Health and Social Care Information Centre

Minutes of Board Meeting – Wednesday 15 July 2015

Part 1 - Public Session

Present:

Chair	Kingsley Manning
Non-Executive Director	Sir Ian Andrews
Non-Executive Director	Sir John Chisholm
Non-Executive Director	Prof. Maria Goddard
Non-Executive Director (Vice Chair)	Sir Nick Partridge
Chief Executive Officer	Andy Williams
Director of Operations and Assurance Services	Rob Shaw

In attendance:

Chief Technology Officer	Peter Counter
National Provider Support Director	Tom Denwood
Director of Programmes	James Hawkins
Director of Customer Relations	Isabel Hunt
Interim Director of Information and Analytics and Lead Clinician (Caldicott Guardian)	Prof. Martin Severs
Assistant Director for Strategy and Policy	Linda Whalley
Secretary to the Board	Annabelle McGuire

1. **Chair's Introduction and Apologies** (HSCIC 15 03 01)

1.1 The Chair convened a meeting of the HSCIC Board. He welcomed the observers attending the Board meeting. He expressed the Board's thanks to the HSCIC staff in Redditch for welcoming the Board, and the Board's thanks to those who had undertaken the organisation and administration of the Board.

1.2 The Director of Human Resources and Transformation Rachael Allsop, The Director of Finance and Corporate Services Carl Vincent and Non-Executive Director Dr Sarah Blackburn had registered their apologies.

2. **Declaration of Interests and Minutes** (HSCIC 15 03 02)

2.1 <u>(a) Register of Interests (paper):</u> HSCIC 15 03 02 (a)
The Board agreed the Register of Interests was correct.

2.2 <u>(b) Minutes of Board meeting on 10 June 2015 (paper):</u> HSCIC 15 03 02 (b)
The Board ratified the minutes of the meeting on 10 June 2015 as correct.

2.3 <u>(c) Progress on action points (paper)</u>: HSCIC 15 03 02 (c)
The Board noted the progress on action points resulting from the previous meeting.

2.4 <u>(d) Matters Arising:</u> HSCIC 15 03 02 (d):
- The Board noted that the HSCIC Annual Report and Accounts 2014- 15 would be laid before Parliament on Thursday 16 July. Subsequently the HSCIC Annual Report and Accounts would be published on the HSCIC web site and hard copies would be made available.
- The CEO informed the Board of the resignation of Andrew MacLaren, Director of Information and Analytics.
- The CEO informed the Board of the interim arrangements. Prof. Martin Severs had been asked and had agreed to take up the role of interim Director of Information and Analytics and Lead Clinician (Caldicott Guardian). This was a temporary arrangement, which had been announced internally. Where any conflict of interests existed in respect to his role as Caldicott Guardian, Dr Alan Hassey would act as the interim Caldicott Guardian. As interim Caldicott Guardian Dr Hassey would have direct access to the Chair and CEO as required.
- The CEO briefed the Board on a number of changes to the components of directorates. The details of the changes were being elaborated.

3. **Transparency and Governance** (HSCIC 15 03 03)

3.1 <u>(a) Committee Reports:</u> HSCIC 15 03 03 (a)

<u>i. Assurance and Risk Committee (ARC) (oral):</u> HSCIC 15 03 03 (a)
Non-Executive Director Sir Ian Andrews, representing the Chair of the Assurance and Risk Committee, reported that the Committee had convened via teleconference with the National Audit Office (NAO) on 29 June to discuss the final draft of the HSCIC Annual Report and Accounts 2014-15, which the Board had considered at its last meeting. The Committee had agreed with the treatment of the unadjusted changes and recommended that the CEO sign the HSCIC Annual Report and Accounts. No other business had been discussed.

<u>ii. Information Assurance and Cyber Security Committee (IACSC) 01 July 2015 (oral):</u> HSCIC 15 03 03 (a) ii
The Chair of the IACSC, Non-Executive Director Sir Ian Andrews, reported that the Committee had met on 01 July with Department of Health (DH) representatives and colleagues from other government departments. The Committee received a report on the first meeting on 1 July of the DH Information Security Risk Board (ISRB) chaired by Will Cavendish, DH SIRO and Director General of Innovation, Growth and Technology and went on to discuss various current issues concerning Information Security. He informed the Board that a briefing for DH Non-Executive Directors on cyber and information security had taken place on 14 July. This had been well received and was likely to be repeated. There was recognition of the role that NEDs had to play in

holding executives to account and promoting the appropriate culture and behaviours.

<u>iii. Information Assurance and Cyber Security Committee (IACSC) Terms of Reference (paper):</u>
HSCIC 15 03 03 (a) iii
The Chair of the IACSC, Non-Executive Director Sir Ian Andrews, presented the revised terms of reference for the committee. Further amendments were likely to clarify the respective roles of the IACSC and the Assurance and Risk Committee and the Board approved the terms of reference subject to these reconsiderations.

