

Report to:	Public Board of Directors	Agenda item:	14
Date of Meeting:	29 March 2017		

Title of Report:	Information Governance Toolkit Annual Submission 2016/17 version 14
Status:	For Approval
Board Sponsor:	Sarah Truelove, Deputy Chief Executive & Director of Finance
Author:	Dominique Emmanuel, Informatics Governance Manager
Appendices	Assessment Report from the HSCIC IG Toolkit

1.	Executive Summary of the Report
The Board is required to sign off the Trust's Annual IG Toolkit return prior to its submission to HSCIC.	

2.	Recommendations (Note, Approve, Discuss)
<p>The Information Governance Group agreed a target of 90% at the beginning of the year (2016) for the version 14, 2016/17 IG toolkit return to NHS Digital. The target set reflected some additional work and new standards requiring a patient portal and the recording of the removal of consent for sharing by a patient.</p> <p>In 2015/16 the Trust achieved 88% with all requirements reaching the minimum requirement of level 2, resulting in an overall rating of "satisfactory."</p> <p>This year all 45 requirements have been assessed and completed and have achieved either a level 2 or level 3, with a final score of 90%, therefore achieving the target set for this year. This will provide the Trust with an overall level 2 and a rating of "satisfactory."</p> <p>Three requirements that have seen improvements in their score this year, moving from a level 2 to a level 3 are Accessing Confidential Information (206), Access to Systems (305) and Business Resilience and Security (310), all owned by the IG and IT Infrastructure Teams.</p> <p>To achieve an overall level 3 for the IG Toolkit the Trust requires a patient portal and the ability to record the removal of consent for sharing by a patient. Work has begun on the IT Patient Portal project with a go live of March 2018.</p> <p>One area that is perhaps worthy of mention is the mandatory annual IG Training. This year advice was received from NHS Digital, that due to work on their national e-learning programme, the Trust didn't need to achieve 95% compliance, as long as this was achieved for the 2015/16 IG Toolkit submission. Therefore the Trust was able to rely on last year's training compliance figures. Despite this, the IG Team and cascade trainers put in a significant amount of work from October 2016 through to February 2017 to train as many staff as possible. Due to peak demand and unprecedented winter pressures, staff faced difficulties getting released from clinical duties for face to face training or eLearning. Therefore the cascade trainers worked together to develop an IG workbook that could be completed in around 10-15 minutes. This has</p>	

Author : Dominique Emmanuel, Informatics Governance Manager	Date: 10/03/2017
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proved hugely popular with staff. Training compliance so far this year has reached 87%, therefore moving forward, the IG Team will be asking divisions to spread staff training across the year, aiming to meet a specified target per month rather than carrying out the annual 'push' in training during the busy Autumn/Winter period.

3. Legal / Regulatory Implications

Request to approve the IG toolkit return by the Trust for 2016/17.

4. Risk (Threats or opportunities, link to a risk on the Risk Register, Board Assurance Framework etc)

As a result of the Trust not having an online patient portal there is a risk that the Trust will not achieve an overall level 3 in version 15 of the IG Toolkit (2017/18). This risk is on the risk register; risk 1459. Work has begun on the IT Patient Portal project with a go live of March 2018.

As a result of the data protection legislation changing in May 2018 to the new General Data Protection Regulations (GDPR), there is a risk that the Trust will not be in a position to fully comply with the new regulations. This could result in a fine from the Information Commissioner's Office (ICO) if complaints are received. Complaints can result in a fine, which can be up to 20 million euros per incident from 23/05/2018.

This risk is on the risk register; risk 1460. Work has begun on the GDPR and the IG Team and undergoing training on the new regulations and receiving advice on how to implement the new legislation across the Trust.

5. Resources Implications (Financial / staffing)

NA

6. Equality and Diversity

NA

7. References to previous reports

The submission of the IG toolkit was an agenda item at the IG Group meeting held on the 9th March 2017 and support was given for the submission of the IG toolkit for 2016/17.

8. Freedom of Information

Public

Summary;

This year's IG toolkit, version 14, has seen the same number of requirements or work streams but with a few changes to the standards required. Achievement of level 2 has been fairly straightforward, given the significant work undertaken in 2015/16 and the advice received from NHS Digital regarding IG training compliance for this year's submission. However significant work is required to provide the Trust with an overall level 3. This is as a result of inclusion into the IG toolkit of the need for an online patient portal.

The IG toolkit requirements have been progressed over the course of 2016/17, following initial individual allocation of the requirements to responsible owners for the various work streams, back in July 2016.

At the time of this paper being written for the management board, all 45 requirements have been completed and have been reviewed and assessed by a Panel Review Team of achieving either level 2 or level 3.

The Trust has achieved a score of 90%, which provides an overall level 2.

The Board is asked to support in view of the above;

- Thanks going to the cascade trainers and Divisional Managers who made such a significant effort to encourage staff to complete the mandatory IG Training and develop the new IG workbook.
- That the Board approves the IG toolkit return at its current score of 90%.