


Department: Public Health	Title: Information Governance Policy v5	
Refer to Other Documents:	Supersedes: v4	
Warning -Uncontrolled When Printed The Current Version is Held in The Document Management System		

NHS Western Isles

Information Governance Policy



Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 1 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

Document Control

Version	Date	Latest changes made by	Status	Reason for change and reviewers
Version 4 Draft 1	27/09/2017	Carol Macdonald	Draft	Reviewed Policy
Version 4 Draft 2		Maggie Watts	Approved	Caldicott Guardian and Chair of IGSG
Version 5	12/05/2020	Carol Macdonald	Draft	Reviewed Policy

Document Approval – Name(s) of the Individual(s) representing the Approving Committee(s)/Group(s)

Reviewers Name	Reviewers Role	Review Date
IGSG	Oversight and Approval	Oct 2017
CMT	Information	May 2018
IGSG (via email)	Oversight and Approval	Oct 2020
CMT	Information	Nov 2020
Board	Final Approval	28/10/2020

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 2 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

CONTENTS

1	Introduction and Scope	4
2	Information Governance Policy	5
2.1	OPENNESS.....	6
2.2	EQUALITY AND DIVERSITY.....	6
2.3	CONFIDENTIALITY AND DATA PROTECTION.....	7
2.4	CALDICOTT PRINCIPLES.....	7
2.5	INFORMATION MANAGEMENT AND SECURITY.....	8
2.6	RECORDS MANAGEMENT	9
2.7	INFORMATION SHARING	10
2.8	INFORMATION QUALITY ASSURANCE AND TRAINING.....	11
3	Responsibility.....	11
3.1	OVERALL RESPONSIBILITIES	12
3.2	GENERAL RESPONSIBILITIES	12
4	Education and Training.....	13
5	Monitoring and Reviewing.....	14
6	References	15
7	Appendices	16
7.1	APPENDIX INFORMATION GOVERNANCE PRINCIPLES	16
7.2	APPENDIX 2 CALDICOTT PRINCIPLES	20

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 3 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

1 Introduction and Scope

“Information governance” is an umbrella term for a collection of distinct but overlapping disciplines. It is the framework of law and best practice that regulates the manner in which information, (including, but not restricted to, information relating to and identifying individuals) is managed, i.e. obtained, handled, used and disclosed.

This policy is integral to work currently being pursued by NHS Western Isles to provide ongoing assurance that it has a robust framework for ensuring the security of its personnel, property and information assets.

NHS Western Isles recognises the importance of maintaining an appropriate and robust system of information governance management - so as to underpin and support the Board in the exercise of its functions, to protect privacy and confidentiality, and in order to maintain public trust.

In particular, this policy sets out the operational and management structures, roles, responsibilities, systems, policies and audit controls that the NHS Western Isles has established, and intends to maintain and develop, in order to ensure such issues are appropriately addressed throughout the organisation.

This work is driven by the National Health Services Scotland, Information Governance Strategy, and Security Policy Framework. This lays down mandatory minimum requirements that all NHS Scotland organisations, such as the NHS Western Isles, *must* meet in relation to Information Governance security.

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 4 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

2 Information Governance Policy

NHS Western Isles will seek to develop and maintain an **Information Governance culture** whereby its staff and others working on its behalf understand the importance of Information Governance, know their responsibilities, and manage information appropriately.

The NHS Western Isles is also committed to meeting its responsibilities in relation to information legislation, including the European Data Protection Regulation 2018 (GDPR), the UK Data Protection Act 2018, and the Freedom of Information (Scotland) Act 2002 and best practice guidance from organisations such as the Scottish Information Commissioner's Office (<http://www.itspublicknowledge.info/home/ScottishInformationCommissioner.aspx>).

This policy aims to ensure compliance with the requirements contained in the NHS Information Security Policy Framework and the Health Improvement Scotland Healthcare Governance and Risk Management National Strategy, and the upcoming Digital Health and Care Strategy (formerly E-Health Strategy).

NHS Western Isles will ensure its policies and processes are in line with current Data Protection legislation. To this aim, NHS Western Isles will ensure its Privacy Notices, Patient Information and documentation meet these new requirements, through a mixture of staff training and awareness in relation to the new regulations combined with e-Learning materials, refreshed Corporate Induction training and GDPR compliant patient information.

