Response to Privacy International [Open Letter](#) dated 29 April 2020

Palantir UK welcomes the opportunity to engage in dialogue with civil society about our efforts to support the NHS as a software provider.

Our company enables organisations to manage their own data in more efficient and appropriate ways using software. The protection of individual privacy sits at the core of this mission, and we have designed our software from the ground up to preserve privacy. For further information about our approach to privacy, please see:

- [Data Protection in Palantir Foundry](#)
- [Best practices for using data during a crisis](#)

With the above publications, [and many more like them](#), we have endeavoured to be especially transparent in this moment of crisis.

However, we cannot disclose confidential information about our customers or their internal processes. For this reason, we can only reply to your questions as they relate directly to our own company, software, and general practices.

We would also like to express our concern about the framing of some of these questions, which suggest misunderstandings about the nature of our software and our role as a data processor for the NHS.

Question Responses

- **1. How does the information put into the Foundry system inform the learning systems of other Palantir products, such as Gotham?**

Neither Foundry nor Gotham are learning systems as implied by the question. Both Foundry and Gotham are data integration platforms that enable organisations to manage and analyse their own data. Each customer is provided their own private Foundry or Gotham. All data, and all insights derived from these data using our software, remain in our customers' ownership and under their control. These concepts are reinforced contractually, procedurally, and through technical means.

- **2. What are the types of data processed by Palantir in this work?**

To answer this question, we would refer you to the information already made public by the NHS with regards to the types of data processed as part of its Covid-19 response. A list of the datasources in the NHS Covid-19 datastore, from which the NHS Foundry Platform integrates selected data on a necessary and proportional basis as determined by the NHS, can be found [here](#).

- **3. Is Palantir obtaining access to any databases and/or records held by the NHS, such as online prescription systems, patient records, general practitioners' files, etc?**
    - a. **How will this comply with requirements around special-category data processing under EU/UK data protection laws?**
    - b. **What are the agreements in place to ensure that doctor-patient confidentiality is respected?**
    - c. **How is Palantir ensuring confidentiality of data that is ingested into its systems?**

The types of data listed in this question belong to the data controller and can only be processed at the controller's direction. For this reason, we would refer you to the data controller, the NHS, to answer this question.

Under the GDPR and other relevant law, Palantir UK is a data processor: an organisation that processes data on behalf of a data controller according to their instructions. It is the data controller - in this case the NHS - that determines the manner in which data is processed, the purposes that this processing serves, and how this processing must adhere to legal frameworks.

As a processor, Palantir Technologies UK serves as a technical agent to its customers, providing software and services to enable and support them in analysing the data they control. As such, any access to customer data under *any* circumstances would be strictly at the direction of customers, in support of legitimate purposes, and in adherence with all applicable rules and regulations.

- **4. As this contract with the NHS, will most likely involve the processing of special-category data (health data/health-related info), did Palantir carry out a Data Protection Impact Assessment (DPIA) in accordance with its General Data Protection Regulation and UK Data Protection Act 2018 obligations?**
    - a. **If not, why not?**
    - b. **If yes, will this DPIA be publicly available and when? If not, why not?**

As above, we would refer you to the data controller, the NHS, to answer this question. In accordance with 35(1) of the General Data Protection Regulation and 64(1) of the UK Data Protection Act 2018, it is for the data controller - not the data processor - to carry out a Data Protection Impact Assessment (DPIA).

- **5. How have you ensured that the NHS will be able to maintain the insights/data analysis obtained after this contract is completed? It has been previously reported that your clients struggle with this.**

Under the terms of our contracts, customers retain full ownership and control over their data, analysis, and work products. The Palantir Foundry platform stores data in standard, non-proprietary data formats and customers can readily export or migrate their data, as their own security policies and protocols permit. Palantir Foundry supports interoperability, using open APIs to enable integration with other systems.

- **6. Will Palantir retain the NHS data analysis or insights gleaned from this contract once this exercise is over?**

No. [As documented in the project's announcement](), the NHS retains full ownership of NHS data and any analysis derived from this data.

To use an analogy: Foundry is to NHS data what spreadsheet software is to the contents of a spreadsheet. Just as the author of a spreadsheet can - whenever they desire - export its contents to another spreadsheet software, the NHS, as the data controller, can - without hindrance - export its data from Foundry into other data management software.

- **7. How will Palantir ensure that any personal data, including profiled or inferred data, stemming from this work with the NHS are effectively anonymised considering extensive research that suggests anonymisation techniques do not work?**

As above, we would refer you to the data controller, the NHS, to answer this question.

- **8. Will Palantir be able to use the product trained under the agreement with NHS to improve other future products provided by Palantir?**
  - a. **If yes, what applications will the product(s) trained by NHS data have?**
  - b. **For what purposes will it/they be used?**

As outlined in our answer to question 1, the Foundry platform is not a learning system as implied by the question.

- **9. In response to Covid-19, does Palantir have similar collaborations with/using the same products in other countries?**
  - a. **If yes, in which countries?**

We are supporting a range of public and private sector organisations in their response to the Covid-19 crisis, including analysing the spread of COVID-19, measuring the effectiveness of mitigation strategies, and improving coordination between organisations such as hospitals and medical equipment manufacturers. [More information is available on our website.]()

- **10. Do you have any other agreements with the NHS apart from the one that we inquired about above and has already being reported?**
  - a. **If yes, who are these agreements with?**
  - b. **What are these agreements for?**
  - c. **When will they be made public?**

At this moment in time, we do not have any other agreements with the NHS.