Digital North West London
Information Governance Group Minutes
Thursday 5th October 2017
Time: 9:00-12.00
Venue: Room 5.1, 15 Marylebone Road, NW1 5JD
Minutes

NOTE: By agreeing to these minutes, you are providing formal approval of the decisions therein in your capacity as a signatory of the Digital ISA and a Data Controller (please refer to Decision Log).

ATTENDEES

Name	Role	Organisation	IN.
Amanda Lucas	WSIC Dashboards Programme Manager	NWL Collaboration of CCGs	AL
Ernest Norman- Williams	Information Governance Manager	BHH CCG's	EW
Mark Jellman	Associate Director IT	SCW CSU	MJ
Xavier Yibowei	Programme Manager	NWL CCG	XY
Dr Laurie Slater	IG Lead clinical CWHHE	CWHEE/NWL	LS
David Stone	IG Consultant	Kaleidoscope Ltd	DS
Philip Robinson	IG Manager	Imperial	PR
Jan Boucher	IG Manager	Tri Borough	JB
Stephen Janering	Project Manager	Imperial	SJ
Raj Seedher	IG Manager	Brent	RS
Dr Sanjay Gautama	Clinical Director/ Chair/Caldicott Guardian	Imperial	SG
Ian Riley	Director of Business Intelligence	NWL CCGs	IR
Alice Green	Programme Co ordinator	NWL CCGs	AG
David Grange	IG Manager	Patient Knows Best	
Observers:			
Mik Horswell	IG Advisor	SCW CSU	MH
Mo Casillas	IG and Risk Manager	CLCH	MC
Apologies if this list is incorrect. Please advise changes to Lisa.francis@nw.london.nhs.uk who will update the attendance register.			

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1. Welcome and Introductions

- Welcomed every member to the meeting

2. Minutes and Actions – Sanjay Gautama

- The minutes of 6th July 2017 meeting were reviewed and agreed.

MINUTES

- SG took the group through the minutes and actions of last month's IG meeting (September 2017).
- An action was taken for Mike Parte to be invited to the November/January Governing Group meeting to provide clarity on cyber security and governance in NWL. This would provide an opportunity to discuss to what extent NWL want to align with a pan London approach and where NWL could sensibly integrate.
- With regards to the Integrated Hospital Discharge MOU ISA, PR updated the group that the MOU needs to be signed off so it can be used as a working document. This will be included as a schedule within the ISA once it has been re worked.
- SG and DS updated the group on the status of the ISA to be re worked. The MOU, WSIC and CIE are to be absorbed under an over-arching ISA.
- The Brent draft letter on the SARs process was reviewed. In principle Brent would be given authority to act on behalf of all data processors to respond to SARs requests. Both processing the SAR and presenting the data back to the patients on behalf of all data processors. RS stated that this process needed to be developed into a more robust and consistent process. *An action was taken to set up a working group to understand this mechanism and align it to GDPR.*
- The group discussed the DCC. There was a discussion within the group pertaining to the purpose of the DCC. The group agreed the original purpose was as a document repository for the information sharing agreements however PR and RS suggested it had been over engineered without ensuring a more comprehensive approach. *Action: SG suggested the group articulate feedback on the DCC which could be presented back to Bill Sturman*.
- The group agreed that a member of the LLMC should attend future meetings to ensure alignment to the decisions of the group and a collaborative input on items such as the ISA re write*. Action: xxx to invite LLMC to join future meetings of the Governing Group?*
- The group raised concern over the lack of continuity for IG support to the Digital Programme. LS stated that the Digital Programme needs to appoint a permanent position in this role to ensure consistency in approach and prevent the stalling of projects of work. There was a discussion amongst the Group regarding the most appropriate position to be recruited for, an IG lead or a project manager to co-ordinate the different projects under the Digital Programme. The Group agreed in order for the projects to continue to run effectively this position needed to be filled*. SG took an action to discuss lack of IG resource to support information sharing in the Digital Programme with Bill Sturman.*

GDPR, Caldicott3 and CQC requirements:
- The implication of Caldicott 3 on the WSIC data set was discussed. It was agreed that patients only have the right to opt out of data sharing for the use of identifiable data for secondary use. Patients do not have any rights over anonymised data. For the WSIC team it was suggested that dissent codes can be taken out to allow for all patient data to flow into the WSIC dashboard database.
- AL raised a concern from clinicians that there was a clinical risk for dissenting patients as they were not being picked up when clinicians were case finding patients to monitor.
- DS explained the difference between the privacy law and the common law of duty . Privacy law stipulating a medical purpose as the legal basis for sharing identifiable information. The common law of duty states the use of identifiable data is limited to the public's understanding of how data is being used for direct care.

