

Health and Social Care Information Centre

Minutes of Board Meeting – Wednesday 25 November 2015

Part 1 - Public Session

Present:

Vice-Chair

Non-Executive Director

Non-Executive Director

Non-Executive Director

Non-Executive Director

Sir Nick Partridge

Sir Ian Andrews

Sir John Chisholm

Prof. Maria Goddard

Dr Sarah Blackburn

Chief Executive Officer

Director of Operations and Assurance Services

Director of Human Resources and Transformation

Director of Finance and Corporate Services

Andy Williams

Rob Shaw

Rachael Allsop

Carl Vincent

In attendance:

Chief Technology Officer

National Provider Support and Integration Director

Director of Programmes

Interim Director of Information and Analytics and Lead

Clinician (Caldicott Guardian)

Director of Customer Relations

Peter Counter

Tom Denwood

James Hawkins

Prof. Martin Severs

Isabel Hunt

Secretary to the Board

Annabelle McGuire

1. **Chair's Introduction and Apologies** (HSCIC 15 05 01)
 - 1.1 The Vice Chair convened a meeting of the HSCIC Board.
 - 1.2 HSCIC Chair, Kingsley Manning, HSCIC Chair and Linda Whalley, Assistant Director for Strategy and Policy had registered their apologies. Sir Nick Partridge, Non-Executive Director and Vice Chair of the HSCIC chaired the Board meeting.

2. **Declaration of Interests and Minutes** (HSCIC 15 05 02)

- 2.1 (a) Register of Interests (paper): HSCIC 15 05 02 (a)

The Board agreed the Register of Interests was correct.

- 2.2 (b) Minutes of Board meeting on 23 September 2015 (paper): HSCIC 15 05 02 (b)

The Board ratified the minutes of the meeting on 23 September 2015 as correct.

- 2.3 (c) Progress on action points (paper): HSCIC 15 05 02 (c)

The Board noted the progress on action points resulting from the previous meeting.

- 2.4 (d) Matters Arising: HSCIC 15 05 02 (d):

There were no matters arising discussed.

3. **Business and Performance Reporting** (HSCIC 15 05 03)

- 3.1 (a) Board Performance Pack (paper): HSCIC 15 05 03 (a)

The CEO presented this item, he highlighted by exception items to be brought to the Boards attention. The purpose was to provide the Board with a summary of performance in October. The status of the electronic referral service (e-RS) was improving overall. The Director of Operations and Assurance Services stated that the Calculating Quality Reporting Service (CQRS) has had a number of High Severity Incidents over a number of months. Mitigating action was underway including service improvement plans and commercial discussions to ensure close monitoring of the situation. Sir Ian Andrews suggested engagement with the Crown commercial representative might be helpful. The CEO highlighted the successful exit of the BT Local Service provider (LSP) contracts. The schedule for the completion of the final Trust was the end of November.

The Director of Human Resources and Transformation provided an update on organisational health update, status now green. She highlighted a number of initiatives that were underway. The Board requested sight of the results of the recent staff survey when finalised.

Action: Director of Human Resources and Transformation

The CEO said that the status of the data quality indicator is green though he did not consider that reflected the position accurately. This indicator is subject to progressive development. The CEO stated that the addressing of the time delay in reporting to the Board was developing and this meant going forward that the Board would see a more timely set of indicators. The Board noted and received the update.

- 3.2 (b) Mid-Year review of Corporate Business Plan 2015-16 (paper): HSCIC 15 05 03 (b)

The Director of Finance and Corporate Services presented this item. The purpose was to provide the Board with an update of the latest financial position against budget for 2015-16, an update on progress against the Business Plan for 2015-16, an overview of resourcing and the impact on delivery and a forward look at the landscape for future funding expectations, and the HSCIC's response to expected financial pressures in coming years. He highlighted the budget setting and business planning timetable, and noted the currently uncertain environment in which this process would take place.

He conveyed that the process would take into account the organisations transformation programme, which would lead to a different organisational structure. He said that dialogue was underway with the Department of Health and NHS England to ensure that work prioritisation is correct and aligned.

The Board discussed the form of the organisation and if it was prepared for the future, and observed that the delivery of efficiencies was critically important. The Director of Finance and Corporate Services said that the work would be demanding to deliver, however the executive team were aware of this and were focussing on the challenges. The Board noted and received the update.

4. **Supporting the Health and Social Care System** (HSCIC 15 05 04)

4.1 (a) Streamlining the Independent Information governance Advice to HSCIC (paper): HSCIC 15 05 04 (a)

The interim Director of Information and Analytics and Lead Clinician presented this item. The purpose was to update the Board on progress to establish the Independent Group Advising on the Release of Data (IGARD).

The Board observed that the appointment of the IGARD chair was crucial. The Board agreed they would take a proactive role and propose names for the National Data Guardian to consider for the position.

Action: Board Members

The Board agreed the implementation of a 'class action' approach meaning that following the establishment of a precedent by IGARD future decisions should then go through officials. The Board observed that it was important that the staff are supported, as this was a cultural change for the team. The Board approved the HSCIC response to the IGARD consultation, the IGARD terms of reference and the first stages of the IGARD implementation.

4.2 (b) Directions for Patient Objection Management System – Update and proposed mechanism for formal consultation with the (paper): HSCIC 15 05 04 (b)

The interim Director of Information and Analytics and Lead Clinician presented this item. The purpose was to provide the Board with an update on the patient objections programme and the development of the draft Directions.

The proposal was that the management of the acceptance of the Directions would be progressed by Chair's action. This was because the draft was not ready for the November Board and the January Board was scheduled too late to enable the programme delivery timescales (which have been agreed with the Secretary of State for Health) to be met. The Vice Chair informed the Board the Chair supported this approach.

