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|  <p> GIG CYMRU NHS WALES </p> <p> Iechyd Cyhoeddus Cymru Public Health Wales </p> | <p style="text-align: right;">Name of Meeting</p> <p style="text-align: right;">Audit and Corporate Governance Committee</p> <p style="text-align: right;">Date of Meeting</p> <p style="text-align: right;">10 March 2025</p> <p style="text-align: right;">Agenda item:</p> <p style="text-align: right;">5.3</p> |
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| Integrated Governance Division: Information Governance Performance Report Q3 2024/2025 | |
| Executive lead: | Claire Birchall, Executive Director of Nursing, Quality and Integrated Governance. |
| Author(s): | Lisa Partridge, Information Governance Manager Alex Ley-Sweet, Information Governance Officer John Lawson, Head of Information Governance Katie Donelon, Head of Records Management |

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| Approval/Scrutiny route: | Stuart Silcox, Assistant Director, Integrated Governance |
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| <p>Purpose</p> <p>To provide assurance and updates from the Integrated Governance Division for Q3 2024-2025, specifically the following:</p> <ul style="list-style-type: none"> • Information Governance Performance Report for Q3 2024-2025, including an update from the Information Governance Working Group • Update on the progress of the Records Management SharePoint Implementation Programme |
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| Recommendation: | | | | |
| APPROVE <input type="checkbox"/> | CONSIDER <input checked="" type="checkbox"/> | RECOMMEND <input type="checkbox"/> | ADOPT <input type="checkbox"/> | ASSURANCE <input checked="" type="checkbox"/> |
| <p>The Committee is asked to:</p> <ul style="list-style-type: none"> • Receive and Consider the Information Governance Performance Report. • Receive assurance that the Records Management SharePoint Implementation Programme is on track with the plan. | | | | |

Link to Public Health Wales [Strategic Plan](#)

Public Health Wales has an agreed strategic plan, which has identified seven strategic priorities and well-being objectives.

This report contributes to the following:

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| Strategic Priority/Well-being Objective | All Strategic Priorities/Well-being Objectives |
| Strategic Priority/Well-being Objective | Choose an item. |
| Strategic Priority/Well-being Objective | Choose an item. |

Summary impact analysis

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| Equality and Health Impact Assessment | No Equality and Health Impact Assessment is required. |
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| Risk and Assurance | <p>This report will provide assurance that:</p> <p>The Information Governance Management System is operating effectively. Risks around IG are known and highlighted in Directorate and Corporate (where necessary) Risk Registers, with clear mitigation.</p> <p>The Records Management Sharepoint Implementation Programme is on track. Reference to: Datix Risk 1453 - There is a risk that PHW will run ineffective and inefficient services through poor record keeping. This will be caused by a lack of a coherent, organisation wide records management system and process.</p> |
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| Health and Social Care (Quality and Engagement) (Wales) Act | This report supports and/or takes into account the <u>Health and Care Quality Standards for Wales.</u> |
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| Financial implications | <p>The Information Governance Performance report outlines the performance of the Information Governance Management System to further reduce the risk of breaches of data protection legislation with the associated risk of significant fines and sanctions from the Information Commissioner.</p> <p>Progression of a corporate approach to Records Management has required financial investment.</p> |
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| People implications | None |
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1. Purpose / situation

To provide assurance and progress updates from the Integrated Governance Division for Q3 2024-2025, specifically the following:

- Information Governance Performance Report for Q3 2024-2025
- Provide an update from the work of the Information Governance Group
- Updates on the Records Management SharePoint Implementation Project Delivery.

2. Information Governance Update

Background

The Information Governance Performance Report provides assurance that Public Health Wales maintains an Information Governance System in order to:

- discharge its responsibilities to ensure the security and appropriate use of personal information; and
- demonstrate compliance with data protection legislation.

Executive Director accountability and greater assurance that information risks are addressed is provided by Public Health Wales's designated Senior Information Risk Owner (SIRO), the National Director for Public Health Knowledge and Research.

Freedom Of Information Act (FOI)

Under the Freedom of Information Act 2000, the organisation is required to comply with the appropriate release of information within the legislative timeframe. This is generally 20 working days from receipt of the request. However, this deadline is frequently extended legitimately, e.g. when there is a requirement to clarification from the requestor or where we are considering an exemption requiring a public interest test.