To this end, NHS Western Isles commits itself to progressively developing:

- **Information Governance Management:** Establishing and maintaining robust operational and management accountability structures, with appropriate and agreed resources and expertise to ensure information governance issues are dealt with appropriately, effectively and at levels within the organisation commensurate with the type and gravity of the issue in question.
- **Systems and Processes:** Establishing and maintaining information systems and processes to enable the efficient and secure storage and retrieval of personal information and the management of any associated information risk.
- **Policy and guidance:** Developing, embedding, and enforcing policies, forms and guidance documents in relation to the respective areas of information governance that will enable staff to fully understand the standards, practices and responsibilities imposed on them by the information governance framework.
- **Training and Awareness:** Implementing a system of training and awareness that meets the Health Boards mandatory requirements, is role based, assessed and capable of equipping staff with the skills and knowledge necessary to discharge their responsibilities.
- **Audit:** Monitoring staff compliance with the information governance framework through regular audits.

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 5 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

2.1 Openness

The *NHS Scotland Code of Practice on Protecting Patient Confidentiality* provides guidance on the lawful use of personal data held by the NHS Western Isles, including guidance on processing of personal data for purposes other than the exercise of NHS Western Isles functions (e.g. sharing information with other organisations to assist them in the exercise of their own functions).

NHS Western Isles aims to achieve the right balance of openness and confidentiality in the management of its data, while operating within the boundaries of legislation. NHS Western Isles regards all personal identifiable information relating to patients as sensitive and confidential and compliant with Common Law confidentiality.

With the sharing of personal information between systems and locations being pivotal to effective patient care, privacy notices will be available to promote transparency of data sharing, where appropriate, and in light of new regulations in respect of The Patients Charter and the General Data Protection Regulations (GDPR), the patients' rights to opt out and/or withdraw consent will be made clear to all.

NHS Western Isles has robust arrangements in place for handling personal information queries from patients and the public. Established policies and procedures are in place to ensure compliance with the Freedom of Information (Scotland) Act 2002, Environmental Information (Scotland) Regulations 2004 (EIR) and the Data Protection Act for all subject access requests. All patients have access to information relating to their own health care, options for treatment and their rights as patients.

The IG framework recognises the need to share information with other health organisations and partners in social integration in a controlled manner consistent with the needs and preferences of the patient and in some instances, the public.



2020-06-17-Intra-NH
S-Scotland-Sharing-Ar

2.2 Equality and Diversity

Fair care is ensured to all without any discrimination between persons on grounds of sex, marital status, race, disability, age, sexual orientation, language, social origin, other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.

NHS Western Isles is working with patients and members of the public to improve the quality of health service provided in relation to the Human Rights Act 1998.

A patient-focused NHS Western Isles will:

- Maintain good communications, including listening and talking to patients, public and communities

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 6 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

- Know about those using the service and understand their needs
- Keep users of the service informed and involved
- Have clear, explicit standards of service
- Maintain politeness and mutual respect
- Have the ability to respond flexibly to an individual's specific needs
- Ensure effective action is taken to improve services
- Talk with users, the wider public and communities
- Effective public involvement can:
 - Act as a catalyst for change
 - Help achieve a major improvement in the health of the public
 - Help strengthen public confidence in the NHS

2.3 Confidentiality and Data Protection

NHS Western Isles will ensure that it protects the privacy and dignity of the people whose information it accesses, holds and uses. In doing so, it will comply with the legal requirements of Data Protection legislation, the Human Rights Act 1998, and the provisions in relation to confidential personal information within the Health and Social Care Act 2008.

NHSS has published a NHS Scotland Code of Practice on Protecting Patient Confidentiality that sets out how it will meet these requirements.

NHS Western Isles policy on the implementation of the Data Protection Principles is attached as Annex A of this document, and is to be read alongside the NHS Scotland Code of Practice on Protecting Patient Confidentiality. The Information Governance Manager is responsible for the implementation, update and maintenance of the NHS Scotland Code of Practice on Protecting Patient Confidentiality

Training and, where necessary, further guidance is provided by the NHS Western Isles to support its staff in complying with the Code through the Information Governance Department.

2.4 Caldicott Principles

The Caldicott Principles provide a code for protecting patient and service user information throughout the NHSS and public-sector Social Services. The NHS Western Isles will ensure that its policies, systems and processes are compliant with the Caldicott Principles.

The Caldicott Principles are incorporated into *NHS Scotland Caldicott Guardian's Principles into Practice – June 2012 v2*. NHS Western Isles has adopted this in its entirety.

NHS Western Isles Caldicott Guardian is an Executive Member of the Board.

All proposed new policies, systems or processes that will change or significantly impact upon the way in which the NHS Western Isles processes identifiable (or

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 7 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

potentially identifiable) information about patients who use NHS Western Isles services must be scrutinised and approved by the Caldicott Guardian.

The Information Asset Register, Data Protection Impact Assessments, and internal audits of information governance will be regularly reviewed by the Caldicott Guardian to monitor compliance with the Caldicott Principles.

2.5 Information Management and Security

The **Information Governance Manager** has responsibility, for managing information risk across NHS Western Isles and developing an NHS Western Isles Information Security Management System. The ISMS will identify Information Assets, their respective owners and assess the risk associated with the loss, destruction or compromise of each information asset. The ISMS will also help to improve information security by introducing controls, policies and processes to mitigate any identified risk. This will be an ongoing process, identifying and mitigating risks as they arise, and adding to the asset register on a regular basis.

Risk Register: Identified Information Governance Risks will be added to NHS Western Isles risk and issues register relating to the department where the risks are identified. This register includes risks related to information, and is used to monitor the controls put in place to manage those risks. High-level information risks and issues feed into the corporate risks register.

Records and Document Management systems: NHS Western Isles has established systems and processes for records and document management to allow the effective and secure retrieval of information. NHS Western Isles will develop and maintain these systems as required.

Information Asset Register: The NHS Western Isles holds a register of Information Assets (information held by the NHS Western Isles which has a value to the organisation, and/or where loss of, or unauthorised access to, that information would have an impact upon the NHS Western Isles). Information Asset Owners (IAOs) are assigned responsibility for each of these assets, and the register will be used to ensure that; information assets are given appropriate protection, that risks related to these assets are understood and managed, and that the value of these assets is realised. This register will be maintained by the Information Governance Department, in conjunction with IAOs.

Information Governance Strategy and Improvement Plan: The NHS Western Isles is developing and will maintain an Information Governance Strategy and associated Improvement plan to ensure that any identified weaknesses are addressed and managed. NHS Western Isles monitors its performance and through its own internal audit processes.

NHS Western Isles policies, procedures and guidance: NHS Western Isles will continue to develop and provide a range of policies, procedures and guidance documents relevant to Information Governance (for example, Information Security Policy, the Code of Practice on Confidential Personal Information, recruitment policies and guidance). These policies will be maintained and regularly reviewed to ensure compliance with overall Information Governance policy.

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 8 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

NHS Western Isles is subject to the requirements of the Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations 2004 (EIR) and government policy on public sector transparency.

It will meet these statutory responsibilities by:

- Maintaining and publishing a publication scheme, approved by the Information Commissioner.
- Responding to requests for information within the statutory deadline (20 working days),
- Providing any requested information that is held by the NHS Western Isles - except where a relevant exemption from disclosure applies and (where relevant) where the exemption is engaged by an overriding public interest, and
- Explaining the application and reason for applying any exemption, of the right to an Internal Review of any decision to withhold information, and of the further right of appeal to the Information Commissioner.

NHS Western Isles must also comply with the 'subject access provisions' of the UK Data protection Act 2018, which allow individuals about whom NHS Western Isles holds 'personal data' a right of access to that data.

It will meet this statutory responsibility by:

- Taking reasonable steps to assure itself of the identity of any person making a subject access request (SAR), so as to protect confidentiality and privacy by ensuring that personal data is only disclosed to those who are entitled to it.
- Responding to SARs within the statutory deadline (1 calendar month)
- Providing any requested personal data that is held by NHS Western Isles - except where a relevant exemption from disclosure applies.
- Explaining the application and reason for applying any exemption, of the right to an Internal Review of any decision to withhold information, and of the further right to seek an assessment from the Information Commissioner.

NHS Western Isles will ensure a range of policies and procedures will be in place for its staff on various aspects of information security, including:

- Information Governance Policy
- Information Security Policy
- Records Management Policy
- Freedom of Information Policy

2.6 Records Management

Under the Public Records (Scotland) Act 2011 Public authorities are required to submit a Records Management Plan setting out proper arrangements for the management of the organisations records to the Keeper of the Records, for his agreement. NHS Western Isles are committed to this, and will continue to update and maintain its records management plan ensuring all records, regardless of their

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 9 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

format, are managed and controlled effectively, consummate with the legal, operational and information needs of the organisation.

NHS Western Isles Records Management Policy names the Information Governance Manager, as having day-to-day operational responsibility for implementation of records management plan.

