

Date: **29 January 2019**

Our reference: **FOIRQ4932**

Dear Sir/Madam,

Thank you for your request for information processed under the Freedom of Information Act 2000. Please see our response to your request below:

**Your Request and Our Response (in bold)**

*I have a Freedom of Information request regarding Biologics and Biosimilar prescribing. Could you please provide me with the following numbers of patients treated in the last 12 months (latest 12 months possible) with the following drugs regardless of disease:*

**Please see our response in the “Total” within the following table you provided:**

<b>Number of patients treated</b>	<b>Total</b>
<i>Abatacept (Orencia)</i>	<b>&lt;5**</b>
<i>Adalimumab (Biosimilar)</i>	<b>0</b>
<i>Adalimumab (Humira)</i>	<b>206</b>
<i>Apremilast (Otezla)</i>	<b>0</b>
<i>Baricitinib (Olumiant)</i>	<b>&lt;5**</b>
<i>Brodalumab (Kyntheum)</i>	<b>0</b>
<i>Certolizumab (Cimzia)</i>	<b>0</b>
<i>Dimethyl Fumarate (Skilarence)</i>	<b>&lt;5**</b>
<i>Etanercept (Enbrel)</i>	<b>83</b>
<i>Etanercept Biosimilar (Benepali or Erelzi)</i>	<b>17</b>
<i>Golimumab (Simponi)</i>	<b>0</b>
<i>Guselkumab (Tremfya)</i>	<b>0</b>
<i>Infliximab (Remicade)</i>	<b>7</b>
<i>Infliximab Biosimilar (Inflectra, Remsima or Flixabi)</i>	<b>60</b>
<i>Ixekizumab (Taltz)</i>	<b>0</b>
<i>Rituximab (Mabthera)</i>	<b>0</b>
<i>Rituximab Biosimilar (Rixathon or Truxima)</i>	<b>78</b>
<i>Sarilumab (Kevara)</i>	<b>0</b>
<i>Secukinumab (Cosentyx)</i>	<b>0</b>
<i>Tildrakizumab (Ilumetri)</i>	<b>0</b>

<i>Tocilizumab (Ro Actemra)</i>	51
<i>Tofacitinib (Xeljanz)</i>	0
<i>Ustekinumab (Stelara)</i>	11
<i>Vedolizumab (Entyvio)</i>	11

**Please note:** \*\* The Trust is unable to respond where there have been fewer than five data subjects (<5). Great Ormond Street Hospital for Children NHS Foundation Trust (the 'Trust') is withholding this information under s.40(2) of Freedom of Information Act 2000 (FOIA) in order to reduce the risk of identifying a patient. The Trust is of the view that to provide the information would significantly increase the risk of patients being identified.

The Trust believes that Sections 40(2) is applicable to withhold information where disclosure could lead to a patient being identified, which is considered to be a breach of the patient's rights under the Data Protection Act (DPA) 2018. The grounds for exemption of this information are as follows:

- In the context of your request, this data is third party information. The Trust categorises the information about our patients' health as information falling within paragraph (e) of the definition of "sensitive personal data" in s.2 of the DPA. As such, s.40(2) of the FOIA applies to this information, as does the Trust's duty of confidentiality. Therefore under s.2(3)(f)(ii) of the FOIA, there is an absolute exemption from disclosure on the grounds that it would contravene the First Data Protection Principle.
- The Trust has a duty under the DPA and the First Data Protection Principle to process personal data regarding the Trust's patients fairly and lawfully and, in particular, not process data unless at least one of the conditions in Schedule 2 DPA is met, and in the case of sensitive personal data, at least one of the conditions in Schedule 3 DPA is also met.
- The Act has defined "sensitive personal data" to include data on the "physical or mental health or condition" of a person (s.2(e) DPA). Any medical information about specific patients falls within this category and disclosure of this data to a FOI applicant would be processing sensitive personal data of those patients.

In line with the guidance from the Information Commissioner's Office based upon the requirements of the DP the Trust has considered first whether it would be "fair" to process and disclose the requested information, and whether it would be lawful to disclose the requested information before considering whether any Schedule 2 and Schedule 3 conditions have been met. Disclosing medical information to the public regarding the Trust's patients is likely to lead to emotional distress of the

patients and their families. It is also the Trust's position that there is a reasonable expectation on the part of the Trust's patients and their families that their sensitive personal data would not be disclosed to FOI applicants.

Breach of this expectation would have the effect of the data being processed unfairly. The information that forms part of the medical records of an individual is therefore implicitly confidential. The courts and the Information Commissioner have long recognised the strong public interest inherent within keeping confidential medical information confidential. The Trust holds the view that Sections .41(1) applies for the following reasons: the information was obtained by the Trust; has the necessary quality of confidence (being neither generally accessible nor trivial); and disclosure of this information to an FOI applicant would give rise to an actionable breach of confidence. The information is therefore exempt under Section 40 (Personal Information), including Section 41 (information provide in confidence ) under the FOIA.

Please note:

The information provided under FOI is information held at the date on which the request was made.

I trust that the information provided is sufficient and helps to answer any concerns, questions or issues you may have.

If you should have any further queries related to this request, please do not hesitate to contact me. Please ensure that the above reference number is quoted on any correspondence.

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Yours sincerely

**Freedom of Information team**

Great Ormond Street Hospital for Children NHS Foundation Trust  
Email: [foiteam@gosh.nhs.uk](mailto:foiteam@gosh.nhs.uk)

**[Enclosed – Your rights – see next page]**

## Your rights

If you are not satisfied with the response to your request for information, please do not hesitate to contact the member of the FOI team whose name appears on the response letter. Please quote your reference number on any correspondence.

You can also write to the Head of Quality & Safety at the following address:

Quality & Safety team  
Great Ormond Street Hospital  
LONDON  
WC1N 3JH

If you are still not satisfied with your response, you also have the right to appeal to the Information Commissioner.

You can contact the Information Commissioner's Office at the following address:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF