on to third parties will be anonymised or "pseudonymised" — meaning it is almost impossible for patients to be identified.

But the risk assessment by NHS England, the body behind the scheme, warns that patients could be "re-identified" if database data is combined with other information.

It says: "While there is a privacy risk that the analysts granted access to these pseudonymised flows could potentially re-identify patients maliciously by combining the pseudonymised data with other available datasets (a technique known as a jigsaw attack) such an attack would be illegal and would be subject to sanction by the Information Commissioner's Office."

The report also warns that patients could suffer and the overall quality of data held could be eroded. "The extraction of personal confidential data from providers without consent carries the risk that patients may lose trust in the confidential nature of the health service," it says.

"This risk is two-fold; firstly, patients will not receive optimal healthcare if they withhold information from the clinicians that are treating them; and secondly, that this loss of trust degrades the quality of data." Those hosting the database need to protect its confidentiality and "guard against threats from inside and outside the organisation", the report's authors say.

The document continues: "The risks described include threats associated with 'cyberspace' such as hackers attempting to access the data illegally."

The risk assessment emerged after NHS statistics, revealed over the weekend, showed that health services were losing or breaching the safety of 2,000 patient records every day. More than 2 million serious data breaches by the NHS have been logged since the start of 2011, the figures reveal, with records dumped in landfill sites, left in shops and even sold on eBay.

Last week the Royal College of General Practitioners — which represents 46,000 GPs — said there was a "crisis of public confidence" over plans which have not been properly communicated to

the public.

The intervention came as five major charities, including Mencap, the learning disability organisation, and the Royal National Institute of Blind People, accused NHS officials running the scheme of unfair treatment of those with disabilities, who they say are more likely to be identified yet are less likely to opt out, because they have not been told about it.

Nick Pickles, director of Big Brother Watch, questioned on Sunday night whether the public had been “deliberately kept in the dark” about risks which are not explained in public information leaflets being sent to every home.

He said: “Medical records hold some of our most sensitive information and the threat to people’s privacy of them being maliciously stolen or re-identified must not be underestimated. From blackmailers to research companies, the value could be significant.” Fears have been raised data could be used by medical firms to target the sale of products or could fall into the hands of insurers. Roger Goss, from Patient Concern, said: “This document confirms everything we have warned about — the human cost of putting all patients’ medical history into this database is potentially disastrous.”

The Privacy Impact Assessment by NHS England suggests that the risks of hacking and identification of patients should be mitigated by safeguards to control the use of the data. Tim Kelsey, national director for patients and information at NHS England, said: “The Privacy Impact Assessment is a live document, which will be constantly updated as our drive for better information continues, and as we continue our conversations with the public about how the NHS uses data.

“On legal issues such as risks of hacking and data misuse by individuals, the document sets out clearly the high-level technical and contractual safeguards against them. On ethical issues like patient trust in the system, the document shows we have pledged to ensure public awareness of the scheme, its benefits, its risks, and patients’ rights to register objection.”

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