Action: Director of Operations and Assurance Services

3.2   <u>(b) Board Forward Business Schedule 2015-16 (paper):</u> HSCIC 15 03 03 (b)
The Board noted the forward business schedule. The Board considered that it would be of potential benefit to take this item later on the agenda.

3.3   <u>(c) Board Oversight of Investment Decisions:</u> HSCIC 15 03 03 (c)
The CEO presented this item. The purpose was to set out proposals for Board oversight of investment decisions. This was in response to interest expressed previously by the Board. The Board considered that the inclusion of a pipeline of Directions would be of benefit, for incorporation in the same report. In addition, long-term continuing programmes should also be included. These would be those above a sensible level of overall cost. The full report would come to the Board for information.

Action: Director of Finance and Corporate Services

The Board agreed it would be helpful to highlight the areas the executive needed to bring to their attention. The Board noted the report.

4.   **Business and Performance Reporting** (HSCIC 15 03 04)

4.1   <u>(a) Board Performance Pack (paper):</u> HSCIC 15 03 04 (a)
The CEO presented this item. The purpose was to provide the Board with a summary of performance in May. The reputation and data quality key performance indicators were still be refined. The Board requested highlighting in the narrative where there was an incident or issue that occurred after the reporting period, the executive directors noted this request. The Board received and noted the Board Performance Pack.

4.2   <u>(b) Data Release Review: Audit Status Report (paper):</u> HSCIC 15 03 04 (b)
The Director of Operations and Assurance Services presented this item. The purpose was to brief the Board on the status of the data sharing audits. He summarised the position, and stated there had been no concerns to date. If any arose the IACSC would consider identified concerns. The Board noted and received the update.

4.3   <u>(c) HSCIC Personal Development Review Report (paper):</u> HSCIC 15 03 04 (c)
The CEO presented this item. The purpose was to report on the levels of performance and development activity by each HSCIC directorate at the start of the financial year. The Board discussed and endorsed organisational talent management. The Board agreed that in future, where a directorate did not a achieve 92.5% completion rate they would like to be informed. The Board noted and received the update.

4.4   <u>(d) National Audit Office (NAO) GP Extraction Service (GPES) Report (paper):</u> HSCIC 15 03 04 (d)
The Director of Programmes presented this item. The purpose was to update the Board on the background to the NAO investigation, the findings from the investigation and future plans for GPES. He summarised the background, status and future plans. He confirmed the identification of significant lessons, and the completion of an internal report detailing the insights. The Board acknowledged that this was an inherited issue from a precursor organisation. The Board noted and received the update. The Board agreed the addition of primary care systems to the list of programmes.

Action: Director of Programmes

4.5   <u>(e) Electronic Referral Service Go-Live (paper):</u> HSCIC 15 03 04 (e)
The Director of Programmes presented this item. The purpose was to update the Board on the NHS E-Referral Service go live and early life. He briefed the Board on some of the challenges

post go-live. He stated that the end of July 2015 was the target date to fully stabilise the service and fix the majority of outstanding issues. The Board discussed the need to upgrade of internet browsers across the health and social acre sector. The Board requested that the IACSC look at the associated risks.

Action: Director of Operations and Assurance Services

The Board noted and received the update. The Director of Programmes said he would present the lessons identified report at the 23 September Board.

Action: Director of Programmes

5   **Supporting the Health and Social Care System** (HSCIC 15 03 05)

5.1   (a) i. Care.data Programme Update (Board Approvals and Budget Position): HSCIC 15 03 05 (a) i
ii. Care.data revised NHS England Direction (paper): HSCIC 15 03 05 (a) ii
The Interim Director of Information and Analytics and Lead Clinician presented this item. The purpose was to provide the rationale behind the Directions to facilitate the collection, analysis and dissemination of data from pathfinder practices, and background information on the investment to deliver requirements. The Board noted these Directions were a draft. The Board noted a letter from med-Confidential, along with a briefing on it from Eve Roodhouse, Programme Director care.data, and the letter of response from Sir Malcolm Grant (Chair NHS England), none of which constituted part of the Board pack. During Board discussion five main points emerged:

- The HSCIC Programme Team and the HSCIC Information Governance team should have seen the Privacy Impact Assessment and endorsed it, as the HSCIC is joint data controller with NHS England.
- The Direction should explicitly state the HSCIC data controller role or provide the Board with an agreed alternative mechanism for the organisations role to be explicitly stated.
- The Direction to be revised as stated, with the inclusion of participating GPs and data set specification.
- The Direction should explicitly reflect the publically stated position on data dissemination referencing the listed organisations, the use or not of a secure data facility and explicit reference on whether the listed public bodies e.g. Public Health England (PHE) can disseminate the data onward or provide the Board with an agreed alternative mechanism for this to be made explicit.
- The Direction should have an end date or review date given it is only applicable to the Pathfinder Stage.

The Interim Director of Information and Analytics and Lead Clinician was asked to make NHS England aware of these decisions.

