

IN CONFIDENCE: By email

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,

Re: Request for Information

Thank you for your letter of 26 August 2016 and your continued assistance and engagement on these important issues – not only with us but also with the Independent Reviewers of DeepMind Health.

As you may be aware the Royal Free and DeepMind recently announced a five year agreement to deploy the “Streams” software at the Royal Free. This new agreement replaces our initial arrangement, providing more clarity and precision on the full scope of the technology services that we have now agreed that DeepMind, as our data processor, should provide. In addition we have taken steps to match those services with best practice contractual commitments relating ongoing data security and data protection, information governance and patient privacy. In line with DeepMind’s commitment to public transparency - something we at the Royal Free support - those agreements have also been [published on DeepMind’s website](#) with minimal redactions.

As part of our commitment to best practice in this area we have put measures in place to inform patients about how their data is used at the Royal Free. This includes producing patient information leaflets which answer common questions about how we use and share information which will be distributed across our hospitals; posters which have been displayed in high footfall areas of our hospitals and banners for main reception areas. We have made our Q&A more comprehensive and uploaded to our website and will soon be publishing an animation film to help explain the process for handling patient data.

You may also be aware that DeepMind also [held their inaugural Patient and Public Involvement meeting](#) on 20 September, 2016, which I understand a representative of your office was able to attend. I hope you will agree that these efforts, collectively, help to put our work on a robust footing for the future and I look forward to any additional recommendations or guidance that your office may have in that regard.

With that in mind, I understand from your communications team that members from your office are meeting on the 29th of November and our ongoing work with DeepMind is to be discussed as part of your agenda; accordingly I have taken the liberty of preparing some materials that may be of assistance in your discussion, and these are attached. Please note that these enclosures do contain sensitive confidential information and should be treated accordingly. If you require anything further, or if you would like to meet with members of my team or the DeepMind team for a fuller briefing do let me know.

You will recall that we first engaged with your office towards the end of May of this year, following initial press reports on our early prototype tests. It would be very much appreciated to have an indication on the timeline you intend to follow to bring your enquiries to a conclusion, and specifically how we should keep up to date on progress and when you might be able to discuss your views with us directly as an initial matter.

Yours sincerely



Professor Stephen Powis
Medical Director

cc David Sloman, Chief Executive, Royal Free London NHS Foundation Trust
cc Mustafa Suleyman, Co-Founder, DeepMind

Enclosures:

1. Summary of material points from the agreements
2. Key Q&A for media
3. Patient information leaflet
4. Joint press statement and background note on AKI
5. Privacy Impact Assessment for Streams, dated 17 November 2016
6. Services Agreement between RFL and DeepMind, dated 10 November 2016
7. Information Processing Agreement between RFL and DeepMind, dated 10 November, 2016
8. Termination letter between RFL and Google UK Limited, dated 10 November 2016
9. Information Sharing Agreement between RFL and Google UK Limited, dated 30 September 2015
10. Memorandum of Understanding between RFL and DeepMind, dated 28 January 2016
11. Banner design