

B/17/93

minutes (APPROVED)

NHS NATIONAL SERVICES SCOTLAND (NSS)

MINUTES OF INFORMATION GOVERNANCE COMMITTEE MEETING HELD ON THURSDAY 26 JANUARY 2017 IN MEETING ROOM 6, GYLE SQUARE, EDINBURGH COMMENCING AT 0930HRS

Present: Ian Cant, Non-Executive Director (in the Chair)
Professor Elizabeth Ireland, Chair of NSS
Mark McDavid, Non-Executive Director
Colin Sinclair, NSS Chief Executive

Apologies Kate Dunlop, Non-Executive Director
Dr Janet Murray, Consultant CPHM, Public Health and Intelligence

In Attendance: Professor Marion Bain, Medical Director
John Fox Davies, Director of Strategy and Governance,
Kirsty Licence, Consultant in Public Health (Minute Item 8 only)
Eilidh Prentice, Associate Director Corporate Affairs & Governance
Dr Lorna Ramsay, Medical Director of Information Technology
Lindsay Robertson, Technology Services Manager (Minute Item 11 only)
Trisha Ruddy, NSS Privacy Advisor (Minute Item 10 only)
Diane Thomson, Business Support Manager, PCF (Minute Item 11 only)
Marion Walker, Risk Manager Lead (Minute Items 4 and 10 only)
Drew McErlean, Committee Secretary [Minutes]

ACTION

1. CHAIR'S INTRODUCTION

- 1.1 The Chair welcomed everyone present to the meeting and thanked Mark McDavid who had acted as Chair for the meeting on 13 October 2016
- 1.2 Members confirmed that they had no interests to declare in the context of the agenda items to be considered.

2. MINUTES OF THE NSS INFORMATION GOVERNANCE COMMITTEE MEETING HELD ON 13 OCTOBER 2016 [paper IG/17/02 refers]

- 2.1. The minutes were agreed as an accurate record of the meeting.

3. MATTERS ARISING FROM THE NSS INFORMATION GOVERNANCE COMMITTEE MEETING ON 13 OCTOBER 2016 [paper IG/17/03 refers]

- 3.1 All actions were either, completed, covered in the agenda for this meeting or programmed into a future meeting.



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Chair Professor Elizabeth Ireland
Chief Executive Colin Sinclair

4. Information Governance Adverse Events, Risks and Complaints Report [Paper IG/17/04 refers]

- 4.1. The update on the adverse event concerning GP records from Highland practices was noted. It was also noted that specific records were identified and recreated, where possible, for the patient who had raised a complaint about the matter. The total of the category 3 adverse events in Table 1 should be 79. There had been no category 1 or 2 adverse events in the reporting period. In relation to risk 3882 it was noted that sources of information other than the Health Protection Scotland website were available and so this risk rating may be reduced.
- 4.2. The next report would be in a different format which would place greater emphasis on analysis and lessons learned from adverse events. Members were asked to provide feedback on the new format of the report. Professor Elizabeth Ireland noted that in the context of lessons learned it was important that all parts of the organisation were considered. That should include Non Executive Directors. The work done by Internal Audit on the review of Adverse Events reporting was referenced and it was noted that this would be a subject for discussion at the NSS Board Development session in March 2017. The Committee approved the report.
- 4.3. Dr Lorna Ramsay provided a verbal report on a risk that had arisen during Quarter 3 on the integrity of data where personal identifiers had been available on image records belonging to other patients. Greater Glasgow and Clyde Health Board had the greatest number of cases with NHS Fife and NHS Tayside impacted to a lesser extent. The 'event' was now resolved and a full lessons learned exercise had been undertaken. Recompense from the IT system supplier may be sought as the responsibility for the issue lay with them. Full details would be included in the next quarterly report.

5. NSS Information Governance Strategy and Future Reporting Update [Paper IG/17/05 refers]

- 5.1. Eilidh Prentice noted the challenges involved in the handling of large volumes of data, the security required around that and the need to use data in the most effective manner for the benefit of patients. The 5 year Information Governance strategy would be reviewed and updated. This was being targeted for the first quarter of the financial year 2017 – 2018. There would be a focus on the Adverse Events process to ensure that it was as comprehensive as it could be.
- 5.2. The need to make progress on the recruitment to key information security management posts was emphasised as that would underpin much of the strategic work. There had been good progress on training and communication to improve staff awareness but that would be an ongoing challenge. It was very important to get visibility of the project across the organisation as the future stages of the work were progressed. The need for a cultural shift within NSS would be a key strand of the Information Governance strategy. The Information Governance Committee would be provided with regular updates on progress.
- 5.3. Professor Elizabeth Ireland commented that in line with the strategic requirements for greater collaboration across all NHS Boards in Scotland NSS would need to engage with the other Boards. The strategic review that was to be undertaken would have to be outward as well as inward looking.

Colin Sinclair commented that collaboration would dominate the agenda. Whilst the detail of how that would be done had still to be decided, this was an example of where NSS could take the lead, for example in the discussions about eHealth strategy. Professor Marion Bain noted this was a very solid piece of work but more needed to be done to link it to other areas such as IT and Public Health. That was where NSS could add value.

