 <p>GIG CYMRU NHS WALES   Iechyd Cyhoeddus Cymru Public Health Wales</p>	<p><b>Name of Meeting</b> Business Executive Team Meeting <b>Date of Meeting</b> 9 May 2024 <b>Agenda item:</b> 5.2</p>
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<h2>Integrated Governance Division: Information Governance Performance Report Q4 2023/2024</h2>	
<p><b>Executive lead:</b></p>	<p>Claire Birchall, Executive Director of Quality, Nursing and Allied Health Professionals</p>
<p><b>Author(s):</b></p>	<p>Lisa Partridge, Information Governance Manager John Lawson, Head of Information Governance Katie Donelon, Head of Records Management</p>

<p><b>Approval/Scrutiny route:</b></p>	<p>Stuart Silcox, Assistant Director, Integrated Governance</p>
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<p><b>Purpose</b></p> <p>To provide assurance and updates from the Integrated Governance Division for Q3 2023-2024, specifically the following:</p> <ul style="list-style-type: none"> <li>- <b>Information Governance Performance Report for Q4 2023-2024</b>, including an update from the Information Governance Working Group</li> <li>- <b>Update on the progress of the Records Management SharePoint Implementation Programme</b></li> </ul>
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<p><b>Recommendation:</b></p>				
<p>APPROVE <input checked="" type="checkbox"/></p>	<p>CONSIDER <input checked="" type="checkbox"/></p>	<p>RECOMMEND <input type="checkbox"/></p>	<p>ADOPT <input type="checkbox"/></p>	<p>ASSURANCE <input checked="" type="checkbox"/></p>
<p>The Committee is asked to:</p> <ul style="list-style-type: none"> <li>• <b>Receive</b> and <b>Consider</b> the Information Governance Performance Report.</li> <li>• <b>Approve</b> the report for submission to the Audit and Corporate Governance Committee.</li> <li>• <b>Receive assurance</b> that the Records Management SharePoint Implementation Programme is on track with the plan.</li> </ul>				



<p><b>Link to Public Health Wales <a href="#">Strategic Plan</a></b></p> <p>Public Health Wales has an agreed strategic plan, which has identified seven strategic priorities and well-being objectives.</p> <p>This report contributes to the following:</p>	
<b>Strategic Priority/Well-being Objective</b>	All Strategic Priorities/Well-being Objectives
<b>Strategic Priority/Well-being Objective</b>	Choose an item.
<b>Strategic Priority/Well-being Objective</b>	Choose an item.
<b>Summary impact analysis</b>	
<b>Equality and Health Impact Assessment</b>	No Equality and Health Impact Assessment is required.
<b>Risk and Assurance</b>	<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>
<b>Health and Social Care (Quality and Engagement) (Wales) Act</b>	This report supports and/or takes into account the <u>Health and Care Standards for NHS Wales</u> Quality Themes.
<b>Financial implications</b>	<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>
<b>People implications</b>	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.

## 1. Purpose / situation

To provide assurance and progress updates from the Integrated Governance Division for Q4 2023-2024, specifically the following:

- Information Governance Performance Report for Q4 2023-2024
- Provide an update from the work of the Information Governance Working 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 4, the number of missed deadlines has slightly reduced the average response to 17 days from quarter 3 which was 18 days. This is over the Key Risk Indicator (KRI) of 15 days but is within the 20-working day deadline. Twelve responses during Q4 were over the 20-working-day threshold, mostly due to the complexity of some of the requests, requiring significant time and resource to address from both the Directorate / Division concerned, and the Information Governance Service. Nine requests remain outstanding at the time of producing

this report. These include, 7 that are not yet due for release and 2 responses which are overdue but are awaiting approval to release.

The Information Governance Service now has an Information Governance Support Officer, whose duties include the administration of the FOI system. This team member has now passed the professional qualifications required for the post. We are continuing to embed the new SharePoint based FOI administration system and have seen a reduction in the missed deadlines during quarter 4, although it is too early as yet to say if the two are connected.

