

**NHS VALE OF YORK CLINICAL  
COMMISSIONING GROUP**



**Vale of York**

**GOVERNING BODY MEETING**

**Clinical Commissioning Group**

**Meeting Date: 9 January 2014**

**Title: Information Governance Strategy**

**Responsible Chief Officer and Title:**  
Rachel Potts, Chief Operating Officer

**Report Author and Title:**  
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Manager

**Strategic Priority**

Ensuring that the CCG has the capacity and processes in place to discharge its statutory duties.

**Purpose of the Report**

To ensure that an appropriate Information Governance framework is in place, that current information risks are identified and managed appropriately, and that the organisation is able to demonstrate the ability to work as a trusted partner in sharing information and protecting patient information.

The Information Governance Strategy sets out how the organisation should approach information governance; key roles in respect to information governance and the responsibility that all staff have to safe guard information.

**Recommendations**

- Approve the Information Governance Strategy
- Delegate responsibility for review and approval of supporting policies and standards to the SIRO and Caldicott Guardian at Management Team.

**Impact on Patients and Carers**

The strategy provides assurance that the organisation recognises its statutory duties as a Data Controller/Data Controller in Common/Data Processor and respects commitments made under the Care Record Guarantee and NHS Constitution in respect of the patient's right to privacy and confidentiality and expectation that the NHS will keep confidential information safe and secure.

**Impact on Resources (Financial and HR)**

None

**Risk Implications**

Potential for failure to adequately discharge statutory duties and adhere to NHS mandatory guidance. Should a breach of Data Protection Act or Freedom of Information Act regulations occur this may result in loss of organisational reputation and, in certain circumstances, significant financial penalties to the organisation.

The NHS Vale of York Clinical Commissioning Group Information Governance Strategy will be reviewed on an annual basis and updated as appropriate to reflect revision to national strategy and guidance and submitted to the Governing Body for approval.

**Equalities Implications**

No specific implications

**Sustainability Implications**

No specific implications

**GOVERNING BODY MEETING: 9 JANUARY 2014****Information Governance Strategy****1. Purpose of the Report**

- 1.1 To propose the implementation of an organisational Information Governance Strategy which, if implemented and effectively communicated, should provide assurance that the Clinical Commissioning Group has appropriately discharged its statutory and NHS mandatory duties in respect to information handling.
- 1.2 To propose that supporting Information Governance policies and standards are approved by the SIRO and Caldicott Guardian at the Management Team.

**2. Background****2.1 Information Governance Aims**

There are four fundamental aims of Information Governance, these are:

- To support the provision of high quality care by promoting the effective and appropriate use of information.
- To encourage responsible staff to work closely together, preventing duplication of effort and enabling more efficient use of resources.
- To develop support arrangements and provide staff with appropriate tools and support to enable them to discharge their responsibilities to consistently high standards.
- To enable organisations to understand their own performance and manage improvement in a systematic and effective way.

The requirement for good Information Governance links to the organisation's Assurance Framework, critical success factor 5: Ensuring the CCG has the capacity and processes to deliver its statutory duties. An Information Governance Toolkit compliance update report will be prepared for the March Governing Body meeting

**2.2 NHS Information Standards**

NHS Standard ISB 0086 Amd 42/2012 requires that:

#	Requirement
	Organisations within scope of the IG Toolkit MUST complete an IG Toolkit assessment by 31 <sup>st</sup> March each year. The assessment MAY be completed at any time once the new version for the year is released.
	Service commissioners MUST ensure that their providers (e.g. Commercial Third Party or an NHS Business Partners) complete the IG Toolkit. This includes third parties that: <ul style="list-style-type: none"> <li>• have access to NHS patients and/or to their information;</li> <li>• provide support services directly to an NHS organisation; or</li> <li>• have either direct or indirect access to national informatics services, including N3 - the NHS National Network.</li> </ul> This SHOULD be enforced in commercial contracts.
	IG Toolkit submission MUST be completed using the website at <a href="http://www.igt.hscic.gov.uk/">http://www.igt.hscic.gov.uk/</a> .

## 2.3 Submitting an Information Governance Toolkit Self-Assessment

Each year the Clinical Commissioning Group is required to submit an audited response to the Information Governance Toolkit, (IGT). Information Governance Toolkit performance is Department of Health's method of measuring compliance with information handling standards and is based on legal, contractual and regulatory requirements.

The annual submission of IGT version 11 is due on 31st March 2014. The NHS Vale of York Clinical Commissioning Group Information Governance Strategy sets out the organisation's approach to implementing Information Governance standards. The North Yorkshire and Humber Commissioning Support Unit is contracted to work with the organisation to achieve the required level of IGT compliance.

The Governing Body, however, retains ownership and scrutiny of key assurances, strategic priorities and policies and it is a requirement and that this must be evidenced.

### 3. Evidence base

Not applicable

### 4. Content of the report/ Issues to Consider

#### 4.1 NHS Vale of York Clinical Commissioning Group Information Governance Strategy

NHS Vale of York CCG Information Governance Strategy sets out the organisation's approach to implementing and embedding Information Governance standards.

The Information Governance Strategy will be supported by a number of Information Governance policies and standards that will provide assurance that the appropriate controls are in place.

Policies provide a foundation to the organisation's assurance framework. Information Governance policies will be designed to set clear standards.

The strategy will also be supported by an Information Governance work plan that will detail how awareness and practice will be improved within the organisation and maintain compliance with the required Information Governance standards.

#### **4.2 Development and Approval of NHS Vale of York Clinical Commissioning Group Supporting Information Governance Policies and Standards**

Subject to the approval of the NHS Vale of York Clinical Commissioning Group Information Governance Strategy, it is proposed that authority to approve supporting policies and standards is delegated to the SIRO and Caldicott Guardian at Management Team.

#### **5. Stakeholder/ Public Engagement**

A copy of the Information Strategy has been circulated to the North Yorkshire and Humber Clinical Support Unit Information Governance Team.

#### **6. Financial Implications**

None

#### **6. Legal Implications**

- Data Protection Act 1998
- Freedom of Information Act 2000
- Caldicott Guidance
- Human Rights Act 1998
- Public Records Act 1958
- Records Management NHS Code of Practice
- Mental Capacity Act 2005
- Computer Misuse Act 1990
- Copyright, Designs and Patents Act 1988
- Common Law Duty of Confidentiality
- Confidentiality NHS Code of Practice
- International information security standards: ISO 27001 and ISO/IEC 27002
- Information Security NHS Code of Practice
- NHS Information Governance Toolkit

NHS Constitution: "The right to privacy and confidentiality and to expect the NHS to keep your confidential information safe and secure."

**7. Equalities Implications**

None.

**8. Recommendations**

1. Approve the Information Governance Strategy
2. Delegate responsibility for review and approval of supporting policies and standards to the SIRO and Caldicott Guardian at Management Team.