

## Health and Social Care Information Centre

### Minutes of Board Meeting – Wednesday 27 January 2016

#### Part 1 - Public Session

##### Present:

Chair	Kingsley Manning
Non-Executive Director (vice Chair)	Sir Nick Partridge
Non-Executive Director (Senior Independent Director)	Sir Ian Andrews
Non-Executive Director	Sir John Chisholm
Non-Executive Director	Prof. Maria Goddard
Non-Executive Director	Dr Sarah Blackburn
Chief Executive Officer	Andy Williams
Director of Human Resources and Transformation	Rachael Allsop
Director of Finance and Corporate Services	Carl Vincent

##### In attendance:

Chief Technology Officer	Peter Counter
National Provider Support and Integration 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
Secretary to the Board	Annabelle McGuire

1. **Chair's Introduction and Apologies** HSCIC 16 06 01

1.1 The Chair convened a meeting of the HSCIC Board.

1.2 Rob Shaw Director of Operations and Assurance Services had registered his apologies, and Linda Whalley Director of Strategy and Policy had registered her apologies.

The Board formally noted the appointment of Linda Whalley as the HSCIC's Director of Strategy and Policy.

2. **Declaration of Interests and Minutes** HSCIC 16 06 02

2.1 (a) Register of Interest (paper): HSCIC 16 06 02 (a) (P1)

The Board agreed the Register of Interests was correct.

The National Provider Support and Integration Director noted that a potential conflict might arise between his voluntary British Computer Society (BCS) role and his new responsibility of jointly leading the National Information Board "professionalism and leadership" work-stream. However, he assured the Board that a documented and agreed approach to avoid conflict was in place.

2.2 (b) Minutes of Board Meeting on 25 November 2015 (paper): HSCIC 16 06 02 (b) (P1)

The Board ratified the minutes of the meeting on 25 November 2015 as correct.

2.3 (c) Matters Arising (oral): HSCIC 16 06 02 (c) (P1)

The Secretary to the Board had received notification of a correction to a paper submitted to the HSCIC Board in November 2015 that incorrectly implied that the delays to the delivery of NHSmail 2 were solely attributable to Vodafone. This was not the case.

The record should show that the delays to the NHSmail 2 plan, set in the Full Business Case, were down to a number of issues including delays in contract signature.

The Board acknowledged the correction, regretting any misunderstanding caused.

2.4 (d) Progress on Action Points (paper): HSCIC 16 06 02 (d) (P1)

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

3. **Business and Performance Reporting** HSCIC 16 06 03

3.1 (a) Board Performance Pack (paper): HSCIC 16 06 03 (a) ( P1)

The CEO presented this item. The purpose was to provide the Board with a summary of performance in December 2015. The CEO highlighted that more timely data was now included and highlighted the following for the Board's attention.

- Programme Achievement: there are now no red rated programmes.
- I.T. Service Performance overall was good however the forecast was amber. The Board requested an electronic-Referral Service (e-RS) update, including an update on progress against the lessons learned, at a future Board meeting.

**Action: Director of Programmes**

- The Board discussed the recent flooding of one the HSCIC buildings in Leeds, the National Provider Support and Integration Director provided an update in respect to the associated business continuity.

- Organisational Health was now amber. The CEO highlighted that spending had increased on staff training in this financial year, which he considered a good thing.
- The Data Quality indicator was improving as a measure. The CEO reported that the finalisation of the HSCIC Data Strategy was imminent.
- Discussion on Financial Management took place in the subsequent agenda item.

3.2 (b) Business Plan and Budget 2015-16 Report (paper): HSCIC 16 06 03 (b) (P1)

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 and an update on progress against the Business Plan 2015-16.

He reported on the recruitment and turnover position. The net staff increase for the remainder of the year has decreased significantly from previous months. He clarified the position on the organisation's underspend. As at the December month end the HSCIC reported a forecasted underspend against the budget for the full year of £7.1m, comprising and 6.8m for core grant in aid and £0.2m for ring-fenced grant in aid. He reported that the corporate business plan contains 65 commitments and overall the reported delivery progress as at the close of quarter three is good for most deliverables. The Board received and noted the update.