### **Subject Access Requests (SAR)**

The organisation has a responsibility to provide personal information if it is requested by an individual in form of a SAR. The number of requests has declined very slightly since the previous quarter, one deadline was missed with an average of 15 days taken to respond and therefore well within the target 30-day timescale. Three requests remain outstanding at the time of producing this report. These include, one deadline that has been extended due to the complex nature of the request, one is overdue awaiting for the information and one request is not yet due for release.

### **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 Team. A risk assessment is then carried out through an 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 6 data breaches reported, with one incident reported to the ICO during quarter 4. This incident was also reported to the data subject with an explanation and an apology for the error.

### **ICO decision – Awaiting response**

Work is ongoing to reduce the number of data breaches across the organisation following an extensive piece of work with support from the Improvement and Innovation Hub. Work is progressing on the new policy framework and revised data breach assessment and reporting procedure.

## **Mandatory Information Governance Training**

Organisational wide compliance has dropped to 88% from 89% in the previous quarter, this is still above the NHS target of 85%. Corporate services remain out of compliance at 69% down from 75% in the previous quarter. This is partly driven by people on secondment out of the organisation who are still captured within figures despite not being under requirement to complete training. Ongoing discussions are taking place with the BBU regarding the support required for the Board, and a session is now planned to address this with the Board in April.

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 is being 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. Briefings have been conducted for the IAOs and draft Terms of Reference have been developed. It is anticipated that the new procedures for Information Asset Management will be approved and released in the spring and the first meeting of the new forum will occur shortly afterwards.

**Assurance can be received that;**

**The IG work of PHW continues to progress and maturing in light of the Information Governance Development Plan, and the revised focus and relationship with the new SIRO.**

**The role and responsibilities of the IGG continue to be significantly strengthened to deliver more effective organisational oversight and management of Public Health Wales's Information Governance Framework, policies and procedures (including the NHS Executive).**

### **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: (new Directorates since last update in red)

- QNAHPS\*
- Board Business Unit
- People and Organisational Development
- Data, Knowledge, and Research
- **Policy and International Health, WHO Collaborating Centre**

- **Operations and Finance**

The next areas of the organisation making the transition are Health Protection and Screening Services, with particular focus on Screening over April and May 2024. By the end of March 1000 training hours will have been completed, in End User, Super User and Power Apps.

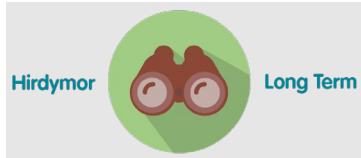
The initial draft of an assurance report around the Records Management (RM) project conducted by the PMO has been received and has reflected favourably on the progress so far. The Records Management policy and procedure, along with accompanying guidance is in the final draft stage and will shortly be presented to Business Executive Team (BET) for approval.

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.

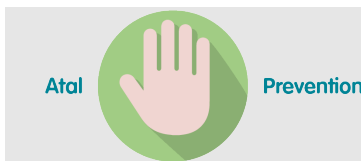
Organisational wide communications are improving, with more detailed updates and information being cascaded by the Communications Team as well as the development of a Records Management Intranet Page for staff to be able to access easily for updates and transition support.

**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. The assurance report undertaken by the PMO will give additional detail and assurance and will form part of the next update to Committee.**

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



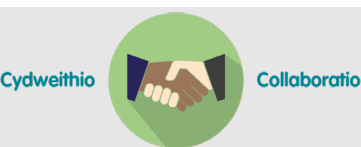
*Analysis of trends the Information Governance team deal with and a proactive approach to FOI administration alongside a streamlined Records Management is essential to ensure the long-term viability and effectiveness of the organisation.*



*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.
- **Approve** the report for submission to the Audit and Corporate Governance Committee.
- **Receive assurance** that the Records Management SharePoint Implementation Programme is on track with the plan.