The interim Director of Information and Analytics and Lead Clinician confirmed that work is ongoing to draft the Directions within the Department of Health, and that it would be ready for implementation in January. The Board discussed the method by which other organisations would apply the objections. The Board approved the management of the Directions via a Chairs action.

4.3 (c) Update on HSCIC (Immigration Health Charge) Directions (paper): HSCIC 15 05 04 (c)

The Director of Operations and Assurance Services presented this item. The purpose was to provide the Board with an update on the Department of Health Visitor and Migrant cost recovery programme, a request from the Board at its April meeting.

He confirmed that the migrant programme would fund the associated costs. He said this had been positive work in conjunction with the Department of Health. He stated that no NHS patient data goes to the Home Office, and the work did not directly support the collection of payments. The Board noted and received the update.

4.4 (d) 100,000 Genomes Project: Proposal for a Secretary of State direction to cover HSCIC Provision of informatics support (paper): HSCIC 15 05 04 (d)

Non-Executive Director Sir John Chisholm registered his interest and took no part in the discussion or decision on this item.

The Chief Technology Officer presented this item. The HSCIC requires legal cover in the form of a Direction to commence operational management of a selection of services to provide informatics support to Genomics England's 100,000 Genomes (research) project. The purpose was to obtain the Board's acceptance of the Direction. The Board were supportive and accepted the Direction.

5. **Transparency and Governance** (HSCIC 15 05 05)

5.1 (a) Committee Reports: HSCIC 15 05 05 (a)

(a) i Assurance and Risk Committee (ARC) (oral): HSCIC 15 05 05 (a) i

The Chair of the Assurance and Risk Committee Dr Sarah Blackburn, reported that the Committee had met on 10 November 2015. Gerry Murphy (Chair of the Department of Health Audit and Risk Committee) and Karen Wheeler (NHS England's National Director for Transformation and Corporate Operations) had joined the Committee.

The Committee had considered a risk deep dive on cyber security and the cyber security internal audit report, rated as moderate. There had been a progress report on risk management, assurance mapping and the internal audit plan's progress, alongside three other internal audit reports.

The Committee had reviewed follow-ups on recommendations and actions in respect to internal audits reports and Gateway reviews, where there was still work to be undertaken. There was a first look at the yearend planning, and an update on financial controls.

The National Audit Office (NAO) presented their initial thoughts in respect to their external audit plan. The consensus of the Committee was that the HSCIC was doing the right things but could be doing them faster. The next meeting of the Committee would be on 13 January 2016.

(a) ii Information Assurance and Cyber Security Committee (oral): HSCIC 15 05 05 (a) ii

The Committee Chair, Sir Ian Andrews, reported that the Committee had met on 12 November 2015. There had been good support from other government departments and agencies but, disappointingly, no representation from the Department of Health.

The Committee had received an update on the National Data Guardian's work with the Care Quality Commission (CQC) on the review of security standards across the health and social care system. Significant support was being provided by the HSCIC and other government departments. The Committee had also received an update from the Department of Health chaired Information Security and Risk Board (ISRB) held on 14 October which had included a briefing on the threat landscape.

The Committee had discussed progress on the HSCIC's cyber security programme, and the implementation of CareCERT. The Security Incident and Compliance Manager provided a useful report, which led to a wide-ranging discussion and an invitation to the executive directors to consider the recommendations, particularly on the formation of a protective working group which should include clinical and technical expertise.

This had been the most successful meeting so far with open discussion and constructive challenge. The next meeting of the Committee would be on 13 January 2016.

5.2 (b) Board Forward Business Schedule 2015-16: HSCIC 15 05 05 (b)

The Board noted the forward business schedule.

6. **Any Other Business**

6.1 The Vice Chair informed the Board of the following items of any other business:

- a. A set of draft minutes from the public session of the Board will be agreed by Kingsley Manning (Chair), Andy Williams (CEO), and Annabelle McGuire (Secretary to the Board) and will be published as provisional/unconfirmed minutes on the HSCIC's web site within ten working days of the meeting taking place. Approval of the minutes will take place the subsequent public Board meeting and republished as ratified minutes. The Board approved

the proposal.

- b. Approval of the minutes from the Board Business meetings would take place at the following part 2 session of the public Board. Publication would be of an abridged set of minutes, agreed by Kingsley Manning (Chair) and Andy Williams (CEO), on the HSCIC's web site. The Board noted the update.

7. **Background Papers** (HSCIC 15 05 07)

7.1 (a) Forthcoming Statistical Publications (paper): HSCIC 15 05 07 (a)
The Board noted this paper for information.

7.2 (b) Programme Definitions (paper): HSCIC 15 05 07 (b)
The Board noted this paper for information.

7.3 (c) Correspondence from the Information Commissioner's Office to the Chair of the HSCIC (paper): HSCIC 15 05 07 (c)
The Board noted this paper for information.

The arranged date of the next public Board meeting was for 27 January 2016.

8 **Date of Next Meeting**

8.1 The next statutory Board meeting was scheduled for 27 January 2016.

The Board resolved that pursuant to the Public Bodies (Admission to Meetings) Act 1960 that representatives of the press and other members of the public be excluded from the remainder of this meeting having regard to the confidential nature of the business to be transacted, publicity on which would be prejudicial to the public interest' (Section 1 (2) Public Bodies (Admission to Meetings) Act 1960).

Table of Actions:

| Action | Action Owner |
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| The Director of Human Resources and Transformation provided an update on organisational health update, status now green. She highlighted a number of initiatives that were underway. The Board requested sight of the results of the recent staff survey when finalised. | Director of Human Resources and Transformation |
| The Board observed that the appointment of the IGARD chair was crucial. The Board agreed they would take a proactive role and propose names for the National Data Guardian to consider for the position. | Board Members |

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