

Board Meeting

March 2014

Title of Report:	Data Management and to Accredited Safe Havens (ASH) – SIRO Report
Author:	Jane Marley, CCG IG Lead - Central Eastern CSU
Presented by:	Mandy Ansell, Chief Operating Officer and SIRO
Committees previous consulted:	Information Governance Committee
Executive Summary:	<p>From 01 April 2013, the Health and Social Care Act 2012 (H&SCA 2012) came into effect, this changed the way commissioning organisations such as CCGs and NHS England could receive, share and use data. Under H&SCA 2012, NHS England and CCGs were established with different functions and powers to those of PCTs. PCTs had a statutory/legal basis for accessing Patient Identifiable /Patient Confidential Data (PID/PCD), NHS England and CCGs have no such statutory/legal basis. The default position for new Commissioning Organisations to process PID/PCD, is to rely on patient consent or use anonymisation / pseudonymisation data.</p> <p>In April 2013 NHS England sought legislative support under section 251 regulations to allow commissioners to access weakly pseudonymised PID/PCD for certain purposes. This would allow CCGs to receive and process data with either the NHS Number or Postcode. Over the course of the last 12 months 5 different section 251 temporary agreements have been approved by the Confidentiality Advisory Group (CAG).</p> <p>The paper sets out the arrangements to ensure that the CCG operates in a safe and well governed way in respect of its data management.</p> <p>The last 12 months has seen a big change in how Commissioning Organisations receive and use PID/PCD, this change was not expected or anticipated prior to the abolition of PCTs. The CCG and the CSU have worked extremely hard to ensure that they stay within the legal restrictions imposed by the Health and Social Care Act 2012.</p> <p>The CCG submitted its IG Toolkit Assessment in October 2013, 6 months earlier than it would usually have to do so. Level 2 attainments were recorded against all but one criteria and the only reason for this not reaching level 2 was the uncertainty around receipt and dissemination of weakly pseudonymised data.</p> <p>The CCG and the CSU have achieved Interim stage 1 ASH status.</p>

	The CSU on behalf of the CCG has established a CEfF The CCG has not had any IG related SIs during 2013/14.
Recommendation to the Board:	<ol style="list-style-type: none"> 1. Agree the arrangements that have been put in place keep the organisation safe; 2. Continue to delegate the responsibility for this to the SIRO through the office of the Chief Operating Officer supported by the Information Governance Team and the Head of Corporate Governance.
Financial Implications:	None directly
Fit with CCG strategy/objectives:	Essential as part of sound governance
Risks identified:	<ol style="list-style-type: none"> 1. Continued issues with accessing data to evidence the work of the CCG 2. Must ensure all Board members pass and keep up to date with their IG training
Resource Implications:	IG support as part of the CSU contract
View of the Patients Carers or the Public and the extent of their involvement:	N/A
Evaluation Criteria:	That the organisation remains safe and works within the national IG framework
Evaluation Date:	Update will be given as required