It is recognised that there is likely to be further developments as we are currently awaiting the outcome of the improved NHSS corporate records retention guidance to replace the current advice contained in the NHS Scotland Records Management Code of Practice. This will necessitate a comprehensive review and revision to reflect any changes.

NHS WI maintains an existing retention and disposal schedule and this is detailed in NHS WI Records Management Policy. There is an agreed policy between Western Isles NHS and CnES in relation to storage and collection management of the records deposited at the Highland Archive Centre, as set out in the Deposit Agreement Form.

2.7 Information Sharing

The Data Protection Principles state certain conditions where data deemed sensitive or confidential may be shared and these include, and not restricted to:

Disclosure of Information without Consent when:

- Protecting vital interests of a child or vulnerable adult
- It's in the public interest (e.g. to prevent serious crime or to prevent spread of disease)
- Limited information for Court purposes (requires Court Order not Police request)

Legal Duty to Disclose Information when:

- Someone has or is suspected to have an infectious disease
- Someone has been involved in a RTA (to help recover costs of treatment and for the Police)
- Children deemed at risk of significant harm
- A pregnancy is terminated (informing the Chief Medical Officer)

Where appropriate, and where there are Information Sharing Protocols in place to support the regular sharing of personal information between partner agencies to enable the linking together of, for example, person level adult health and social care information for statistical, research and management information purposes, acknowledging under section 49 of the Public Bodies (Joint Working) (Scotland) Act 2014, it allows them to disclose information to each other for the purpose of carrying out integration functions and strategic planning.

The aim is to improve service delivery through the use of linked intelligence for provision of statistical, research and management information across both health and social care services.

The Public Benefit and Privacy Panel for Health and Social Care (PBPP), set up in 2015, is a governance structure of NHS Scotland, exercising delegated decision-making on behalf of NHS Scotland, Chief Executive Officers and the Registrar

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 10 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

General. The panel operates as a centre of excellence for privacy, confidentiality, and information governance expertise in relation to Health and Social Care in Scotland, providing strategic leadership and direction in this area to NHS Scotland Boards, the research community, and wider stakeholder groups.

Its aim is to streamline existing governance processes for the scrutiny of requests for access to NHS Scotland originated data for a variety of purposes other than direct care – for example for research, audit or healthcare planning and

- Provides robust, transparent, consistent, appropriate and proportionate information governance scrutiny of such requests
- Provides leadership and acts as a centre of excellence for privacy, confidentiality, and information governance expertise in relation to Health and Social Care in Scotland
- Further strengthens the direct involvement of members of the public in the scrutiny process, and decision making regarding access to NHSScotland originated data

2.8 Information Quality Assurance and Training

NHS Western Isles will ensure the appropriate protection of its information assets, regardless of whether these are held in manual or electronic form.

The International Standard **ISO/IEC 27001:2005** Code of Practice defines Information Security as the preservation of three attributes of Information:

- **Confidentiality:** Information is only available to those that are authorised to gain access
- **Integrity:** Safeguarding the accuracy and completeness of information and processing methods
- **Availability:** The assurance that authorised users have access to information and associated assets when this is required.

Information Security is a key enabling mechanism for supporting NHS Western Isles business, knowledge sharing and joined-up team working within NHS Western Isles. It promotes trust, both internally and externally in shared data and infrastructure.

3 Responsibility

The **Chief Executive**, as the Accountable Officer, has overall responsibility for Information Governance throughout NHS Western Isles and is the Senior Information Risk Owner (“the SIRO”). The Chief Executive will delegate responsibilities to appropriate Executive Director(s) to manage information risk across the organisation. Responsibility is with the Medical Director / Caldicott Guardian with further leads noted as the Information Governance Manager, the IT Manager, the Head of Public Health Intelligence and the Patient Services Manager.

The **Board** is responsible for ensuring that the information governance function is addressed at the strategic level.

The **Information Governance Steering Group (IGSG)** is responsible for information governance at the Strategic level and is accountable to the Board. The IGSG will

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 11 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

ensure there is an adequate level of resources and expertise to deal with the range of issues that arise across the information governance function.

The **Caldicott Guardian** is an executive member of the Board and has overall responsibility for ensuring that systems and processes within the NHS Western Isles support the management and use of information (relating to people who use the services that the NHS Western Isles regulates) in accordance with the Caldicott Principles.

