

## Health and Social Care Information Centre

### Minutes of Board Meeting – Wednesday 04 May 2016

#### Part 1 - Public Session

##### **Present:**

Non-Executive Director (Chair)  
Non-Executive Director  
Non-Executive Director  
Non-Executive Director  
Non-Executive Director

Kingsley Manning  
Sir Nick Partridge  
Sir John Chisholm  
Prof. Maria Goddard  
Dr Sarah Blackburn

Chief Executive Officer  
Director of Workforce  
Chief Operating Officer  
Director of Finance and Corporate Services

Andy Williams  
Rachael Allsop  
Rob Shaw  
Carl Vincent

##### **In attendance:**

National Provider Support and Integration Director  
Director Of Programmes  
Director of Customer Relations  
Interim Director of Information and Analytics, Medical  
Director and Caldicott Guardian  
Director of Strategy and Policy

Tom Denwood  
James Hawkins  
Isabel Hunt  
Prof. Martin Severs

Linda Whalley

Secretary to the Board

Annabelle McGuire

1. **Chair's Introduction and Apologies** HSCIC 16 01 01

1.1 The Chair convened a meeting of the HSCIC Board.

1.2 Sir Ian Andrews Non-Executive Director had registered his apologies.

2. **Declaration of Interests and Minutes** HSCIC 16 01 02

2.1 (a) Register of Interest (paper): HSCIC 16 01 02 (a)

The Board agreed the register of interests was correct.

Dr Sarah Blackburn Non-Executive Director and Prof. Martin Severs Interim Director of Information and Analytics, Medical Director and Caldicott Guardian both stated they needed to submit updated declarations of interest.

2.2 (b) Minutes of Board Meeting on 30 March 2016 (paper): HSCIC 16 01 02 (b)

The Board ratified the minutes of the meeting on 30 March 2016 as correct.

2.3 (c) Matters Arising (oral): HSCIC 16 01 02 (c)

The following matters arising were discussed:

- The Chair noted that a notification had been received to correct a March Board paper from the National Data Guardian's Office. The Board paper states that she will provide advice on the precise wording for a new model of consents and opt outs to be used by the care.data programme, which is so vital for the future NHS. Whilst the early Department of Health (DH) press release stated that the work was for the care.data programme, on 18 September 2015 there was a change to state she will provide advice on the wording for a new model of consents and opt outs, to enable patients to make an informed decision about how their data will be shared. The Board noted the correction.
- The Interim Director of Information and Analytics, Medical Director and Caldicott Guardian said the Independent Group advising on the Release of Data (IGARD) Chair position was progressing. He confirmed that the reporting structure of IGARD might change following the publication of the National Data Guardians report.
- The Board noted the appointment of Noel Gordon as Chair of the HSCIC effective as of 01 June 2016. The Board observed that Noel Gordon would continue to be a Non-Executive Director on NHS England's Board.
- The Board noted the name change of the HSCIC to NHS Digital.

2.4 (d) Progress on Action Points (paper): HSCIC 16 01 02 (d)

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

3. **Business and Performance Reporting** HSCIC 16 01 03

3.1 (a) Board Performance Pack (paper): HSCIC 16 01 03 (a)

The Chief Executive Officer presented this item. The purpose was to provide the Board with a summary of performance in March 2016. He highlighted the main aspects for the Board's attention. He highlighted the newly introduced benefits reporting on Programme Achievement.

In respect to IT Service Performance the number of high severity incidents had increased, which was due to the now addressed issues in respect to Lorenzo and the current NHS Mail system that was in the process of replacement.

The Director of Workforce provided an update on the organisations transformation, in particular staff responses. The CEO spoke about the financial underspend, which was in large part due to lower than forecasted recruitment. The Board noted the contents of the Board Performance Pack.

3.2 (b) Data Release Audit Annual Report 2015-16 (paper): HSCIC 16 01 03 (b)

The interim Director of Information and Analytics, Medical Director and Caldicott Guardian, presented this item. The purpose was to provide the Board with an update on data sharing audits, which included an options appraisal in respect to the correct number of annual audits. Data sharing audits are a means of ensuring recipients of confidential information supplied by the HSCIC handle those data correctly. The overall strategy was to improve data sharing whilst maintaining public trust.

The Board noted the update and provided their views on the appropriate number of annual audits. The consensus was a three-year overall average for each organisation. The Board agreed they did not want to make auditing a deterrent to smaller organisations.

The Board requested sight of the mechanism for undertaking the audits and consequential funding options in an appropriate timescale.

**Action: Interim Director of Information and Analytics, Medical Director and Caldicott Guardian**

4. **Supporting the Health and Social Care System HSCIC 16 01 04**

4.1 (a) Approach to fulfilling HSCIC Statutory Duty regarding Burden Advice (paper): HSCIC 16 01 04 (a)

The interim Director of Information and Analytics, Medical Director and Caldicott Guardian, presented this item. The purpose was to provide the Board with an approach to handle the statutory request from the Secretary of State for Health for advice on minimising the burden of data collections on health and care. He informed the Board of the HSCIC's statutory duties for seeking to minimise administrative burden imposed on the health and care system in England, and the timeline for the organisations response.

The Board requested sight of a policy intent decision in an appropriate timescale.

