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Iechyd Cyhoeddus
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Public Health
Wales

Name of Meeting
Audit and Corporate Governance
Committee
Date of Meeting
14 January 2025
Agenda item:
5.2

**Integrated Governance Division:
Information Governance Performance Report
Q2 2024/2025**

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Approval/Scrutiny route: Stuart Silcox, Assistant Director, Integrated Governance
Claire Birchall, Executive Director of Nursing, Quality and Integrated Governance.
Business Executive Team

Purpose

To provide assurance and updates from the Integrated Governance Division for Q2 2024-2025, specifically the following:

- **Information Governance Performance Report for Q2 2024-2025**, including an update from the Information Governance Working Group
- **Update on the progress of the Records Management SharePoint Implementation Programme**

Recommendation:

APPROVE

CONSIDER

RECOMMEND

ADOPT

ASSURANCE

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.

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:	
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	
Equality and Health Impact Assessment	No Equality and Health Impact Assessment is required.
Risk and Assurance	<p>This report will provide assurance that:</p> <p>The Information Governance Management System is operating effectively. The risks associated with Information Governance are included in the Information Governance Risk Register.</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>
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> .
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>
People implications	Progression of a corporate approach to Records Management will continue to require significant levels of training across the organisation. The full

	people implications are addressed in the paper below.
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1. Purpose / situation

To provide assurance and progress updates from the Integrated Governance Division for Q2 2024-2025, specifically the following:

- Information Governance Performance Report for Q2024-2025
- Provide an update from the work of the Information Governance Group
- Updates on the Records Management SharePoint Implementation Project

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.

Information Governance is also supported by an operational level organisation wide risk register which is available on request.

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.

In quarter 2, the number of missed deadlines has slightly decreased the average response to 18 days from quarter 1 which was 19 days. This is over the Key Risk Indicator (KRI) of 15 days but is within the 20-working day deadline. Twelve responses (25%) during Q2 were over the 20-working-day deadline, a decrease from Q1 where 18 responses (34%) were over the 20 working day deadline.

The below table shows an overview of all overdue FOI requests from Quarter 2.

FOI	Days out	Department	Comments on Response Delay
2024 162	11	POD	<i>Flagged to CEO as potentially sensitive. Careful checking of wording with POD before being approved by SIRO. Delay in approval process.</i>
2024 168	8	Screening, BTW	<i>Delay in receiving final information from Screening.</i>
2024 171	18	Multiple	<i>Delay in identifying where the information is held. Held across individual directorates/divisions. Further delay in approval process.</i>
2024 137	3	WCISU	<i>Formatting issues with CSV files delayed approval.</i>
2024 138	3	POD	<i>Staff absences leading to delayed response.</i>
2024 143	14	IT, Board Business Unit	<i>Delay in receiving information.</i>
2024 154	5	POD	<i>Responses carefully checked with POD leading to delay.</i>
2024 140	24	IT, Finance, facilities	<i>Large, complex FOI request, slight delay in IT providing information.</i>
2024 146	16	HP	<i>Staff absences leading to delayed response.</i>
2024 156	25	POD	<i>Delay in receiving information</i>
2024 119	16	Multiple	<i>Information requested held across multiple Directorates/Divisions</i>
2024 124	3	NHSWE & Finance	<i>Delay through identifying where information requested is held.</i>
2024 128	2	POD	<i>Delay within the Information Governance Team.</i>

Failure to deliver timely response time for FOI is a significant and unacceptable risk for PHW. A revised approach is planned for 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. A new escalation process is being drafted for approval at BET in December to improve ownership and performance going forward.

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 increased since the previous quarter, one deadline was missed with an average of 19 days taken to respond and within the target 30-day timescale. The request which missed the deadline was due to a delay in forwarding the draft performance to the Information Governance Service.

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 5 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

The IGG has been re-constituted as an Information Governance Forum for the benefit of Information Asset Owners (IAO) across both the wider PHW organisation and the NHS Wales Executive. As a discussion and learning forum, these meetings are subject to Terms of Reference and an agenda, but no formal minutes are recorded. The Information Governance Service is working with the SIRO to establish the most appropriate forum to formally consider and approve Information Governance related decisions, which is likely to be the Digital and Data Design Authority (DDDA).

Assurance can be taken that.

- **The IG work of PHW continues to progress in line with the revised focus of the SIRO.**
- **That actions are being taken 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
- Data, Knowledge, and Research
- Policy and International Health, WHO Collaborating Centre
- Operations and Finance

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:

Health Protection and Screening Services
NHS Wales Executive
Health and Wellbeing

Although work remains to be completed, the Records Management Team have been engaged with these Directorates since April 2024 and most, if not all the site infrastructure is in place and training has been completed. The Records Management Team continue to offer support to all staff for site development, training and anything additional that is required to support the transition. Monthly Organisational Learning sessions have been held to share best practice, as well as new ideas and developments of SharePoint capabilities.

There are a few ongoing issues. One relates to business model in Policy and International Health and navigating a way to practically deliver effective management of staff records but in a way that delivers far more limited access than is current practice, which is currently not compliant. There have been a few attempts to resolve this, but it has not been successful and will now need to be led by the two relevant Executive Directors.

The second is with Health and Well Being where the pace of some of the change, and concern that the timelines for the completion of the programme will mean that opportunities afforded by the Business Transformation work, such as digitisation of some POD processes may not be able to realise within the RM Programme timeframe and could present a missed opportunity.

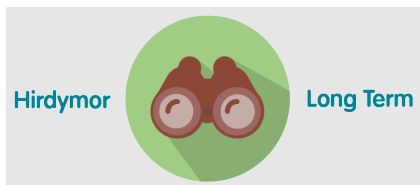
It is proposed that a small Task and Finish Group is set up to work through these outstanding issues in collaboration led by the relevant Executives.

There are currently no other 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.

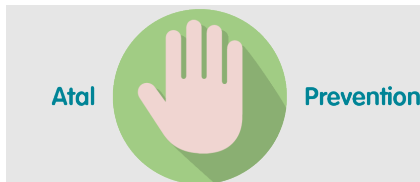
Assurance can be received that the Records Management programme is progressing to the planned implementation timetable, with improving levels of engagement and communication with key stakeholders.

Assurance that there is a plan to address the outstanding issues around staff records, led by the relevant Executive Directors.

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



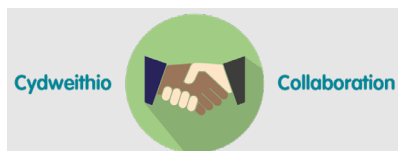
Analysis of trends the Information Governance team deal with and a proactive approach to FOI administration alongside a streamlined Records Management is essential to ensure the long-term viability and effectiveness of the organisation.



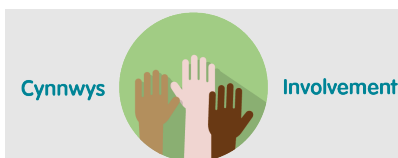
Training and guidance on best practice plus adherence to Records Management policies will proactively prevent the organisation from failing to comply with legislation including the requirements of the Freedom of Information Act 2000 and the Public Records Act 1958.



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 Integrated Governance Report, which provides assurance around:
 - Information Governance Performance
 - The progress being made by the Information Governance Group
 - That the Records Management Programme is on track with the implementation plan