29 April 2020

Palantir Council of Advisors on Privacy and Civil Liberties
[via email only]

To whom it may concern,

We, a collection of privacy and civil liberties organisations, write to you for further information about your work with the UK's National Health Service (NHS) during the Covid-19 public health crisis. Your website says that you have a "culture of open and critical discussion around the implications of [your] technology" but you have so far provided little meaningful insight about your current collaboration with the NHS.[1]

In the spirit of such "open and critical discussion", we write with ten questions:

1. How does the information put into the Foundry system inform the learning systems of other Palantir products, such as Gotham?
2. What are the types of data processed by Palantir in this work?
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?
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?
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.[2]

1 https://www.palantir.com/pcl/.

2 https://www.buzzfeednews.com/article/williamalden/theres-a-fight-brewing-between-the-nypd-and-silicon-valley.

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

We hereby also ask for the contract of your agreement with NHS to be made public.

Please confirm receipt.

Yours faithfully,

Privacy International

Big Brother Watch

Foxglove

medConfidential

Open Rights Group