- DS made the group aware that for NWL the fair processing material is being updated to include alternative uses for the data and for GPDR. A piece of work needs to be completed to ensure all patients are aware of the new uses of data, shifting expectations on what NWL are doing with patient data.
- DS noted that Caldicott 3 would also present new ways of conducting academic research as patients could consent to research retrospectively.
- LS expressed that providers need clear guidelines for understanding what needs to be done in respect to GDPR and how to ensure compliance.
- There was a question as to whether we waited for the new ISA and the DPIA attached to this, but the group agreed this would take too long.
- *Action: The group agreed that a working group needed to be set up consisting of Raj Seedher, David Stone and Philip Robinson. There was a strong response from the group that the output of this working group must be a simple checklist in plain English that could be used by all organisations in NWL to ensure compliance.*

Feedback from the Security and Access Sub group:
- **WSIC:**
  - ➢ **Azure proposal:** the proposal to move the de identified data set to a cloud environment was recommended for approval at the Governing Group. The group agreed that the move of the WSIC de identified data set to a cloud based solution was approved. SG suggested looking at alternative suppliers to provide the cloud based solution AL reminded the group that the cloud must be hosted in England including the back-ups, potentially limiting the suppliers that could be used. The WSIC team agreed to look at other procurement options for the cloud based solution.
  - ➢ **De-identified** access requests: Following recommendation of approval at the security and access sub group, all de identified access requests were approved.
  - ➢ **CIE:** request by SJ to update the security and access sub group minutes to accurately reflect the recommendations agreed.

- **CIE to adopt use of mass registration was approved.** The PIA paper was submitted by David Grange. (SJ take) the Group approved PKB to make this available to other customer organisations outside of NWL, accepting that NWL organisations have no control over how these other organisations will use the API to provide access to NWL data. AL highlighted the on-going conversations with CIE to link the two programmes. A decision will be required on which components of a patients record would be displayed in CIE as a Tableau view.
- Process for providing legal guardian proxy access to children's records (ref paper 15 07/09/17) was approved with the addition of prior safeguarding check
- Enrolment of patients being treated in a major trauma unit without photo ID check (ref paper 15 07/09/17) was approved with "major trauma" to be clearly defined, and item added to risk log
- Break the glass report to cover staff access outside of own organisation (ref paper 15 07/09/17) was declined
- Imperial use of emails captured at self-check-in kiosks for patient registration was approved.
- AL and SJ highlighted on going conversations regarding flowing direct data flows into WSIC. SJ indicated the CIE cannot provide WSIC with a regular data feed. AL suggested waiting for the ECDS. SG advised this data feed would not fulfil requirements. AL advised that a direct data feed from Imperial would be preferable but that discussions had been on-going for a few months and there had been little movement.
- DS suggested an emergency planning function to exploit PKB to enable clinicians to contact victims through PKB. The group agreed this would be an area they would like to explore but SG suggested this would be revisited in a later meeting.
- AL provided an update on the WSIC Dashboard Programme. There are now 1.7 million NWL registered patients in the Data warehouse. 355 ISAs have now been signed by GP Practices, and data is now flowing for 289 practices. The next release is planned for deployment shortly and will include a series of performance improvements for users, as direct feed of community data from CNWL and an Asthma patient level radar.

