

Department of Health and Social Care and NHS England

Statistical Statement: Disclosure and Confidentiality

The Department of Health and Social Care (DHSC) and NHS England are committed to upholding the trustworthiness principle in the [Code of Practice for Statistics](#), that private information about individual persons compiled in the production of official statistics is confidential and should be used for statistical purposes only (Principle T6 – Data Governance). DHSC and NHS England follow the practices set out in the Code and apply as appropriate the additional guidance provided by the National Statistician on the Confidentiality of Official Statistics: <http://www.statisticsauthority.gov.uk/national-statistician/guidance/index.html>. The Heads of Profession have issued this Guidance to statistical staff with the statement that they should consult it, particularly those elements which relate directly to their work.

DHSC and NHS England practice on disclosure control for health statistics is regulated by Government Statistical Service (GSS) policies on the minimum standards necessary to ensure confidentiality of tabular outputs for public release, while preserving the practical utility of statistical publications and databases. The Office for National Statistics has published guidance on disclosure control for health statistics and for social survey microdata. The guidance can be found at: <https://www.ons.gov.uk/methodology/methodologytopicsandstatisticalconcepts/disclosurecontrol>. DHSC and NHS England are committed to applying the GSS policy across all of its statistical work.

We recognise that in some respects the law pulls in two opposite directions. Human Rights and Data Protection legislation, along with the common law duty to respect confidentiality, require us to protect information that could identify an individual. The Freedom of Information Act requires public authorities to release information about their activities. In striking an appropriate balance between these two considerations we will give due regard to the published anonymisation standard for publishing health and social care data:

<https://digital.nhs.uk/data-and-information/information-standards/information-standards-and-data-collections-including-extractions/publications-and-notifications/standards-and-collections/isb1523-anonymisation-standard-for-publishing-health-and-social-care-data>

Most statistics collected by DHSC and NHS England are not disclosive because they are collected in aggregate form and contain few details about the individuals concerned. Publication of such information generates minimal or no disclosure risk. Some disclosive statistics are supplied to DHSC by third parties such as ONS and NHS Digital. This only occurs where there is a genuine need and where doing so is in accordance with legal and professional frameworks. The transfer, maintenance and use of these data are undertaken in line with the National Statistician's guidance on the Confidentiality of Official Statistics.

DHSC staff and NHS medical practitioners are in addition under obligations to respect the confidentiality of patient information. More information can be found in the Confidentiality NHS code of practice available on the GOV.UK website:
<https://www.gov.uk/government/publications/confidentiality-nhs-code-of-practice>