

Mr Andy Benjamin

benj@gmx.co.uk

Our Reference: FOI2026/01971

Your Reference:

26 May 2026

Dear Mr Benjamin

Freedom of Information: FOI2026/01971

Thank you for your Freedom of Information request which we received on 14 May.

Your Request:

Dear Freedom of Information Team,

I am making this request under the Freedom of Information Act 2000.

Please provide the following information held by Royal Free London NHS Foundation Trust in relation to FDG brain PET imaging performed on the PET scanner.

A set of approximately 40 fully anonymised FDG brain PET DICOM studies acquired on the PET scanner, preferably from adult patients aged 22–48 whose scans were reported as normal.

For clarity, I am not requesting identifiable patient records. I am requesting only data that has been anonymised so that no patient is identifiable.

Kind regards,
Andy Benjamin

Our Response:

The Trust has considered your request and is refusing disclosure under section 40(2) of the Freedom of Information Act 2000.

Section 40(2) – Personal Information

The information requested comprises diagnostic imaging data relating to identifiable living individuals. Although you have requested anonymised DICOM studies, the Trust is not satisfied that the requested imaging data could be rendered fully anonymous for the purposes of disclosure under FOIA.

Medical imaging data, including DICOM-format PET brain studies, may contain both direct and indirect identifiers within image metadata and image content itself. In addition, advances in imaging analysis and data linkage techniques mean there

remains a risk that individuals could be identified from the requested data, either alone or when combined with other information reasonably available to third parties.

Disclosure under FOIA is considered disclosure to the public at large and the Trust cannot impose restrictions on further use or onward disclosure once information is released.

The Trust therefore considers the requested information to constitute personal data and special category personal data under the UK General Data Protection Regulation and the Data Protection Act 2018. Disclosure would contravene the data protection principles set out in Article 5(1)(a) UK GDPR and accordingly the exemption under section 40(2) FOIA applies.

Section 40 is an absolute exemption and there is therefore no requirement to consider the public interest test.

Information not held in the requested form

In addition, the Trust does not hold the requested information in the fully anonymised form specified in your request. Compliance with the request would require the Trust to identify suitable scans, extract imaging data, undertake anonymisation and quality assurance processes, and create a new dataset for disclosure.

FOIA provides a right of access to recorded information held by a public authority but does not require a public authority to create new information or datasets in order to answer a request.

The Trust frequently handles requests for access to imaging datasets for research purposes through formal research governance and data access processes to provide appropriate ethical, confidentiality, and information governance approvals. The first point of contact with OUH for a request of this nature is OUHTMA@oxnet.nhs.uk

If you have any queries regarding our response or you are unhappy with the outcome of your request and wish to seek a review of the decision, please contact:

Information Governance
Oxford University Hospitals NHS Foundation Trust
John Radcliffe Hospital
Headley Way
Headington
Oxford
OX3 9DU

Please quote the reference number above in any further communications.

If you are still not content with the outcome of the review, you may apply to refer the matter to the Information Commissioner for a decision. Generally, the ICO cannot

make a decision unless you have exhausted the review procedure provided by the Trust.

The Information Commissioner can be contacted at:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Information Governance Team