OPEN

#	Date Opened	Action	Who	Update	Date Closed	Date Due
001	06/07/2017	A considerable effort needs to be made to strengthen the lay partner representation at this meeting from other 8 Boroughs	JN	In progress		Sep 2017
002	06/07/2017	Need to develop the Cyber Security tool kit, and look at scoping for back up abilities. The Patching status needs to be brought up to speed.	AA	Mike part to attend the next Governing Group to ensure visibility and gain clarity on what is being decided for cyber security within NWL		Sep 2017
003	06/07/2017	AA to provide a report which has been scoped out to the providers about lessons learnt and actions taken as a result of recent cyber attack	AA	In progress		Sep 2017
004	06/07/2017	Integrated Hospital Discharge MOU ISA – to be reworded to so as to allow for schedules to be brought in. Philip to provide a Template version of the ISA for other users benefit	PR	In progress. The MOU will become a schedule following the re write of the ISA. The MOU will be signed as is to allow for a working document		Sep 2017
005	06/07/2017	Conversation to be had with Bill and Kevin in terms of taking this ISA forward and this needs to be funded.	SG	Meeting set up between Sanjay, Bill and Kevin to understand funding requirements. This funding will include re writing the ISA and completion of a DPIA for NWL to ensure GDPR compliance. Idea to create an umbrella ISA attached with an umbrella DPIA. Each schedule under this will have a DPIA attached to it.		Sep 2017
006	06/07/2017	Amanda to bring action paper from Sub group to the next IG meeting in September	AL	Closed	06/10/17	Sep 2017
007	07/09/17	Action to send out the contract for 2 week consultation period prior to Group approval.	ST	Data access contract was sent out on the 22/09. No feedback received. The group agreed the data access contract can be implemented, following no objections after the 2 week cut off on the 6/10/17	22/09	
008	07/09/17	Action for ST to draft a letter to Brent for the Group to review.	ST	The draft letter reviewed as a paper. Decided that a working group needs to be set up to ensure a consistent and robust mechanism in line with GDPR. This group will consist of Raj Seeder, Ernest Normal-Williams and David Stone.	27/09	

009	07/09/17	Action to discuss the Data Controller Console issues with Bill Sturman.	TBC	To be confirmed. Suggestion that the DCC was not fit for purpose. Due to concern regarding the DCC, SG has asked for colleagues to articulate their experience of using the DCC that could be presented back as a paper to Bill Sturman		
010	05/10/2017	Mark Parte to be invited to the next Governing Group meeting to ensure clarity and visibility around cyber security and governance within NWL	Digital Team			
011	05/10/2017	Action to ask for a representative from the LLMC to attend the Governing Group	LS			
012	05/10/2017	Action to contact Bill Sturman regarding the issue with continuity of IG support within the programme	SG			
013	05/10/2017	Action taken to set up a working group to understand the SAR mechanism and align to GDPR	RS			
014	05/10/2017	Action for the group to articulate feedback on the DCC which could be presented back to Bill Sturman	Group			
015	05/10/2017	Working group to be set up to include David Stone, Laurie Slater and Phillip Robinson to generate a checklist in plain English for GDPR compliance	DS			
016	05/10/2017	David Stone and Philip Robinson to share slide presentations on GDPR with the group	DS/PR			
017	05/10/2017	WSIC team to purchase the Manuela licence for access to the Operating Manual	AL			
018	05/10/2017	Action to develop a paper reviewing options for sharing patient level WSIC record with the CIE	AL/SJ			
019	05/10/2017	SJ suggested that a WSIC update to be provided to the Portfolio Board	IR/AL			

DECISION LOG

#	Date	Decision
001	03.11.16	Group agreed that it is a good tool to group together all the ISA's in once place however some concerns raised when HLP stated patients would be able to tweak documents and have access to.
002	03.11.16	Recommendation to switch off those consent/contact options until further discussions had, unless PKB can provide assurances that have been worked through .
003	03.11.16	Continuing with face to face model for on boarding of patients which works well for CIE for patients using the dashboard.

004	03.11.16	Create a standard arrangement for staff verification which is the RA model
005	03.11.16	To disable those options which CIE are currently being used. To switch off those options until further discussions had, unless PKB can provide assurances that have been worked through.
006	03.11.16	Provider Partners are happy to add in NCRAS consent item to CIE record for NWL
007	03.11.16	Agreed by group to have scrambled NHS number, post code plus three. Need to resubmit form to group once changes have taken place
008	01.12.16	Every new provider who wants to sign into the ISA, should present at the IG Group once they have satisfied all requirements.
009	01.12.16	IG group to oversee the fair processing and all related change management.
010	01.12.16	Standing item on IG Group agenda should include Sub Group update.
011	01.12.16	Risk register to be linked to actions.
012	04.05.17	Request from Royal Brompton & Harefield NHS Trust to become a signatory to the ISA was approved.
013	07.09.17	The Group agreed that data access requests would be via the Sub-Group which would provide a brief synopsis of the request and a recommendation.
014	05.10.17	Data access contract to be circulated following no objections by the 06/10/2017. RS confirmed he had reviewed the document and was happy with it.
015	05.10.17	To review the SAR process through setting up a working group
016	05.10.17	CIE to proceed on Mass Registration using which ever method the customer chooses
017	05.10.17	NHS 111 to sign an ISA in order to flow data
018	05.10.17	All de identified access requests recommended for approval by the security and access sub group were approved
019	05.10.17	Approval for the WSIC team to implement a cloud based solution to host the WSIC de identified data set
020	05.10.17	Following no comments on the WSIC PEN test specification submitted to the security and access sub group in September, approval for the WSIC team to commence with the PEN test
021	05.10.17	CIE: Process for providing legal guardian proxy access to children's records (ref paper 15 07/09/17) was approved with the addition of prior safeguarding check
022	05.10.17	CIE: Enrolment of patients being treated in a major trauma unit without photo ID check (ref paper 15 07/09/17) was approved with "major trauma" to be clearly defined, and item added to risk log
023	05.10.17	CIE: Break the glass report to cover staff access outside of own organisation (ref paper 15 07/09/17) was declined
024	05.10.17	CIE: Imperial use of emails captured at self-check-in kiosks for patient registration was approved

