

# Minutes of the meeting

## National Data Guardian's Panel Meeting



14.05.2019



Conference Room 2/3, Ground Floor, 39 Victoria Street, Westminster, SW1H 0EU, London

### Panel members present:

Dame Fiona Caldicott – Chair  
Dr Alan Hassey  
Dr Joanne Bailey  
John Carvel  
Mark Golledge

Eileen Phillips  
Anne Stebbing  
Professor Martin Severs  
Dr James Wilson

### In attendance:

Dr Chris Bunch  
David Riley  
Jenny Westaway  
Karen Swift  
Rajoo Veeren  
Jackie Gray (observer)

### Guests:

Rob Shaw  
Lorraine Jackson  
John Hodson

## 1. Cyber security educational session

Rob Shaw CBE, Deputy Chief Executive & Senior Information Risk Owner (SIRO) NHS Digital provided an educative session on Cyber Security and outlined the current challenges facing the Health and Social Care sector. Rob's thought-provoking presentation led panel members to ask a number of questions and a discussion followed.

purpose and its developing priorities. Lorraine also discussed the difficulties that some in the health and care sector are experiencing navigating the requirements of data protection laws and the duty of confidence and the matter of legal advice on the duty of confidence when processing is taking place to anonymise data.

2019.05.14/4.1: Panel members to provide comments on the National Data Opt-out programme summary paper of the type 1 objections landscape including timescales back to the office.

## 2. Welcome, apologies and declarations of interest

Apologies were noted from Professor Dame Donna Kinnair, Rakesh Marwaha and David Watts. The chair welcomed Jackie Gray, Executive Director of Information Governance, at NHS Digital who attended this panel meeting as an observer. No declarations of interest were noted.

## 5. Data Security Protection Toolkit 2018-19

John Hodson, Senior Information Assurance Specialist, Data Security Centre, NHS Digital talked the Panel through the findings from the first year of submissions to the Data Security Protection Toolkit (DSPT). John informed panel members of the useful information that has been received via the toolkit about progress in the sector on data security and protection. In particular, he highlighted that the DSPT assessment data has been extremely useful to inform Care Quality Commission (CQC) "Well Led" inspections. Panel members discussed transparency around the toolkit review and agreed that it was important to publish information about toolkit returns.

## 3. Minutes from previous meeting, actions and decisions Sponsor's updates

The minutes from the panel meeting held on 18 March 2019 were accepted as an accurate record of the meeting. It was agreed that there was one open action; Action 2019.03.18/4.1 was marked as closed during the meeting, the other actions were agreed as having been completed prior to this meeting. The NDG asked panel members to provide any reflections on the type 1 briefing that had been provided by the National Data Opt-out programme to the office before her further planned meetings on this matter

## 6. NDG annual report and consultation responses

John Carvel introduced the draft 2018-19 annual report. The NDG are not required to produce the first official annual report until June 2020. However, in order to provide information to the public and stakeholders about NDG activities, the intention is to publish a (non-mandatory) annual 2018-19 NDG report this year, following the blueprint set out by the Act. Panel members reacted positively on the structure, tone and themes of the report and provided some suggestions for improvements and amends. It was agreed that the office

## 4. Sponsor's update

Lorraine Jackson, Deputy Director for Data Policy from the Department of Health and Social Care (DHSC) sponsor team, provided a general update to the NDG and her panel members. Lorraine gave some context around NHSX, its

will circulate the draft 2018-19 annual report and ask panel members to provide comments back to the office.

Jenny Westaway, Head of the Office of the NDG, also provided a further update on the consultation responses on the NDG's priorities. She presented a draft consultation response for publication which summarises feedback received, reflects on that feedback, and outlines the NDG response. Panel members reviewed the draft which suggests a refinement on our priorities and areas of interest as a result of the responses that were received. It was agreed that the office will circulate the draft response paper and ask panel members to provide comments back to the office.

2013.05.14/6.1: Panel members to provide comments on the draft 2018-19 annual report and consultation responses paper back to the office.

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## **7. Any other business**

Dame Fiona raised an item and wanted to update panel members on her positive introductory meeting with Matthew Gould the new CEO at NHSX. Mr Gould starts his role on 01.07.19.

Dame Fiona also provided updates from two board meetings which she attends: The Office for Life Sciences Senior Steering group; and the Data Assurance Board.