**Action: Interim Director of Information and Analytics, Medical Director and Caldicott Guardian**

4.2 (b) Department of Health Directions to the HSCIC to process Type 2 Objections and Information Commissioners Office (ICO) Undertaking (paper): HSCIC 16 01 04 (b)

The interim Director of Information and Analytics, Medical Director and Caldicott Guardian, presented this item. The purpose was to ratify the Chair's Action on the Directions and the ICO Undertaking. The Board noted that the Chair's Action had been undertaken following advice from the DH in the context of the wider health and care system. The Board ratified the Chair's action in respect to the Directions and the ICO Undertaking.

The Board requested that the CEO correspond with senior stakeholders in respect to the implementation timetable.

**Action: CEO**

The Board noted the recent publicity about a release of NHS data by the Royal Free Hospital (London). The interim Director of Information and Analytics, Medical Director and Caldicott Guardian confirmed that the HSCIC is not involved in the release of these data. However, the event raises some significant issues that are of interest to the HSCIC, and of relevance to the National Data Guardian's work on public trust and

handling of patient objections for data sharing. The Board requested the interim Director of Information and Analytics, Medical Director and Caldicott Guardian should discuss the matter with the Royal Free Hospital and report back to the Chair on any specific issues that require the HSCIC to take action within two weeks.

**Action: Interim Director of Information and Analytics, Medical Director and Caldicott Guardian**

The Board requested sight of a progress update in respect to the ICO Undertaking in an appropriate timescale.

**Action: Interim Director of Information and Analytics, Medical Director and Caldicott Guardian**

The Chair expressed on behalf of the Board thanks to the HSCIC team and the ICO for their input in resolving this matter.

## 5 **Transparency and Governance HSCIC 16 01 05**

### 5.1 (a) Annual Review of Board Effectiveness Report 2015-16 (paper): HSCIC 16 01 05 (a)

The Vice-Chair presented this item. The purpose was to provide the Board with a summary of the review of Board effectiveness 2015-16. He thanked the Board for their contributions. He highlighted the scale of the transformational challenge as being a major influencing factor.

The Board noted the mitigation of risks in respect to the effective work of the Remuneration Committee, and that consideration of benching marking outside stakeholder Arm's Length Bodies might be beneficial. The Board agreed the actions and noted the first review point would be in July 2016.

### 5.2 (b) Board Forward Business Schedule 2016-17 (paper): HSCIC 16 01 05 (b)

The Board noted the Board forward business schedule.

## 6 **Any Other Business (subject to prior agreement with chair): HSCIC 16 01 06**

The Chair introduced this item.

- The Director of Customer Relations advised the Board that at the end of May there is to be a launch of a private Beta of the new corporate web site. She noted the alignment to the identity change, branded NHS Digital. She invited the Non-Executive Directors to be part of the user group to view and comment on the site.
- As this was his last Board meeting, the Chair thanked the Secretary to the Board and her team for their efficient administration of the Board meetings during his tenure.
- The Chair thanked the Non-Executive Directors for their significant input whilst he had been Chair of the organisation.
- The Vice-Chair thanked the Chair on behalf of the Board for his hard work and contributions and wished him all the best for the future.

## 7 **Background Papers (for information) HSCIC 16 01 07**

### 7.1 (a) Forthcoming Statistical Publications (paper): HSCIC 16 01 07 (a)

The Board noted this paper for information.

### 7.2 (b) Programme Definitions (paper): HSCIC 16 01 07 (b)

The Board noted this paper for information.

**Date of Next Meeting**

8.1 The next statutory Board meeting would take place on Wednesday 08 June 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:**

<b>Action</b>	<b>Action Owner</b>
Data Release Audits: The Board requested sight of the mechanism for undertaking the audits and consequential funding options in an appropriate timescale.	<b>Interim Director of Information and Analytics, Medical Director and Caldicott Guardian</b>
Approach to fulfilling HSCIC Statutory Duty regarding Burden Advice: The Board requested sight of a policy intent decision in an appropriate timescale.	<b>Interim Director of Information and Analytics, Medical Director and Caldicott Guardian</b>
Department of Health Directions to the HSCIC to process Type 2 Objections and Information Commissioners Office (ICO) Undertaking: The Board requested that the CEO correspond with senior stakeholders in respect to the implementation timetable.	<b>CEO</b>
The Board noted the recent publicity about a release of NHS data by the Royal Free Hospital (London). The interim Director of Information and Analytics, Medical Director and Caldicott Guardian confirmed that the HSCIC is not involved in the release of these data. However, the event raises some significant issues that are of interest to the HSCIC, and of relevance to the National Data Guardian's work on public trust and handling of patient objections for data sharing. The Board requested the interim Director of Information and Analytics, Medical Director and Caldicott Guardian should discuss the matter with the Royal Free Hospital and report back to the Chair on any specific issues that require the HSCIC to take action within two weeks.	<b>Interim Director of Information and Analytics, Medical Director and Caldicott Guardian</b>
The Board requested sight of a progress update in respect to the ICO Undertaking in an appropriate timescale.	<b>Interim Director of Information and Analytics, Medical Director and Caldicott Guardian</b>

**Agreed as an accurate record of the meeting****Date:****Signature:****Name:****Title:**

HSCIC Chair