In quarter 3, the number of non-compliant requests has slightly decreased. Ten responses (19%) during Q3 were non-compliant, a decrease from thirteen in Q2.

The average number of days to respond in quarter 3 was 17 days, which is a decrease from 18 days in quarter 2, and so remains within the general 20-working day deadline.

The below table shows an overview of all non-compliant FOI requests from Quarter 3.

| FOI | Days out | Dep't | Comments on Response Delay |
|----------|-----------------|---------------------------------|---|
| 2024 172 | 17 | WCISU & Health Intelligence | <i>Clarification sought multiple times from the requester, required additional info to be added to response</i> |
| 2024 174 | 16 | IT, Finance | <i>Final response reviewed and updated. Staff absences</i> |
| 2024 176 | 7 | WCISU & Health Intelligence | <i>Clarification sought from requester. Staff absences</i> |
| 2024 178 | 2 | Communications | <i>Revising final response and adding updates</i> |
| 2024 180 | 7 | multiple | <i>Checking with multiple places to see if we held the information.</i> |
| 2024 184 | 1 | Health Protection, microbiology | <i>Receiving information</i> |
| 2024 197 | 1 | OMD – screening, HP | <i>Complex request with a sizeable question set and responses from multiple areas to put together.</i> |
| 2024 201 | | Microbiology | <i>Still awaiting information from Microbiology</i> |
| 2024 202 | 2 | AWARE, NHSWE | <i>Receiving and confirmation of the information</i> |
| 2024 212 | 21 as of 7/2/25 | NHSWE | <i>Clarification sought so request deadline changed to a later date as per FOI Act. This is still ongoing as it is a complex FOI. This is due on 06/02/2024</i> |

Failure to deliver timely response time for FOI is a key deliverable for PHW. Whilst some FOIs do become complex to deliver within the timeframes. However, the 'days out' column here identifies some basic process issues meaning that deadlines are being missed by 2 days or left. As a result, a revised approach has been adopted with a weekly performance management meeting chaired by the SIRO/Director of NQIG to gain grip and control of FOIs which are nearing deadlines for Director escalation.

Subject Access Requests (SAR)

The organisation has a responsibility to provide personal information if it is requested by an individual in the form of a SAR. The number of requests has decreased since the previous quarter, with an average of 12 days taken to respond and within the target 30-day timescale. There were five requests received, one of them was deemed complex and has been extended by a further two months as permitted under UK GDPR. The four other requests were responded to within the 30-day timeframe.

Personal data breaches

There is a requirement under the General Data Protection Regulation 2016 (GDPR), in which we are required to risk assess all personal data breaches and under certain circumstances to report them to the Information Commissioners Office (ICO), and the data subjects involved.

All personal data breaches are reported on Datix and are automatically flagged to the Information Governance Service. A risk assessment is then carried out through a Standard Operating Procedure and if the risk assessment suggests that the breach is either ICO or data subject reportable, the breach is referred to the SIRO for a decision.

There were 7 data breaches reported, with no incidents being reported to the ICO or data subjects during quarter 2.

Detail of the Personal data breaches has been provided to the Audit and Corporate Governance Committee in private session.

Mandatory Information Governance Training

Organisational wide compliance remains at 89% and above the NHS target of 85%.

Directorates are regularly reminded to ensure that staff maintain complete and up to date Mandatory Information Governance Training as there is a risk that reportable data breaches may occur where staff are not compliant with their mandatory training.

The Information Governance Group (IGG) Update

PHW has established strong Information Governance assurance processes through the direction of the SIRO and the Executive Director of Quality, Nursing and Integrated Governance and the implementation of the Information Asset Owner (IAO) network across the organisation. Weekly meetings are chaired by the SIRO with the Executive Director of Quality Nursing and Integrated Governance, the Assistant Director of Integrated Governance (Deputy SIRO), the Head of Informatics, the Head of Information Governance and the Lead Cyber Security Manager to review IG performance across the organisation and to discuss current and emerging issues.