- 5.4. Professor Elizabeth Ireland commented that the need to have information governance joined up was vital but that it must be linked to patient outcomes. There had to be clarity around why the information needed to be joined up so that it could be used effectively, for example, in helping with the development of the health and social care agenda.

- 5.5. It was agreed that an update on the development of the information governance strategy would be taken to a future meeting of the NSS Board.

Eilidh Prentice

6. Review of Cyber Security across NSS Boards

- 6.1. Dr Lorna Ramsay advised that the work was progressing to plan and a full update would be provided at the meeting of the Information Governance Committee on 26 April 2017. If, before that meeting there were any significant issues which the Committee should be advised of, an SBAR would be circulated.

Dr Lorna Ramsay

7. NSS Digital Transformation Programme Project Update

- 7.1. Dr Lorna Ramsay provided an update on the work that had previously been referred to as the NEXUS programme. PA Consulting had been commissioned to help progress some work from October to December 2016. It had been felt this work had been good value for money. As a consequence of that work a new definition of 'Digital' for NSS had been created which looked to bring together people and technology to create new operating models that had the customer as their core focus.

- 7.2. In response to the obvious need for increased use of technology a Digital blueprint had been created. This would be supported by setting out a roadmap of how the blueprint would be delivered. Underlying principles had been established that would be referenced at each stage of the development process. There would be very significant change issues for both staff and customers. The communication and change management approaches would be critical issues to be managed.

- 7.3. The next step in the programme would be to ensure there was an effective launch of the work supported by strong communication and engagement with staff and customers. A lot of work needed to be progressed quickly, so decisions about early priorities and the allocation of sufficient resource to these were vital. A separate Programme Management Group had been established to oversee this work and ensure that there was appropriate focus across the organisation. The joint SROs were the IT Director and the Customer Engagement and Development Director. It was agreed that the slide from this presentation about the governance and structure of the work should be included as part of the Digital Transformation presentation that was to be given to the meeting of the NSS Board on 3 February 2017. This would ensure that their role was clearly demonstrated.

John Fox Davies.

- 7.4. Colin Sinclair noted that all NHS Boards were looking at their digital strategies and an experienced resource had been identified to lead some of this work. NSS would have an opportunity to provide leadership, and

influence the work. There had been a lot of discussion about eHealth strategy but there was a gap in the definition about how technology would support health delivery in the future to give consistently strong levels of patient care. Professor Marion Bain commented that the RAM presentation to the NSS Board on 3 February 2017 would demonstrate the potential for NSS to bring coordination of the work that was currently going on in small pockets but urgently needed to be brought together. That was a gap which NSS undoubtedly had the ability to fill.

- 7..5. In response to a question from Professor Elizabeth Ireland the discussions that had taken place with Trade Union colleagues were noted. These had included a presentation to the meeting of the Joint Shop Stewards Committee. Ian Cant noted that the importance of this work and the need for effective Partnership working to take it forward was fully recognised and supported by the Trade Unions.

8. National Strategic and Operational Governance Update [Paper IG/17/05 refers]

- 8.1. Kirsty Licence noted that an important theme in the paper was public engagement. NSS would be meeting with some people who had asked that their data be removed from the national datasets to gain an understanding of their reasons and to explain what the implications were if that happened. The SPIRE public information campaign would be launched on 6th March 2017, focussing mainly on General Practices and the SPIRE website with a radio campaign for those who are hard to reach.

- 8.2. The General Data Protection Regulation (GDPR) is set to come into force across the EU on 25th May 2018 and the work required to get NSS compliant with these regulations was noted. The key issue was Subject Access Rights with the rights of individuals being strengthened, covering groups such as children and vulnerable adults. As an example of the work required NSS would need to review their Privacy Notices. In response to a question from Mark McDavid it was noted that there was a considerable amount of work to be done in advance of the implementation date. Some of the processes would not be changed but the timescales for doing certain things would be reduced. Some matters of detail had not yet been defined in the regulations and when these points had been clarified there would be challenges in achieving the required timescales.

- 8.3. Professor Elizabeth Ireland asked if NSS had the processes in place to be compliant with the regulations in real time. Kirsty Licence advised that NSS was in a strong position but that work would be needed to ensure Managers and Staff across the organisation were clear about what their responsibilities were. Ian Cant suggested that it would be helpful for the Board and the EMT to have some documented examples of what would be required and it was agreed this would be prepared as soon as possible.

Trisha Ruddy

- 8.4. Kirsty Licence noted that working in partnership with other bodies such as local authorities was an important part of the national and strategic work. The LIST work had produced very positive results as part of that collaboration. There were challenges, as not all organisations had the same Information Governance structures. The Public Benefit and Privacy panel work was also very important. Between April and November 2016, there had been 89 applications approved. As SWAN was owned by NSS it was important that momentum on this was maintained. It was clear that a number of pieces of work were co-related and the need to ensure these were clearly linked was emphasised by the members of the Committee.

