

10<sup>TH</sup> February 2004

Dear Nick,

Thank you for your email dated 18<sup>th</sup> January in which you sought clarification on the use of X –ray images produced in NHS hospitals for the purposes of education, I have been asked to reply and apologise for the delay in doing so.

Information provided by patients to the health service is provided in confidence and must be treated as such so long as it remains capable of identifying the individual it relates to. In your letter you stated that all patient information was removed before use and this is an important point as once information is effectively anonymised it is no longer confidential and there are relatively few constraints on its usage. If anonymisation has been done effectively, there should be no problem in using the images as you suggest.

It is important to note, however, that effective anonymisation requires more than just the removal of name and address. Full postcode can identify individuals, NHS number can be a strong identifier and other information, e.g. date of birth, can also serve as an identifier, particularly if looked at in combination with other data items.

Similarly rare images in which the patient may be identifiable by the unique nature of the image which means that the patient remains identifiable and the image remains confidential. In this case consent would normally be required.

Whilst in principle, anonymisation would enable images to be used for any of the purposes you describe, the care that should be taken to ensure that images have been truly anonymised must be in proportion to the degree of risk to the patient.

I hope this information has been useful

Yours sincerely,

Eloise Garrett  
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