



Public Health England



To Whom this May Concern,

Following the NHS reorganisation in April 2013 the National Cancer Registration & Analysis Service (NCRAS), which runs the national cancer register, became part of Public Health England (PHE).

PHE is an executive agency of the Department of Health & Social Care. It fulfils the Secretary of State for Health & Social Care's statutory duties to protect health and address health inequalities, and executes the Secretary of State's power to promote the health and wellbeing of the nation. Our responsibilities are set out in our annual remit letter from the Parliamentary under Secretary of State for Public Health & Social Care. You can find a copy of this here:

<https://www.gov.uk/government/publications/phe-remit-letter-2018-to-2019>

The East Midlands and North West offices of NCRAS are responsible for collecting information on all patients diagnosed with cancer in this region. In most cases we learn of the diagnosis when the patient presents and we are able to get clinical details from the hospital notes and pathology reports. However, on occasion we only become aware of a cancer when we receive a copy of the patient's death certificate. When this happens, we try to go back and collect clinical information from the treating physicians to make sure we have the information we need to make the national cancer register as complete as possible. It is for this reason that I am contacting you with this request for clinical information about your former patient.

It is important that the data we collected in the national cancer register is of the highest quality possible as this provides substantial benefits to patients, the GPs and hospital services who treat them, and cancer researchers. If you are not already aware, PHE is a key partner in the National Cancer Diagnosis Audit (NCDA). You can find more information about this here:

[http://www.cancerresearchuk.org/health-professional/early-diagnosis-activities/national-cancer-diagnosis-audit/benefits-of-the-audit#NCDA\\_Benefits0](http://www.cancerresearchuk.org/health-professional/early-diagnosis-activities/national-cancer-diagnosis-audit/benefits-of-the-audit#NCDA_Benefits0)

The cancer data we collect is treated confidentially and is securely protected. The Secretary of State, based on the advice of the Confidentiality Advisory Group, has given approval to PHE under Section 251 of the NHS Act 2006 to collect and use confidential patient information without consent for the purpose of running the national cancer register. Details of this approval can be found at:

<https://www.hra.nhs.uk/planning-and-improving-research/application-summaries/confidentiality-advisory-group-registers/>

From 25<sup>th</sup> May 2018, the General Data Protection Regulation (GDPR) became UK law. The statutory duties of PHE to protect and improve the nation's health mean that the lawful basis for us to process the personal data of patients with cancer is provided by Article 6(1)(e) (processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority

vested in the controller). As GDPR identifies data about health as a special category of data, Article 9(2)(h) (processing is necessary for the provision of health treatment or the management of health or social care systems and services) and Article 9(2)(i) (processing is necessary for reasons of public interest in the area of public health) also apply.

Our Caldicott Guardian for NCRAS is Dr Michael Eden FRCPATH, who would be happy to discuss any questions you might have about the sharing of confidential patient information with the national cancer register.

You can also contact me on the details below or our Registration Manager Jane Jones on [jane.jones1@nhs.net](mailto:jane.jones1@nhs.net) or on 0161 2349581 if you have any questions about the work of the East Midlands and North West offices of NCRAS.

Thank you for your help.

Yours faithfully,

Elsita Payne  
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