

Minutes of the meeting

National Data Guardian's Panel Meeting



14.12.21



Microsoft Teams Virtual Meeting

Panel members present:

Dr Nicola Byrne
Adrian Marchbank
Dr Chris Bunch
Dr Edward Dove
Eileen Phillips
Dr Fiona Head
Dr Geoff Schrecker
Prof Ian Craddock

Dr Joanne Bailey
John Carvel
Prof. Martin Severs
Maisie McKenzie
Rakesh Marwaha
Rob Shaw
Prof James Wilson

Observers in attendance:

David Riley
Dr Arjun Dhillon

NDG Office staff in attendance:

Karen Swift
Ross Thornton
Ryan Avison
Dr Vicky Chico
Layla Heyes
Carl Beesley

Guests:

None

1. Welcome, apologies, and declarations of interest:

The National Data Guardian (NDG) Dr Nicola Byrne chaired the meeting. Apologies were received from panel members Andrew Hughes and David Watts.

Dr Chris Bunch attended his first meeting following his appointment to the National Data Guardian's panel.

Dr Arjun Dhillon attended his first meeting following his appointment as the chair of the UK Caldicott Guardian's Council (UKCGC), a subcommittee of the NDG.

Professor Martin Severs has stepped down from panel and attended his last National Data Guardian's panel meeting.

No declarations of interest pertaining to items on the agenda were recorded.

2. Minutes from previous meeting, actions, and decisions:

The minutes from the NDG's panel meeting held on 16 November 2021 were accepted as an accurate record of the meeting.

Ryan Avison provided an update on the two open actions.

All other actions were agreed as having been completed prior to this meeting.

3. 626: PSD Review Board - what constitutes an adult health and social care body for the glossary of the Digital Economy Act code of practice update:

Dr Vicky Chico, Senior Privacy Specialist in the Office of the National Data Guardian, attended the NDG's panel to provide an update on this item.

At the next Public Service Delivery Review Board meeting in December instead of providing a definition, the Central Data Sharing and Digital Office has undertaken to ask members to share their views on the issue that practitioners are having and how a definition might support this.

Following this the office will work with NHSX and the Central Data Sharing and Digital Office to develop the potential options for the proposed definition of health and adult social care bodies and will look to try to bring something to the next Public Service Delivery Review Board meeting in Spring 2022.

Panellists thanked Vicky for her update and had no further comments.

4. 655: Introduction to new Chair of the UKCGC

The UK Caldicott Guardian Council (UKCGC) has recently completed the recruitment process for the next chair of the UKCGC. Dr

Arjun Dhillon has been appointed as the next chair of the UKCGC and his term will commence when Dr Chris Bunch's term ends in December 2021.

Dr Chris Bunch as outgoing Chair of the UKCGC presented a short session on the history and development of the UKCGC and shared his thoughts from his term as chair. Dr Bunch will continue to support the UKCGC as its vice chair.

Dr Arjun Dhillon then presented an overview of his initial considerations for continuing to develop the UKCGC over his term as the incoming UKCGC chair (2021-24). Dr Dhillon outlined how he sees the UKCGC connecting the NDG to the significant number of Caldicott Guardian's in service and continuing to support Caldicott Guardians in their role to uphold confidentiality.

Panel members discussed the key themes from both presentations and made several observations. Panellists thought it would be crucial to develop a culture that delivers good practice and that the UKCGC should continue to explore how best it can support the development of Caldicott Guardian's individually and as a profession.

The NDG Panel felt that it will be important to ensure that Caldicott Guardians are implemented effectively in the new landscape of Integrated Care Systems (ICS), that will be put into effect following the Health and Social Care Bill.

2021.12.14/4.1: The office to contact Matt Nelligan, Director of System Transformation at NHS England and NHS Improvement to explore how best Caldicott Guardians can be implemented into Integrated Care Systems (ICS).

2021.12.14/4.2: The office to arrange a standing agenda item at future panel meetings for the UKCGC chair to update panellists on current UKCGC priorities.

5. 149: Professor Martin Severs reflections on his time on the NDG's Panel:

Professor Martin Severs has retired from the NDG's Panel. Martin has been a valued and respected panel member for many years offering loyal and reliable counsel to the National Data Guardian. Martin worked on the pivotal national reviews: Information: to share or not to share, and the Review of Data Security, Consent and Opt-outs, and his contributions have greatly shaped and

improved the health and care information governance landscape as we know it today.

Martin shared his reflections on his tenure as an NDG Panel member and his considerations on the potential future challenges for the NDG.

Panellists expressed their thanks for the very helpful discussion and made several observations.

The NDG and panel members thanked Martin for his significant contribution to the work of the NDG over the years and everyone wished him well in the future.

6. Any Other Business:

The chair provided panellists with an update on the following items:

1581: Accelerating citizen access to GP data

The NDG received confirmation that the proposed further rollout of citizen access to GP data that was initially planned for December 2021 has been replanned to commence in April 2022.

1558: Police, Crime, Sentencing and Courts Bill

The NDG was pleased to be able to support an appropriate amendment put forward by the Department of Health and Social Care (DHSC) that addressed the NDG's concerns regarding confidentiality and the PCSC Bill.

Panel members welcomed the positive outcome from the NDG's work to highlight significant concerns to the relevant government departments and progress an amendment with key stakeholders.

1589: Merger - NHSD, NHSX into NHSEI

Simon Bolton, Interim Chief Executive Officer, NHS Digital and Tim Ferris, National Director for Transformation, NHS England, and NHS Improvement have contacted the NDG to ensure that the NDG is informed of any developments regarding NHS Digital, NHSX and Health Education England integrating into NHS England / Improvement.

John Carvel suggested it may be helpful to panel members to receive more regular updates from senior colleagues from the DHSC regarding current priorities, strategy and the proposed direction of travel.

2021.12.14/4.2: The office to arrange a standing agenda item at future panel meetings for the NDG to update panellists on current sponsor team priorities.