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STATUTORY INSTRUMENTS

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**2002 No. 1438**

**The Health Service (Control of  
Patient Information) Regulations 2002**

**Communicable disease and other risks to public health**

3.—(1) Subject to paragraphs (2) and (3) and regulation 7, confidential patient information may be processed with a view to—

- (a) diagnosing communicable diseases and other risks to public health;
- (b) recognising trends in such diseases and risks;
- (c) controlling and preventing the spread of such diseases and risks;
- (d) monitoring and managing—
  - (i) outbreaks of communicable disease;
  - (ii) incidents of exposure to communicable disease;
  - (iii) the delivery, efficacy and safety of immunisation programmes;
  - (iv) adverse reactions to vaccines and medicines;
  - (v) risks of infection acquired from food or the environment (including water supplies);
  - (vi) the giving of information to persons about the diagnosis of communicable disease and risks of acquiring such disease.

(2) For the purposes of this regulation, “processing” includes any operations, or set of operations set out in regulation 2(2) which are undertaken for the purposes set out in paragraph (1).

(3) The processing of confidential patient information for the purposes specified in paragraph (1) may be undertaken by—

- (a) the Public Health Laboratory Service;
- (b) persons employed or engaged for the purposes of the health service;
- (c) other persons employed or engaged by a Government Department or other public authority in communicable disease surveillance.

(4) Where the Secretary of State considers that it is necessary to process patient information for a purpose specified in paragraph (1), he may give notice to any body or person specified in paragraph (3) to require that body or person to process that information for that purpose and any such notice may require that the information is processed forthwith or within such period as is specified in the notice.

(5) Where confidential information is processed under this regulation, the bodies and persons specified in paragraph (3) shall make available to the Secretary of State such information as he may require to assist him in the investigation and audit of that processing and in his annual consideration of the provisions of these Regulations which is required by section 60(4) of the Act.