Royal Free Hospital
Pond Street
London
NW3 2QG

Tel: 020 3758 2000

22 December 2016

IN CONFIDENCE: By e-mail

Dame Fiona Caldicott MA MFCRP FRCPsych
Office of the National Data Guardian
3rd Floor North
1 Trevelyan Square
Boar Lane
Leeds
LS1 6AE

Dear Dame Fiona

Thank you for your letter of 16 December 2016 and for the opportunity to respond.

We are grateful for the time you and your colleagues have spent considering our collaboration with DeepMind and for your helpful description of the key issues.

Our primary residual concern is the inference, in your letter, that identifiable patient data was used in the development of Streams. We do not believe this was the case. Patient information was only ever used for testing the application in a live environment prior to full deployment, in line with clinical safety requirements and best practice for the introduction of a new system into clinical practice. I must apologise if this has not been clear in our previous communications.

As I am sure you are also aware, data has at all times been held by DeepMind strictly as a processor for the trust, under suitable agreements, and not used for any other purpose.

Given the importance of the issues raised in your letter we believe it is important that any outstanding concerns or possible misunderstandings are resolved prior to a public statement. We would very much welcome the opportunity to do this in person with you and/or members of your panel, after which we will, of course, also be able to provide a more detailed written response to your letter.

I recognise that scheduling may be difficult over the festive period, but my colleagues and I are available to meet early in the New Year at your convenience. I appreciate this may delay things beyond 11th January, for which I apologise. I hope that you would agree that taking a small amount of additional time at this stage in the overall progress of your enquiries is worthwhile.

We note your helpful statement that the ICO should now be acting as our primary point of contact. We will therefore also be contacting the ICO to discuss the progress of their work in the context of your letter.

Yours sincerely

Professor Stephen Powis
Medical Director

cc   David Sloman, Chief Executive, Royal Free Hospital NHS Foundation Trust
        Liz Denham, Information Commissioner
        Mustafa Suleyman, Co-Founder, DeepMind
        Will Cavendish, Strategy Lead, DeepMind