3.1 Overall Responsibilities

The following individuals have specific responsibilities related to Information Governance, and are members of the Information Governance Steering Group:

The **Information Governance Manager** has day-to-day operational responsibility for ensuring appropriate responses to requests for information under the Freedom of Information (Scotland) Act 2002, the Environmental Information (Scotland) Regulations 2004 and the Subject Access Provisions of the Data Protection Act 2018. The Information Governance Manager is also responsible for maintaining NHSS *Code of Practice on Confidential Personal Information*, for ensuring that the Principles of this Code are embedded into NHS Western Isles practice, and for advising on all aspects of information governance (other than the parts that relate to Health Records and Health Intelligence).

The **Head of eHealth** is the organisations information security manager. This role has day-to-day operational responsibility for all aspects of information security (including network and physical security where it has the potential to impact upon information security) and will work with the other to ensure information risk is managed appropriately.

The **Patient Services Manager** is responsible for the overall compliance and maintenance of health records management practices throughout the organisation. They have particular responsibility for drafting guidance to support The Records Management Policy in relation to clinical records and for promoting compliance with NHSS Records Management – Code of Practice, in such a way as to ensure the efficient, safe, appropriate and timely retrieval of patient information.

The **Head of Health Intelligence** has a role in advising upon data quality through identification of issues which result in poor quality, and recommending actions for improving quality to the relevant data custodians and/or service managers for actioning.

Additionally, they provide an information and analysis service to the operational divisions of the organisation including the Hospital Services and Community Services divisions.

3.2 General responsibilities

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 12 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

Information Asset Owner (IAO) is a defined role and will normally be the senior individual involved in running the relevant business area. These individuals will be identified and assigned the role. Information Asset Owners are responsible for ensuring adherence to the protective marking system and records retention schedule, and for ensuring the appropriate management of a particular information asset(s).

For example: The Laboratory Service Manager would be Information Asset Owner for all laboratory assets.

Information Asset Manager (IAM) is an individual who is assigned management and/or risk responsibilities for one or more of the organisation's information assets by an IAO.

For example: The IAO for the Laboratory Service as defined above could delegate responsibility to the Laboratory Quality Manager for the laboratory system.

All NHS Western Isles members, staff and officers, and any agents working on behalf of the NHS Western Isles are personally responsible for ensuring that they comply with the information governance framework and with ensuring that all work programmes acknowledge and meet the requirements of the framework. Failure to comply with this policy will result in disciplinary action.

The Information Governance Steering Group

NHS Western Isles Information Governance Steering Group brings together all of the members of staff with specific operational responsibility for Information Governance matters (listed above) and others with responsibilities as appropriate.

The functions of the group include:

- Developing, implementing and monitoring information governance strategy and improvement plans,
- Policy development and review'
- Monitoring information governance practice within the NHS Western Isles,
- Ensuring that all NHS Western Isles staff receive adequate training on all aspects of Information Governance,
- Coordinating information governance related activity throughout the NHS Western Isles, so as to ensure a consistent and joined-up approach, and
- Reporting to the NHS Western Isles Corporate Management Team and Board on all aspects of information governance.

4 Education and Training

NHS WI is progressively developing mechanisms and processes for the further Education and Training for staff at all levels to meet their obligations in relation to Information Governance. This includes but is not limited to:

- Updated Corporate Induction Training Materials
- On line Training – Data Protection Learn Pro Module
- Bespoke and one off training as required tailored to specific needs

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 13 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

5 Monitoring and Reviewing

The Information Governance Steering Group is responsible for providing assurance to the Board on all aspects of Information Governance.

The Information Governance Steering Group are responsible for implementing appropriate measures and controls to monitor Information Governance compliance within the NHS Western Isles – to support the Information Governance Manger in providing assurance to the Board.

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 14 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

6 References

- European Data Protection Regulation 2018 (GDPR)
- UK Data Protection Act 2018
- Freedom of Information (Scotland) Act 2002
- Environmental Information (Scotland) Regulations 2004 (EIR)
- ISO27001
- NHSS National Policy
- Best Practice Guidelines
- Common Law Confidentiality
- Human Rights Act
- Digital Health and Care Strategy
- Public Records (Scotland) Act 2011
- The Privacy and Electronic Communications Regulations (PECR)

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 15 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

7 Appendices

7.1 Appendix Information Governance Principles

Data Protection

NHSWI IGSG will address the area of Data Protection as follows:

1. Ensuring that policies, procedures and systems of work are established to comply with all relevant legislation.
2. Ensuring that appropriate information management safeguards underpin the acquisition, deployment and operational use of any and all manual and electronic systems of data collection with specific reference to the statutory environment.
3. Ensuring that NHS Information Governance and Information Technology policies, procedures and developments are consistent with all relevant local and national, policy, programmes and initiatives.
4. Ensuring that NHS Western Isles undertakes or commissions periodic assessments and audits of its Information Governance policies, procedures and arrangements
5. Establishing an annual Information Governance Improvement Plan and to monitor implementation of the plan to the highest standard appropriate address the NHS Scotland Information Governance Toolkit and other relevant/adopted standards
6. Working in partnership with statutory, non-statutory, voluntary sectors, and service users, their carers and advocates to develop open and transparent processes governing the collection, handling and sharing of their personal information.

