



**AGENDA ITEM**

3.4

**DIGITAL & DATA COMMITTEE**

**ICO AUDIT FEEDBACK & INFORMATION GOVERNANCE IMPROVEMENT PLAN**

<b>Date of meeting</b>	28 <sup>th</sup> September 2022
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<b>FOI Status</b>	Open/Public
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<b>If closed please indicate reason</b>	Not Applicable - Public Report
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<b>Prepared by</b>	Andrew Nelson, Chief Information Officer
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<b>Presented by</b>	Andrew Nelson, Chief Information Officer
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<b>Approving Executive Sponsor</b>	Stuart Morris, Director of Digital
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<b>Report purpose</b>	FOR NOTING
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**Engagement (internal/external) undertaken to date (including receipt/consideration at Committee/group)**

<b>Committee/Group/Individuals</b>	<b>Date</b>	<b>Outcome</b>
N/A		

**ACRONYMS**

IG – Information Governance

UHB – University Health Board

ICO – Information Commissioner’s Office

## 1. SITUATION/BACKGROUND

### 1.1 The purpose of this report is to:

- update the Committee on the work carried out by UHB and its' partners on improving the controls in place to mitigate any risk of non compliance with information standards and the law; and
- to detail the latest assessment undertaken by the Information Commissioner's Officer in regards to the UHB's progress in taking forward the recommendations they made to the UHB in January 2022.

## 2. ASSESSMENT

- 2.1 In January 2022 the UHB received reasonable assurance from the ICO's office in regards to our management of data protection, but was asked to take forward 21 recommendations in regards to governance and data protection and a further 14 in regards to data sharing.
- 2.2 Over the past 6 months, varying degrees of progress has been made against these recommendations, largely correlating with the ease of the recommendation to implement and the importance attached to the recommendation by the ICO.
- 2.3 In August 2022, an official from the ICO's office re-assessed the progress made against these recommendations based on the UHB's own assessment of progress and informed by a structured interview with the Acting Data Protection Officer for the UHB. Their assessment concluded that:
- The UHB had completed 4 of the 37 recommendations made (some recommendations had 2 parts)
  - The UHB had made some progress, but needed to either provide further evidence or undertake additional actions in addition to those identified in regards to 16 of the recommendations
  - Had not made any progress against 12 of these recommendations, 7 of which they considered to be of a high importance.
  - Agreed with the UHB's assessment, that 5 of the recommendations were progressing but still had work to do.
- 2.4 The UHB and the ICO's assessment is provided in the attached excel workbook.
- 2.5 An analysis of the ICO's feedback is that much of the additionality that they require relates to:
- external facing communications and contract management,
  - training and awareness and
  - documentation either of policies and procedures or of data sharing arrangements which commenced prior to 2020.
- 2.6 With the ongoing structural changes, and given the strong likelihood that the UHB will have no qualified IG professionals from the middle of October, the UHB



recognizes that we need to consider whether we can re-allocate existing resources towards information governance.

### 3. IMPACT ASSESSMENT

<b>Quality/Safety/Patient Experience implications</b>	Yes (Please see detail below)
	NIL
<b>Related Health and Care standard(s)</b>	Governance, Leadership and Accountability
<b>Equality Impact Assessment (EIA) completed - Please note EIAs are required for <u>all</u> new, changed or withdrawn policies and services.</b>	No (Include further detail below)
	Equality Impact Assessment to be completed as part of each project
<b>Legal implications / impact</b>	Yes (Include further detail below)
	COMPLIANCE WITH DPA 2018, CLDC, NIS-D
<b>Resource (Capital/Revenue £/Workforce) implications / impact</b>	There is no direct impact on resources as a result of the activity outlined in this report.
<b>Link to Strategic Goals</b>	Improving Care

### 4. RECOMMENDATION

- 4.1 The Committee is asked to: **NOTE** the progress made in delivering the Information Governance Improvement Plan and the outcomes of the ICO's recent re-assessment