3.3 (c) Comprehensive Spending Review (CSR) and Corporate Business Plan 2016-17 Progress Update (paper): HSCIC 16 06 03 (c) (P1)

The Director of Finance and Corporate Services presented this item. The purpose was to provide the Board with an update on progress on the Business Planning and Budget process for 2016-17 to 2018-19 and the future financial position of the HSCIC. He said the organisation was making good progress in agreeing three-year budgets and business plans, and was well ahead of the progress achieved previous years. In terms of the timetable, the Board would have a chance to review outside of a formal Board meeting on the 24 February, and would be asked to formally approve the Business Plan at the 30 March Board.

We expect a reduction of the HSCIC Grant-in-Aid (GIA) by 30% in real terms over the next four years, which will inevitably require some difficult prioritisation decisions, which would need agreeing with the Department of Health and other key stakeholders.

The Director of Finance also observed that, in addition to the tightening financial environment, there was an increased level of uncertainty about future non-GIA income, which accounts for around one-third of current income. The Executive team are in active discussion with key funding organisations to clarify the position, and will need to take a prudent approach to planning if the future income levels are not confirmed over the next few weeks.

The Chair stated that there needed to be an affordable delivery plan in place by March. The CEO observed that the organisation was aiming for the highest possible efficiency savings to maximise the potential deliverables from the funding available. The Board received and noted the update.

3.4 (d) Data Release Review: Audit Status Update (paper): HSCIC 16 06 03 (d) (P1)

The Lead Clinician and Interim Director of Information and Analytics (Caldicott Guardian) presented this item. The purpose was to provide the Board with an update on the status of audits undertaken of recipients of confidential information under data sharing framework contracts and agreements.

He spoke about the legal basis for undertaking the audits. To be confirmed, the plan was to move publication from quarterly to monthly in April 2016. Feedback from the auditors was informing the ongoing work, and overall the comments were positive. He noted the publication of the results of the audits on the HSCIC's web site.

The Board requested that the quarterly updates to the Board in the future include a report on the audited organisations, comprising the outcomes of each audit highlighting identified issues, without infringing commercial sensitives.

**Action: Lead Clinician and Interim Director of Information and Analytics  
(Caldicott Guardian)**

The Board requested for the annual report an option appraisal on the correct number of audits per annum, and recommended the sharing of the report with the Internal Auditors and the Care Quality Commission (CQC).

**Action: Lead Clinician and Interim Director of Information and Analytics  
(Caldicott Guardian)**

The Board were complimentary about the individual reports and suggested the inclusion of the types and amounts of data those audited had received from the HSCIC in the preceding 12 months. The Board received and noted the update.

3.5 (c) Staff Survey Results (paper): HSCIC 16 06 03 (c) (P1)

The Director of Human Resources and Transformation presented this item. The purpose was to inform the Board of the results of the 2015 staff survey. She considered the output largely conveyed a positive outcome overall.

She highlighted three main aspects for the Board's attention:

- There was evidence of increased awareness of who the HSCIC's customers are
- There was evidence that an increased number of staff knew of the existence of the HSCIC's strategy
- There were ongoing concerns about the differentiation between good and poor performance. She said work was underway to resolve this issue.

The Board noted the year on year incremental improvement, and that there was no discernible difference in responses in terms of the diversity of staff. The Board received and noted the update.

3.6 (d) Staff Personal Development Review (PDR) Report (paper): HSCIC 16 06 03 (d) (P1)

The Director of Human Resources and Transformation presented this item. The purpose was to provide the Board with information in respect to employee appraisal activity. The Board received and noted the update, observing the improvement from the previous year.

4. **Supporting the Health and Social Care System HSCIC 16 06 04**

4.1 (a) Breast Implant Registry Direction (paper): HSCIC 16 06 04 (a) (P1)

The Lead Clinician and Interim Director of Information and Analytics (Caldicott Guardian) presented this item. The purpose was to enable the consideration of the views of the Board as part of the formal consultation on the Direction prior to signing the Department of Health. He highlighted this was a new work that needed to be self-funding within two years, and he reported that consent was the basis of the register. The Board discussed and accepted the Direction.

