

# Minutes of the meeting

## National Data Guardian's Panel Meeting



13.09.2022



Microsoft Teams Virtual Meeting

### Panel members present:

Dr Nicola Byrne  
Mr Adrian Marchbank  
Dr Arjun Dhillon  
Dr Chris Bunch  
Dr Edward Dove  
Eileen Phillips  
Prof Ian Craddock  
Prof James Wilson  
Dr Joanne Bailey

John Carvel  
Maisie McKenzie  
Rob Shaw

### NDG Office staff in attendance:

Ryan Avison  
Carl Beesley  
Layla Heyes  
Dr Vicky Chico  
Karen Swift

### Guests:

Jake Hard  
Elinor Taylor  
Amanda Hizzett  
Angelique Whitfield  
Mark Robinson  
John Hodson  
Graham Hetherington  
Karen Dooley

## 1. Welcome, apologies, and declarations of interest:

The National Data Guardian (NDG) Dr Nicola Byrne chaired the meeting. Apologies were received from Andrew Hughes, Dr Fiona Head, Rakesh Marwaha and Sam Bergin-Goncalves.

No declarations of interest were recorded.

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

The minutes from the NDG's panel meeting on 12 July 2022 were accepted as an accurate record.

Head of the Office, Ryan Avison, provided an update on the actions. All actions were agreed as having been completed prior to this meeting.

## 3. Key updates:

Head of the Office, Ryan Avison provided an update for panel on recent NDG activities:

### 1668: Cyber attack - August 2022:

The NDG was notified of a cyber-attack on software supplier Advanced in August 2022. The NDG is being kept informed about the incident by NHS England.

### 1606: Data pact:

The 'data pact' or 'charter' (final name subject to public agreement) was a commitment in the data strategy to provide clarity to the public on what does and does not happen to health and care data. The Office has been sighted on early plans for approaching this work and will be providing informal feedback at this stage.

### 1565: UK Data Protection Reforms Bill:

This Bill has been delayed at the second reading. The Office of the NDG is reviewing the Bill for points of relevance for the NDG.

### 1647: Office of the NDG - recruitment for project manager role:

Following a successful recruitment campaign Helen Bauckham will be joining the office team on Tuesday 20 September 2022.

### 1607: NDG annual report 2021-2022:

The NDG's annual progress report for 2021-2022 was published on 30 August 2022. John Carvel and Layla Heyes were thanked for their work coordinating and drafting it.

## 4. 655 - Chair of the UK Caldicott Guardian's Council (UKCGC) update:

Dr Arjun Dhillon provided an update for panel on recent UKCGC activities:

- chaired the bi-monthly Council meeting. Guests included the Accelerating citizen access to GP data programme and MedConfidential
- the chair continues to engage with NHS England regarding the role of Caldicott Guardians on integrated care boards
- following the national medical examiner system programme's visit to Council this year, the UKCGC has continued discussions about the legal basis on which medical examiners are operating, how the programme is delivered locally, and whether the work falls under the auspices of 'direct care.' The Royal College of GPs has written to the NDG office and UKCGC is supporting the response
- the UKCGC has published its response to the Home Office consultation on requests for third

party information to the police. The UKCGC will be drafting guidance on information sharing with the police, including in cases of missing persons

- at October's UKCGC meeting, discussions will focus on setting the UKCGC's priorities

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## 5. 33: Health and Justice Information System (HJIS):

Dr Jake Hard (Clinical Lead), Elinor Taylor (Programme Manager), Angelique Whitfield (Performance and Assurance Lead), Amanda Hizzett (Senior Policy and Programme Lead) and Mark Robinson (Project Manager), from the Health and Justice Information Service (HJIS), attended panel to present an update on their programme currently and the next steps in its roadmap.

The HJIS is the clinical information system used for adults and children in the secure and detained estate, (such as prisons, youth offender institutes etc) in England. It allows for the electronic transfer of the patient's record between GP systems. Those providing care within the detained estate could previously only see a patient's Summary Care Record (SCR), as there was no transfer of records. This has changed. If an individual chooses to GMS register, their patient record can now be accessed in the estate and transferred back out to their GP in community following release.

Panel members considered the key themes from the presentation and voiced strong positive support for the progress HJIS has made in facilitating this aspect of continuity of care for those in the detained estate, many of whom are recognised to have significant mental and / or physical health needs. Discussions also focused on: informed consent and plans to increase the number of people in the detained estate consenting to the transfer of their record between GP systems; Summary Care Record with Additional Information (SCRAI) and its future post Control of Patient Information (COPI) notice expiration.

Dr Arjun Dhillon offered to work with the HJIS team on a communication piece which could be shared in the UKCGC newsletter.

Panellists expressed their thanks and Dr Byrne asked Dr Hard if he would be able to provide another update in a year's time, which he and the team confirmed they would be happy to do.

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## 6. 721: Data Security and Protection Toolkit update:

John Hodson (Senior Information Assurance) Graham Hetherington (Service Lead) from NHS Digital and Karen Dooley (Deputy National Chief Information Security Officer) Department of Health and Social Care/NHS England attended panel to discuss the findings from 2021/22 Data Security and Protection Toolkit (DSPT) submissions.

The DSPT is the standard for cyber security and data protection across the health and social care system. Whilst it remains a self-assessment toolkit, it is the means through which directives around what is expected as mandatory actions

around cyber and information governance are communicated.

The session explored findings from the 21/22 DSPT returns. Discussions focused on the type and volume of organisations meeting the standards, and the requirements organisations find the most challenging to meet. Panel asked about levels of compliance with national data opt-out for 21/22 DSPT submissions. The team did not have these to hand but offered to send them to the NDG following the meeting, noting that the opt-out requirement was not mandatory for 21/22 submissions and the deadline for compliance with the opt out policy was later than the DSPT submission deadline.

The NDG and her panel thanked Karen, John and Graham for attending the meeting.

**2022.09.13/6.1:** John Hodson to provide the office with information on National Data Opt Out (NDOO) compliant organisations extracted from this year's DSPT submissions.

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## 7. Any other business:

The next panel meeting on the 11 October will be a hybrid meeting with members attending in person in London and virtually via Microsoft teams.