Action: The Interim Director of Information and Analytics and Lead Clinician

5.2   (b) UK Genetic Infrastructure Direction (paper): HSCIC 15 03 05 (b)
The Interim Director of Information and Analytics and Lead Clinician presented this item. The purpose of the data collection is to gain information on the access and provision to genetic testing provided by the UK Genetic Testing Network (UKGTN). Non-Executive Director Sir John Chisholm said he would like to speak to the Interim Director of Information and Analytics and Lead Clinician outside the Board meeting. The Board considered that the following two factors should be considered during the consultation:

- Seek specific views on whether the NHS number should be routinely collected for all patients in England.
- Seek specific views from the DH policy team who deal with genetics.

The Board being satisfied with the assurances provided approved the Direction.

5.3   (c) Data Service for Commissioners Direction (paper): HSCIC 15 03 05 (c)
The Interim Director of Information and Analytics and Lead Clinician presented this item. The revised Directions provided clarification that represents the most up to date legal advice and as such, there was very little risk in agreeing to accept the changes, which were to ensure alignment to policy.

The Board being satisfied with the assurances provided approved the Direction.

5.4   (d) Dementia Prevalence Direction (paper): HSCIC 15 03 05 (d)
      The Interim Director of Information and Analytics and Lead Clinician presented this item. The
      Board noted the executive management team had reviewed the Directions.

      The Board being satisfied with the assurances provided approved the Direction.

5.5   (e) NHS England Direction National Cancer Waiting Times Monitoring (paper): HSCIC 15 03 05
      (e)
      The Director of Operations and Assurance Services presented this item. The Direction provides a
      legal basis to continue to collect the relevant data through an existing service provided to NHS
      England. The Board being satisfied with the assurances provided approved the Direction.

      The Interim Director of Information and Analytics and Lead Clinician agreed to establish if the
      HSCIC published a Register of Directions.

                       Action: Interim Director of Information and Analytics and Lead Clinician

6   **Any other Business** (HSCIC 15 03 06)
          - The Director of Programmes informed the Board that the GPES Independent Advisory
            Group (IAG) had ceased to exist on the 30 June 2015. The Standardisation Committee for
            Care Information (SCCI) process and the Independent Group Advising on the Release of
            Data (IGARD) had replaced the GPES IAG. He thanked the members of the GPES IAG for
            their work since 2012.

7.   **Background Papers** (HSCIC 15 03 07)

7.1   (a) HSCIC Social Care Work Update (paper): HSCIC 15 03 07 (a)
      The Board noted this paper for information.

7.2   (b) Forthcoming Statistical Publications (paper): HSCIC 15 03 07 (b)
      The Board noted this paper for information.

7.3   (c) Programme Definitions (paper): HSCIC 15 03 07 (c)
      The Board noted this paper for information.
8.
8.1   The arranged date of the next public Board meeting was for 23 September 2015.

Table of Actions:

Action	Action Owner
The Chair of the IACSC, Non-Executive Director Sir Ian Andrews, presented the revised terms of reference for the committee. Further amendments were likely to clarify the respective roles of the IACSC and the Assurance and Risk Committee and the Board approved the terms of reference subject to these reconsiderations.	**Director of Operations and Assurance Services**
The purpose was to set out proposals for Board oversight of investment decisions. This was in response to interest expressed previously by the Board. The Board considered that the inclusion of a pipeline of Directions would be of benefit, for incorporation in the same report. In addition, long-term continuing programmes should also be included. These would be those above a sensible level of overall cost. The full report would come to the Board for information.	**Director of Finance and Corporate Services**
The Board agreed the addition of primary care systems to the list of programmes.	**Director of Programmes**
The Board discussed the upgrade of internet browsers across the health and social care sector. The Board requested that the IACSC look at the associated risks.	**Director of Operations and Assurance Services**
Electronic Referral Service: The Director of Programmes said he would present the lessons identified report at the 23 September Board.	**Director of Programmes**
During Board discussion five main points emerged: • The HSCIC Programme Team and the HSCIC Information Governance team should have seen the Privacy Impact Assessment and endorsed it, as the HSCIC is joint data controller with NHS England. • The Direction should explicitly state the HSCIC data controller role or provide the Board with an agreed alternative mechanism for the organisations role to be explicitly stated. • The Direction to be revised as stated, with the inclusion of participating GPs and data set specification. • The Direction should explicitly reflect the publically stated position on data dissemination referencing the listed organisations, the use or not of a secure data facility and explicit reference on whether the listed public bodies e.g. Public Health England (PHE) can disseminate the data onward or provide the Board with an agreed alternative mechanism for this to be made explicit. • The Direction should have an end date or review date given it is only applicable to the Pathfinder Stage. The Interim Director of Information and Analytics and Lead Clinician was asked to make NHS England aware of these decisions.	**The Interim Director of Information and Analytics and Lead Clinician**
The Interim Director of Information and Analytics and Lead Clinician agreed to establish if the HSCIC published a Register of Directions.	**The Interim Director of Information and Analytics and Lead Clinician**

Agreed as an accurate record of the meeting	
Date:	
Signature:	
Name:	Kingsley manning
Title:	HSCIC Chairman