**The Northern, Yorkshire & Humberside**

**NHS Directors of Informatics Forum**

**Information Governance Sub-Group**

**Yorkshire & Humber Area Strategic Information Governance Network (SIGN)**

**MS Teams Meeting – 08 October 2020, 13:00 – 14:30**

**Present:**

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| **Name** | **Initials** | **Organisation** |
| Roy Underwood (Chair) | RU | Doncaster and Bassetlaw Teaching Hospitals |
| Nicola Gouldthorpe (Minute Taker) | NG | Northern Lincolnshire and Goole Hospitals |
| Rachel Smith | RS | South West Yorkshire Partnership NHS Trust |
| Ernest Attah | ET | RDASH |
| John Wolstenholme | JW | SHSC |
| Dave Britton | DB | Spectrum Community Health |
| Melanie Hill | MH | NHS Informatics Service |
| Barry Jackson | BJ | N3i |
| Susan Hall | SH | Audit Yorkshire |
| Blaine Williams | BW | NHS Calderdale CCG |
| Rhona McCleery | RMc | Rotherham NHS Trust |
| Adam Barker | AB | Care Plus Group |
| Steve Rose | SR | CHFT |
| June Emptage | JE | Optum Health Solutions |
| Andy Nutting | AN | Leeds City Council |
| Erin Wood | EW | Health Education England |
| Suzanne Sugden | SS | Calderdale and Huddersfield NHS Trust |
| Caroline Britten | CB | RDASH |
| Ann Johnson | AJ | East Riding of Yorkshire CCG |
| Jenny Pope | JP | Airdale NHS Trust |
| Gershon Nubour | GN | NHS Sheffield CCG |
| Joanne Robertshaw | JR | RDASH |
| Martin Moorhouse | MM | Mid Yorkshire Hospitals |
| John Mitchell | JM | NHS NE Lincs CCG |
| Peter Wilson | PW | Sheffield Teaching Hospital |
| Caroline Squires | CS | NHS Calderdale CCG |
| Liza Broughton | LB | Sheffield Teaching Hospital |
| Dianne Llewellyn | DL | Mid Yorkshire Hospitals |
| Lynne Trickett | LT | RDASH |
| Ruth Parker | RP | Yorkshire Ambulance Service |
| Cheryl Rollinson | CR | Doncaster CCG |
| Jo Higgins | JH | Harrogate and District NHS Foundation Trust |
| Lindsey Stuffins | LS | RDASH |

**Apologies:**

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| Susan Meakin | SMe | Northern Lincolnshire and Goole Hospitals |
| Linda Da Costa | LDC | Northern Lincolnshire and Goole Hospitals |
| Derek Stowe | DS | Rotherham NHS Foundation Trust |
| Claire Flowers | CF | Bevan Healthcare CIC |
| Andrew Harvey | AH | Western Sussex Hospitals |
| Nikki Minnikin | NM | Doncaster Council |
| Carol Mitchell | CMi | NHS England and NHS Improvement |
| Karen Robinson | KR | Humber Teaching NHS Foundation Trust |
| Karen Rowe | KRo | Leeds CCG |
| Jon Shingleton | JSh | NHS England & NHS Improvement |
| Joanne Sturdy | JS | Sheffield Teaching Hospitals |
| Ola Zahran | OZ | Yorkshire Ambulance Service |
| Janet Matthews | JMa | Bradford Teaching Hospitals NHS Foundation Trust |