ACTION UPDATE

PAUSED

#	Date	Action	Who	Update	Status
259	07.07.2016	SJ to email SP asking what the patient opt out process should be	SJ/SP	Once C3 signed off, bring to December.	**Paused**
230	07.07.2016	Adoption and sign off of the ISA needs to be reviewed in relation to Caldicott 3	SB	ISA adopted, to be taken back to legal advisors. Caldicott 3 not signed from DoH yet.	**Paused**
347	02.02.2017	PR to liaise with LS to see how MOU has been amended.	PR/LS	MOU is on hold for the moment whilst solutions relating to TPP are considered. EC and LS will continue to discuss with LMC.	**Paused**
343	02.02.2017	EC to look at what Imperial has in place with regards to a programme which captures all risks and allows for sharing with data controllers.	PR	Superseded by GDPR.	**Pause**

OPEN/IN PROGRESS

#	Date	Action	Who	Update	Status
291	06.10.2016	RS to liaise with SB and provide ideas / methodologies used around PIA (item amalgamated with 295)	RS	PIA to be reviewed this year for the whole project. Operational Sub group to review overall PIA. Kaleidoscope in process of reviewing NHSE PIA; consider collaborative approach.	**In Progress**
304	06.10.2016	CMC to be invited to Future IG Group to understand the processes and design principles adopted by the IG Group. (LS) Invite to January Meeting.	Digital	EC advised that CMC becomes the equivalent of TPP (processor), there has been no progress over time. This has now been superseded by another initiative and ISA is in place. Mike Part is working on this.	**Close this?**
327	01.12.2016	More information requested on the costing on the DCC to be circulated as well as the user guides.	CM	Presentation on DCC delivered to Group. Funding is not there, may not be viable for NWL. This is currently on the risk register. Action and feedback to be provided by SP	**Open**
330	01.12.2016	RS to think about TOR for new suggested operational group/ what to call it.	RS	TOR was reviewed and concluded that the Operational Sub Group and Data Access Sub Group should be amalgamated into a two part meeting. Updated TOR to be brought to next meeting.	**In Progress**
345	02.02.2017	LS to have discussion with the Clinical Group looking at proportionality. EC to form part of that.	LS/EC	EC suggested providing group with guidelines for data minimisation. Group felt that clinical representatives were well versed in this area and support was not required. Recommend close action.	Open
346	02.02.2017	LMC: EC to draft letter to show Imperial and CCG support for the LMC progression. To include Chair's signatures, Champion SROs and lay partners. Ensure the letter draws out the key bit about patient safety being an issue. Suggested to add a deadline to the letter	TBA	EC advised that there was a HLP meeting end of September. She suggested that NWL should be invited to their meetings and HLP representatives should be invited to IG Group meetings. Also recommended that LMC was approached. No decision recorded.	Open
351	02.02.2017	Suggestion to review who has attended the IG group over last six	ST	An attempt was made to establish interest in the Group; this work may need to be re-	In Progress