To improve assurance further and to ensure the efficient communication of IG matters with IAOs, the IGG continues its re-constitution as an Information Governance Forum, chaired by the SIRO and attended by IAOs across both the wider PHW organisation and the NHS Wales Executive. The Forum meets quarterly and provides IG discussion and learning that complements formal IAO training provided by the Information Governance Service. The Information Governance Forum continues to develop its Terms of Reference and agenda, and the SIRO is working with the Information Governance Service to establish the most appropriate forum to formally consider and approve IG decisions on an organisation wide basis. We are working towards the Information Governance Forum Terms of Reference, agenda and formal reporting to an identified decision-making forum to be finalised in Quarter 1 2025/26.

Assurance can be taken that:

- The IG work of PHW continues to progress in line with the revised focus of the SIRO.
- That remedial processes have been put in place in response to poor compliance with FOI response times.

3. Records Management Project update

The continued transition to SharePoint as a document store is currently on track, with the following Directorates now moved over to SharePoint:

- NQIG
- Board Business Unit
- People and Organisational Development
- Research, Digital and Data Directorate
- Policy and International Health, WHO Collaborating Centre
- Operations and Finance
- Screening
- Health Protection

Work is continuing at pace to transition the remaining Directorates by the end of March 2025 and the Project Board is assured that all necessary work will be completed. The remaining Directorates are:

Microbiology Division
NHS Wales Executive
Health and Wellbeing

However, all the above are partially complete. Most of the remaining work is in relation to training and the staff beginning to use the systems. Capital Training have been engaged to support the team with the remaining training delivery.

Progress has been made with the Staff Records Management issue within Policy and International Health, where there is now an agreed way forward. Progress with automation of POD processes has also supported improved assurance and deliverability.

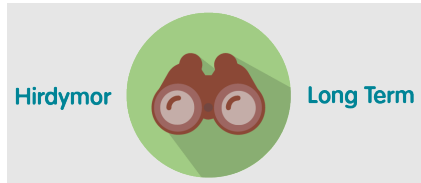
Internal Audit undertook an assessment of the Records Management project in Quarter 3, finding Reasonable Assurance. The main areas for improvement were identified as resourcing sustainability after the end of the project, maintenance of the risk register and governance over local staff processes.

Lessons Learned was also identified as an area to be strengthened, and an exercise has already started to allow the project team to reflect on any changes which should be made to running future projects or large cross organisational change. A lessons learned session is planned for early February, for the Project Board to discuss any learning that can be taken forward.

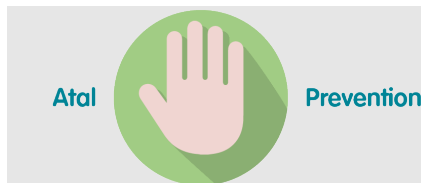
There are currently no significant delays to delivery and the project plan still has 3 months built in for slippage. The team continue to engage with staff around the organisation for the development of their SharePoint sites and infrastructure, with particular emphasis on ensuring tools and support are in place prior to migration.

Assurance can be received that the Records Management programme is progressing to the planned implementation timetable, with improving levels of engagement and communication with key stakeholders.

4. Well-being of Future Generations (Wales) Act 2015



Analysis of trends the Information Governance team deal with and a proactive approach to FOI administration alongside a streamlined Records Management is essential to ensure the long-term viability and effectiveness of the organisation.



Training and guidance on best practice plus adherence to Records Management policies will proactively prevent the organisation from failing to comply with legislation including the requirements of the Freedom of Information Act 2000 and the Public Records Act 1958.



Integrated Governance's work is designed to integrate efficient processes and procedures for the benefit of all areas across the organisation.



Integrated Governance works regularly in collaboration with all PHW Directorates, and the Office for National Statistics have shared organisational learning from the recent implementation of a Records Management system.



All parts of the business will be involved in developing the Records Management system to ensure its proper integration across all business areas and all staff are encouraged to provide feedback on the Integrated Governance products they would like to see or any assistance needed.

5. Recommendation

The Committee is asked to:

- **Receive** and **Consider** the Information Governance Performance Report.
- **Receive assurance** that the Records Management SharePoint Implementation Programme is on track with the plan