4.2 (b) Pulmonary Hypertension Direction (paper): HSCIC 16 06 04 (b) (P1)

The Lead Clinician and Interim Director of Information and Analytics (Caldicott Guardian) presented this item. The purpose was to enable the consideration of the views of the Board as part of the formal consultation on the Direction prior to signing by NHS England. He highlighted this was an update to existing work. The Board discussed and accepted the Direction.

4.2i The Board discussed the funding and legal position in relation to Directions overall. The Board observed that there was a reasonable expectation of a Direction being accompanied with the appropriate level of resourcing to undertake the associated work.

- 4.3 (c) Patient Objection Management System Direction (oral): HSCIC 16 06 04 (c) (P1)  
The Lead Clinician and Interim Director of Information and Analytics (Caldicott Guardian) presented this item. The purpose was to provide the Board with an update on the development of the Patient Objection Management System Direction. At a previous Board meeting, he had sought approval for formal acceptance for the Department of Health's Direction outside of the Board cycle. This was agreed and the Board were therefore expecting to see the documentation at this meeting.

In working through the detail of the implementation of NHS England's type 2 objections it became increasingly clear to the Department of Health that there were a number of complexities and challenges still to be resolved.

In reviewing the situation the Secretary of State for Health decided that:

- In putting citizens first, there was a potential for confusion by having two potentially misaligned messages.
- In putting patients first, it was essential the implementation of the type 2 objections was as aligned as possible with the Dame Fiona Caldicott National Data Guardian consultation conclusions.

The Secretary of State had therefore delayed the implementation of NHS England's type 2 objections for at least one month. In practical terms, this means the implementation of type 2 objections from February 2016, subject to receiving the Direction by 15 February. Both the Department of Health and the HSCIC will be working to ensure the fulfilling of Secretary of State's requirements.

- 4.4 (d) Cancer Waiting Times Direction (paper): HSCIC 16 06 04 (d) (P1)  
In the absence of the Director Of Operations and Assurance Services the Director of Finance and Corporate Services presented this item. The purpose was to enable the consideration of the views of the Board as part of the formal consultation on the Direction prior to signing by NHS England. The Board discussed and accepted the Direction.

## 5 **Transparency and Governance** HSCIC 16 06 05

- 5.1 (a) Committee Reports: HSCIC 16 06 05 (a) (P1)

- 5.1i Assurance and Risk Committee: 13 January 2016 (oral): HSCIC 16 06 05 (i) (P1)  
The Chair of the Assurance and Risk Committee Dr Sarah Blackburn presented this item. The Committee had met on 13 January 2016.

The Committee had received two risk deep dives, on benefits delivery and reputation. The Committee had been pleased to note the execution of two crisis management exercises, and had received comprehensive updates on organisational risk management.

She was happy to report that the internal audit plan for the current financial year was likely to be completed. The Committee had received a report on the implementation of recommendations and actions from audits and reviews.

She considered that there was improvement in both the timeline and process for managing the Annual Report and Accounts from previous years. The Committee had discussed what might be key areas of risk in relation to the Annual Report and Accounts and had received related reports from the Finance and Internal Audit teams. Though the work still required monitoring, she felt it was moving in the right direction.

The Committee had received a Counter Fraud work plan update, and had requested an update on 'Whistleblowing' at a future meeting. The next meeting would take place on 15 March. The Board noted the update.

5.1ii Information Assurance and Cyber Security Committee: 13 January 2016 (oral) HSCIC 16 06 05 (ii) (P1)

The Chair of the Information and Cyber Security Committee, Sir Ian Andrews presented this item. The Committee had met on 13 January 2016.

The Committee had received reports on the progress of the Care Quality Commission and National Data Guardian's reviews of information and cyber security standards across the health and social care system. It was likely that both reports would be finalised in early February; thereafter, decisions on publication and or wider consultation would be for the Department of Health.