#	Date	Action	Who	Update	Status
		months.		visited as the response was limited. A new list is being worked on. A report has been given to Bill Sturman to review resource and to support the mapping of where different issues need to be directed.	
355	02.02.2017	Issue letter relating to Easy - Read Children's data – to go through 2 week process.	TBA	Objections logged. RB to speak with Brent/Harrow/Hounslow, where the 3 rejections came from to move things forward. Sanjay and Richard to circulate clinical draft letter to the 3 practices who raised objections to flow of children's data. No response received. 3 practices in Safe Haven (adult only), other practices going ahead. Kaleidoscope working on Fair Processing Notice project.	In Progress
356	02.02.2017	NWL Pathology ISA to be brought under the ISP – discussion point to be brought back to March agenda.	PR	Still some work to be done on this. If the ISA is revised it will alleviate the problem, if the ISA is not revised it will mean working at risk.	In Progress
357	04.05.2017	MASH ISA to be brought under ISP	LS	LS to continue to consider how S1 issues will impact on access under MASH ISA. Review of MASH ISA to continue until agreed. Still waiting for a response from Tri-borough team. MASH agreed to re-write ISA to be fit for purpose. The Vanguard Group were receptive to advice from LS and EC to run the ISA past the group when it is finished.	In Progress

CLOSED

#	Date	Action	Who	Update	Status
279	07.09.2016	One pager on Digital NWL Programme as standing item on agenda	SP	Still working with comms team to develop what this will look like. (SP did not have time to give a update – remains in progress)	**Close**
295	06.10.2016	SG and SP to discuss further the question around funding of PIA as there are 2 hosts of 2 systems on the same ISA. This item has been combined with 291.	SG/SP	Speak to David to get Multiple Quotes	**Closed**
309	03.11.16	SJ to keep Register of Privacy Officers but share with Gov. Group	SJ	Added to the decision log – Digital team to collect this.	**Closed**
331	01.12.16	IG Group TOR to be reviewed by all, comments to be provided to team.	All	Completed	**Closed**
333	01.12.16	Invite Dawn from NHSE to future meeting.		Invited. Waiting for confirmation	**Closed**
210	05.05.2016	Bring back assurance agreement, privacy policy and user acceptance agreement to this Group, for noting, in	SJ MA	BKP Agreed to remove liability limit and include statement around backing up of data for users.	**Closed**

		June			
335	12.01.17	Incident Management Protocol – agreed by group, to be published.	EC	Complete	**Closed**
336	12.01.17	DG to produce the Incident protocol letter on letter headed paper, send to EC for records.	DG,EC	Completed	**Closed**
337	12.01.17	JN to work with DG to go over the revisions of the user agreements.	JN/DG	Discussed on agenda	**Closed**
338	12.01.17	DG to note that the definitions in agreement need to be pulled out and clear for patients to see and understand.	DG	Complete	**Closed**
339	12.01.17	Social care data set request by CAG– to be reviewed within 2 week time frame.	AL	Agreed by Group. 2 week approval window saw no objections.	**Closed**
340	12.01.17	Recommendation: Review Fair processing to help align with AL's work. Also FP to include children.	All	Taken up by comms sub group. To be circulated for 2 week approval.	**Closed**
341	02.02.17	Risk register: Any additional new risks that are identified to be sent to EC.	All		**Closed**
342	02.02.17	Risk register: EC to include risk mitigation score	EC	Completed	**Closed**
344	02.02.17	Risk register: to add in, which part of programme the risk relates to, as well as who the risk owner is.	SP/EC	Completed.	**Closed**
348	02.02.17	Risk register: to add in regarding dependency on central flows/ data flows when ACP comes in.??	EC	Added to risk register.	**Closed**
349	02.02.17	AS and JN to have meeting – Privacy and user agreement to be finalised for March meeting.	AS/JN	Completed	**Closed**
352	02.02.17	CIE recommendations from this meeting to go through 2 week process.	All	Approved.	**Closed**
353	02.02.17	Add to risk register: LMC approval delay, GP Practices currently waiting.	EC	Completed.	**Closed**
354	02.02.17	Develop the existing Comms Sub Group which JN chaired in past.	EC	Completed.	**Closed**
100	08.09.2015	RACIE of the proposed Programme to be shared with the Governance Group	JH	Paused until 2016.	**Closed**
277	01.09.2016	joint letter with LLMC to GP's end of October	SJ/SP	Finalising revisions to comments from LLMC on Digital ISA before proceeding	**Closed**
251	07.07.2016	Align version 2 of WISC communication documents to CWHEE MOU and CIE	AL	As part of sub-group	**Closed**
350	02.02.2017	To add in decision from December meeting regarding the medical exclusions.	SA	Added to Decision log. Completed. Recommended closed.	**Closed**
298	05.10.2016	Set up a Controls Table identifying what the controls are for WSIC Dashboard- RS.	RS	To be picked up at the Sub Group on the 16th May 2017	**Closed**