9. NSS Information Governance Improvement Plan: Quarterly Progress Update [Paper IG/17/06 refers]

- 9.1. The review of certain policies had not taken place by the scheduled deadlines – some as far back as December 2014. Whilst the Committee was satisfied that the underlying processes had been operating effectively there was concern over the timescales since the last review. It was agreed that in the future, policies must be reviewed by the scheduled date so that there could be reassurance that the policy was as effective as possible.

10. Information Governance Risk Appetite [Paper IG/17/07 refers]

- 10.1 Mr John Fox-Davies noted the background to the work and the recommendations in the supporting paper. Professor Elizabeth Ireland and Colin Sinclair noted that cultural issues around the interpretation of how Information Governance impacted decision making were very important. Information Governance should be an enabler to finding solutions when innovative ideas were being considered. It was important the people made the right decisions to try to do the right things for the health of the people of Scotland. There was work to do around ensuring that the culture of NSS was supportive of this approach. Trisha Ruddy commented that staff had to be equipped to understand how important the interpretation of Information Governance issues was in their day to day work.
- 10.2. Mark McDavid asked if the defined low risk approach to information governance held back the organisation or prevented things from being done. It was felt that the overall approach of the organisation could not be generally interpreted as using Information Governance to block the progression of ideas. However, there had been instances where data protection had been used as an excuse not to do specific things. This needed to be challenged and changed. Marion Bain felt that the Information Governance risk approach was sometimes seen as an inhibitor to innovation. It was agreed that the engagement of Information Governance Professionals in the early stages of projects was an important part of the process.
- 10.3. Greater focus needed to be put on the benefits of the ideas that were being put forward. The key issue was how the risks around Information Governance were managed rather than what the risks were. Colin Sinclair noted there was a danger of an over-arching assumption being applied and a case by case approach was required. The Caldicott Guardians could give their expert advice to help with the interpretation of information governance issues. The Committee agreed the recommendations made in the report.

11.0 FOCUS ON SBU – Procurement Commissioning and Facilities (PCF)

- 11.1 A presentation was made by Diane Thomson and Lindsay Robertson. The background to the work carried out in PCF was highlighted which covered over 550 staff at 3 sites as well as mobile and home based workers. The way in which staff were trained on information governance, the processes used and the work around control and audit were outlined. There had been 14 information governance incidents in the year to date and 31 Freedom of Information requests. The incidents were mainly around the use of incorrect e-mail addresses and the loss of encrypted devices.

- 11.2. The information assets held by PCF were mainly commercial, patient and facilities information. An annual review was conducted of vital records. The involvement of PCF in NSS Information Governance programmes was highlighted and the key elements of the work programme for the through to 2018 were noted. The key challenges included the need to get an understanding of information governance embedded into the culture.
- 11.3 The overall mandatory training completion rates were currently 59% for Safe Information Handling and 61% for Freedom of Information. The Committee was concerned that these completion rates were not very good as a snapshot and were concerned to know what the trend was. It was noted that the trend was one of improvement but there were discreet areas of PCF which had very low completion rates and those dragged down the headline numbers. Improvement was clearly required in these areas and work was under way to ensure that all staff that had to undertake this training had access to the appropriate IT facilities. The committee noted that this had been a very helpful presentation which gave them a much deeper understanding of the wide range of work in PCF in which information governance was a factor.

12. **BOARD HIGHLIGHTS REPORT [Paper IG/17/08 refers]**

- 12.1 Members agreed the following to be included in the Board Highlights report.

Issues & Risks for the Board's Attention

The need to ensure consistency in the recording of Adverse Events across NSS.

The need to ensure that NSS complied with the General Data Protection Regulation (GDPR) that would come into force across the EU on 25th May 2018.

Emerging Themes for Board Awareness e.g. changing trends in elements of NSS performance

The review of the Information Governance Strategy.

The need to be more flexible in the view of the risk appetite for Information Governance

Governance Improvements e.g. actions which have strengthened governance of Committee and should be shared

Work that would be undertaken to ensure that the Information Governance and the Clinical Governance Committees were both receiving the right information.

13. **ANY OTHER BUSINESS**

Requirements for a Clinical Directorate Update on Information Governance

- 13.1. It was agreed that a shortened presentation on the Information Governance processes for the Clinical Directorate would be sufficient and this would be added to the Forward Programme. The work of the Clinical Directorate cuts across many of the other areas of work in NSS and it would help to improve the understanding of the Committee in how this linked together.

Committee Secretary

Chair for IGC meeting scheduled for 7 September 2017

- 13.2. It was agreed that as Ian Cant would not be available for the meeting of the Committee scheduled to take place on 7 September 2017 that Mr Mark McDavid would act as Chair at that meeting.

14. DATE OF NEXT MEETING

- 14.1 **The next NSS Information Governance Committee Meeting would be held on Wednesday 26 April 2017 at 09.30 hrs - Gyle Square Edinburgh**

15. DOCUMENTS CIRCULATED FOR INFORMATION/ GENERAL UPDATE ONLY

- 15.1. IGC Forward Programme [Paper **IG/17/09** refers]