

Rt Hon Jeremy Hunt MP  
Secretary of State for Health  
Richmond House  
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1<sup>st</sup> May 2014

Dear Jeremy,

Thank you for your letter of the 25<sup>th</sup> April asking the Health and Social Care Information Centre to establish a programme to ensure the security of data across the health and social care system. In this letter we have set out our proposals, to meet this challenge and in the coming months will expand on these proposals and make detailed announcements as required.

Data about patients and service users is crucial to the delivery and effective management of health and social care services and the collection and use of that data, is central to releasing the power of new technologies to transform care services. Quite rightly the public, whilst recognising the beneficial impact of health and care data, is concerned about the security and use of that data, during a period of rapid technological change and increasing threat from a range of sources.

The health and social care system in England already operates within a comprehensive framework of law and regulation, governing the collection, storage and use of data. There are many examples of good practice but as you set out in your letter, there are also examples where security is breached and data is lost.

The objective of our proposals is therefore twofold. First, to ensure that all health and social care professionals and the organisations they work for, recognise and implement their responsibilities under the existing framework of law and regulation. Second, to ensure that the performance of these responsibilities is transparent and subject to both public and independent scrutiny.

Our proposals will therefore cover five areas:

1. Strengthening compliance through requiring all health and social care organisations to certify that they are meeting their information governance and security obligations and to report publically on their performance against those responsibilities, this will include revising and refocussing the existing IG Toolkit.
2. Working with service commissioners and with both professional and organisational regulators, to ensure that meeting data security and information governance requirements are prerequisites for providing health and social care services. This will include working with CQC to include security and information governance arrangements within their inspection regimes and with NHS England within their commissioning and contracting arrangements.

3. Enabling health and social care organisations to access the best available services and resources to support them in meeting their information governance and data security obligations. This will include providing an approved framework of suppliers of services such as penetration testing, security audits, physical security and training.
4. Putting in place a programme of independent audit, managed by the HSCIC, which will test on a continuing basis, security arrangements, across the health and social care system.
5. Establishing a national security strategy which recognises that many of the current requirements and arrangements, underpinning existing national and local information systems, have been overtaken by technical advances and in some cases both inhibit the delivery of good care and contribute little to data security. This will require embedding appropriate security arrangements in the design, specification and procurement of all national and local information systems.

In developing and implementing these proposals we will work closely with our partners across the health and care system, particularly NHS England, Monitor, CQC and the NHSTDA. We will also seek the guidance of the Information Governance Oversight Panel, GCHQ, Cabinet Office and Public Services Network. In addition we are establishing an independent advisory council, to provide expert advice and oversight.

We will report annually to you on the progress of these proposals and on the level of data security across the health and social care sector. Our first report will be presented to you in [March 2015].

We welcome your commitments to setting up appropriate oversight for the system as a whole, in the context of the amendments passed to the Care Act strengthening protections to confidentiality. We look forward to our work being subject to the same scrutiny via whatever roles and mechanisms you decide to put in place.

Yours sincerely

Kingsley Manning  
Chair

Andy Williams  
Chief Executive