

# Health Information Law Newsletter - April 2014

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The privacy of health data has remained in the news this month. The ICO issued a £200,000 fine against the British Pregnancy Advisory Service ("BPAS") after someone hacked into the BPAS website and got access to sensitive personal data that they later threatened to publish.

The Health & Social Care Information Centre has answered questions about the sharing of NHS hospital data with a consultancy company. This follows recent newspaper coverage alleging that hospital data has been uploaded to Google and made publically available.

Prevention is always better than cure and the ICO's report on health sector data protection audit helpfully highlights common pitfalls and good practice.

New FOIA guidance from the ICO covers how to handle requests made via the WhatDoTheyKnow website, Twitter and Facebook.

All this and more in this month's update. Colleagues can sign up to the alerter [here](#).

## Data Protection and Confidentiality

[Click](#) to read more on each of the developments:

- Government commissioned review of the duty of candour;
- U.S. Federal Trade Commission ("FTC") and the ICO agree to cooperate against privacy violations;
- Microsoft to withdraw official support for Windows XP and Microsoft Office 2003;
- Following the implementation of the remaining elements of The Police Act 1997, Section 56 of the DPA will be implemented imminently;
- European Parliament threatens suspension of safe harbour framework covering data transfers to the U.S;
- Information commissioner's office publishes report on health sector data protection audits;
- The national information board to introduce informatics strategy;
- ICO releases corporate plan tackling data protection concerns between 2014-2017;
- The European Data Protection Supervisor ("EDPS") issues preliminary opinion on privacy and competitiveness in the age of big data;
- ICO issues updated code of practice on subject access requests ("SARS");
- ICO Fines - March 2014;
- ICO undertakings issued - March 2014.

## Freedom of Information Act and Environmental Information Regulations

[Click](#) to read more on each of the developments:

- New guidance on recognising FOIA requests;
- ICO seeks greater clarity over public sector suppliers' FOIA responsibilities;
- Court of appeal overturns government veto on Prince Charles' letters;
- Supreme court ruling in Kennedy - FOIA, freedom of expression and more court challenges?
- New ICO guidance on FOIA and EIR published.

## Health and Social Care Integration

[Click](#) to read more on each of the developments:

- HSCIC statement on the sale of Hospital Episode Statistics data;

- Amendments to Care bill;
- The Royal College of General Practitioners grants £380,000 to develop carer information;
- HSCIC board agrees steps to improve transparency and public trust;
- Oral evidence given to the Health Committee on the care.data database published;
- Child protection - information sharing project launched.

## EU Data Protection Regulation Developments

[Click](#) to read more on each of the developments:

- European parliament votes in support of draft Data Protection Regulation;
- European parliament votes to adopt network and Information Security Directive.

### Authors



**Anne Crofts**

*London - Walbrook*

[acrofts@dacbeachcroft.com](mailto:acrofts@dacbeachcroft.com)