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|  |  | **Action** |
| 1. | **Apologies** - See above |  |
| 2. | **Minutes of previous meeting** held 10 September 2020.  Accepted as a true record |  |
| 3. | **Matters arising**   * Please refer to the action log |  |
| 4. | **Data Protection Regulation** |  |
|  | The group discussed the following areas:   * **DPIA** – RU asked the group if they are using the automatic e-form for consenting for Flu Jabs this year, there is currently no DPIA for this system and wondered if anyone had completed one. * **Awareness** – JP reported that a few weeks ago the NHS guidance had been altered for accessing staff test results. SMe was taking this to the National SIGN, has anything been reported back as things are ramping up again we need to keep an eye on it. |  |
| 5. | **Regional/National Events**  The IG Portal has been launched |  |
| 6. | **IG Education/Personal Development Updates**  BJ attended a 4 day course aimed at DPOs which was well run and very useful to anyone who is new to a DPO role or who would like an update on the practical implementations and limitations in an organisation. This course would complement courses that some people will have already attended.  <https://www.dataprivacyadvisory.com/courses/data-protection-officer-course/>  CM reported that the annual Siro training was well attended and evaluated well. |  |
| 7. | **EU/Brexit**  PW reported that a proposed Data Protection bill has been put forward which wipes out GDPR and the DPA but is unsure who is leading on this.  GN reported the European Court ruled on the spying of unlimited access to data, which will impact on the trustworthy data sharing partner. As we are still following EU rules changes will need to be made to these rules which don’t comply, if these are not changed the adequacy arrangements with the EU may cause further problems.  Please follow the link for the latest updates:  <https://afterbrexit.tech/data-protection/> |  |
| 8. | **Data Security and Protection Toolkit**  20/21 version launched mid October 2020, with a few assertions blended together and some rewording.  RU – Reported that NHSD had audited their toolkit on behalf of the Confidentiality Advisory Group to assure the NHS Research Authority that their data was safe and sound, no faults were found. 8 Trusts were selected and RU asked if anyone else was in the other 7, no one from the region was.  PW asked with the extension of June 21 – interim submissions for L1/L2 organisations will be January/February 21. Some of the group queried if this extension had actually been approved.  JP received a briefing via SH from Audit Yorkshire, who reported that at the NHSX webinar John Hodgson had said that an application has been made to the Secretary of State to extend the toolkit deadline to June 21. Although no formal confirmation has been received. SH also reported that an official statement has been drafted with regards to the Cyber Essentials plus/equivalent certificate and that its publication is imminent once approved.  CB will work toward a March 21 submission with nothing confirmed, and said it would be up to individual organisation which date they go with. The extension would put her organisations work streams out completely and she would be telling the rest of the organisation that submission will be March 21. SH suggested and early submission would be better. JP reported that Covid 19 has had a huge impact on organisations and they have had other priorities and additional pressures.    PW said if there is a second wave things will be really difficult, as organisations have moved quickly on the governance side moving to MS Teams, Attend Anywhere etc, and it would be very difficult to achieve 95% for staff IG training. CB said that the audit sample that has already been set has helped, dependant on which organisation you have for auditing purposes. |  |
| 9. | **Confidentiality, Data Protection and Freedom of Information**  PW has had a decision notice made against an FOI request from the ICO; this took 17 months to come to the point where the notice was given.  CB has also had a complaint for FOI, an individual asked for 4 pages of various questions, CB replied saying the information would not be given due to time constraints and costs and asked the individual to slim down their request. The individual responded asking why aren’t you investigating, I am appealing your decision. CB did an appeal on the use of exemption on the FOI with regards to costs/times, the individual then complained to ICO, who wrote saying a complaint had been made and that they would allocate a case worker in due course but hasn’t heard anything since. PW had the same problem with not been allocated a case worker.  BJ received information of a data breach in a GP practice, where a member of staff looked at a family members record, this was found during an audit and was reported to ICO, asking if they should inform the individual who’s record had been looked at, BJ did risk assessment and sent it to the ICO who reported that they didn’t need to inform the individual. PW has also had a similar dealing when a record accessed wrongly by a family member, but the patient was really poorly and it was agreed that telling them would cause more distress so this was just documented. |  |
| 10. | **Data and IT/Information Security** |  |
|  | CB has appointed an Information Governance Data Security Specialist - Ernest Attah | NG to add to distribution list |
| 11. | **Any Other Business** |  |
|  | **Future Meetings**  MS Teams v’s Goole Group, some of the group felt that the MS Teams meetings are missing something. BJ suggested having sub group meetings on a particular subject, anyone could call a meeting and send it out to the most recent distribution list which SMe/NG hold, if you don’t want to attend you can just decline the meeting. **Post meeting update**: 2 sub meetings have been held to discuss SARs, both have been well attended and proved successful.  **How do we record in Clinical Systems that a patient has given staff the authority to discuss their care with e.g. another family member or carer**  BJ shared a consent form that a GP practice created, the form states that the information is only used for 12 months; although it’s likely that this won’t be updated after 12 months. SR reported that the GMC states that this should be recorded in the patient record of who should have access to the information this would be ongoing until a patient removes it, or if the GP queries it.  GN reported this is a common problem and has been for years, maybe there should be a list in the patient record to store patient representative information with all their contact details on. This would need to be electronic so staff could easily find the information.  BJ also has had dealings with a local hospital where patients are allocated a password which they tell their family, so when they ring the ward and give the password the nursing staff can let them know how their family member is doing. The group though this was a good idea.    **Award** The SIGN group has been put forward for an award. |  |
| 12. | **Date/Time of Next Meeting:**  Thursday 12 November 2020, 1.00 pm – 2.30 pm Via Microsoft Teams | Meting invite already sent out |