The Board requested that the Lead Clinician and Interim Director of Information and Analytics (Caldicott Guardian) ascertain the publication and circulation intentions for both reports.

**Action: Lead Clinician and Interim Director of Information and Analytics (Caldicott Guardian)**

The Committee received a progress report on the implementation of CareCERT, and an account of the most recent meeting of the Department of Health Information Security and Risk Board (ISRB). Discussion had taken place on the Information Governance Tool Kit proposals, noting these were a work in progress. The Committee received a report on the emerging thinking on the NHS Citizen Identity Project and on progress towards the development of the 'National Cyber Centre', which had been announced in a speech by the Chancellor of the Exchequer in November 2015.

This had once again been a useful and constructive meeting. The next meeting would take place on 15 March.

The Board noted the update.

5.2 (b) Arrangements for the Annual Review of Board Effectiveness (oral): HSCIC 16 06 05 (b) (P1)

Sir Ian Andrews, Non- Executive Director (Senior Independent Director) presented this item. The purpose was to update on the arrangements for the annual review of Board effectiveness.

The plan was to issue a survey based on the National Audit Office's best practice in early February. The proposed timeline was to discuss at the Board business meeting on 13 April, with a final report to the Board on 04 May.

He said he was happy to make himself available to meet with Board Members and Directors on an individual basis as part of the review as required.

5.3 (c) Board Forward Business Schedule 2015-16 (paper): HSCIC 16 06 05 (C) (P1)

The Board noted the 2015-16 forward business schedule.

5.4 (d) Board Forward Business Schedule 2016-17 (paper): HSCIC 16 06 05 (d) (P1)

The Board noted the 2016-17 forward business schedule.

6 **Any Other Business (subject to prior agreement with chair): HSCIC 16 06 06 (P1)**

There were no items of any other business discussed.

7 **Background Papers (for information) HSCIC 16 06 07**

7.1 (a) Forthcoming Statistical Publications (paper): HSCIC 16 06 07 (a) (P1)

The paper described the HSCIC Official and National statistics publications planned for January, February and March 2016, including media and web coverage for publications released in October and November 2015. The Board noted this paper for information.

7.2 (b) Programme Definitions (paper): HSCIC 16 06 07 (b) (P1)  
The paper described a summary of each programme listed on the programme dashboards. The Board noted this paper for information.

8 **Date of Next Meeting** (HSCIC 16 06 08)

8.1 The next statutory Board meeting would take place on 30 March 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>
The Board requested an electronic-Referral Service (e-RS) update, including an update on progress against the lessons learned, at a future Board meeting.	<b>Action: Director of Programmes</b>
The Board requested that the quarterly updates to the Board in the future include a report on the audited organisations, comprising the outcomes of each audit highlighting identified issues, without infringing commercial sensitives.	<b>Lead Clinician and Interim Director of Information and Analytics (Caldicott Guardian)</b>
Data Release Review: Audit Status Update: The Board requested for the annual report an option appraisal on the correct number of audits per annum, and recommended the sharing of the report with the Internal Auditors and the Care Quality Commission (CQC).	<b>Lead Clinician and Interim Director of Information and Analytics (Caldicott Guardian)</b>
<p>The Committee had received reports on the progress of the Care Quality Commission and National Data Guardian’s reviews of information and cyber security standards across the health and social care system. It was likely that both reports would be finalised in early February; thereafter, decisions on publication and or wider consultation would be for the Department of Health.</p> <p>The Board requested that the Lead Clinician and Interim Director of Information and Analytics (Caldicott Guardian) ascertain the publication and circulation intentions for both reports.</p>	<b>Lead Clinician and Interim Director of Information and Analytics (Caldicott Guardian)</b>

<b>Agreed as an accurate record of the meeting</b>	
<b>Date:</b>	
<b>Signature:</b>	
<b>Name:</b>	Kingsley manning
<b>Title:</b>	HSCIC Chair