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 16 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

Confidentiality

NHSWI IGSG will assist in the area of Confidentiality as follows:

7. Receiving and considering reports regarding breaches of confidentiality and security and where appropriate undertake or recommend remedial action.

Caldicott - Clinical Information

NHSWI IGSG will assist the Caldicott Guardian as follows:

8. Providing leadership, advice and guidance on the appropriate and safe use of data, information and systems.
9. Setting standards, guidance and policies to ensure that staff are provided with the skills necessary to use the information and technologies available to them in a safe and responsible manner.

Freedom of Information

NHSWI IGSG will assist the Information Governance Manager as follows:

10. Ensuring that policies, procedures and systems of work are established to comply with all relevant legislation.

Information Management

NHSWI IGSG will seek to enforce good information Governance by:

11. Ensuring that Information Governance is embedded in the business planning, service management and risk management agendas.
12. Developing and implementing a communications programme to raise awareness within NHS Western Isles, and where appropriate stakeholders and partner agencies, concerning all aspects of the work of the Information Governance Committee.
13. Monitoring of compliance with Information Governance procedures and statutory guidance in order to manage risks around IG for NHS Western Isles.

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 17 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

Information Security

NHSWI IGSG will seek to enforce good information Security by:

14. Collaborating with Local Authority partners, to ensure that the sharing of patient identifiable data is technically secure and underpinned by relevant guidance on consent and the circumstances where sharing is appropriate.
15. Promoting an organizational culture that is ever conscious of the need for secure working practices and embraces a process of openness, learning and improvement in matters associated with Data Protection.
16. Supporting the work of the Head of eHealth/Information Security Officer, in line with the NHSS Security Policy, its derivatives and guidance

Health Records

NHSWI IGSG will seek to enforce good Health Records Management by:

17. Developing and promoting standards of good practice to improve information quality and records management
18. To act as Health Records Committee
19. Supporting the work of the Health Records Manager, in line with the NHSS Security Policy the Code of Practice concerning NHSS Records Management their derivatives and guidance

Administrative Records

NHSWI IGSG will seek to enforce good Administrative Records Management by:

20. Developing and promoting standards of good practice to improve information quality and records management
21. To act as Records Management Committee
22. Supporting the work of the Non Clinical Managers, in line with the NHSS Security Policy , the Code of Practice concerning NHSS Records Management their derivatives and guidance

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 18 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

Data Quality

NHSWI IGSG will seek to enforce good Data Quality Management by:

23. Ensuring that education, training and awareness programmes are in place to equip staff with the skills and behaviours necessary to ensure compliance with good practice.
24. Promote and engender a culture of data quality improvement and quality assurance that supports the organisation through the production and availability of high quality information at the point of service delivery and to support strategic service planning and development
25. Supporting the work of the Health Intelligence Manager, in line with their role of promoting data quality, the Code of Practice concerning NHSS Records Management and their derivatives and guidance and other relevant standards across the organisation.

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 19 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG

7.2 Appendix 2 Caldicott Principles

The Caldicott Report set out a number of general principles that health and social care organisations should use when reviewing its use of client information and these are set out below:

Principle 1: Justify the purpose(s)

Every proposed use or transfer of personally identifiable information within or from an organisation should be clearly defined and scrutinised, with continuing uses regularly reviewed by the appropriate guardian.

Principle 2: Do not use personally identifiable information unless it is absolutely necessary.

Personally identifiable information items should not be used unless there is no alternative.

Principle 3: Use the minimum personally identifiable information.

Where the use of personally identifiable information is considered to be essential, each individual item of information should be justified with the aim of reducing identifiability.

Principle 4: Access to personally identifiable information should be on a strict need to know basis.

Only those individuals who need access to personally identifiable information should have access to it.

Principle 5: Everyone should be aware of their responsibilities.

Action should be taken to ensure that those handling personally identifiable information are aware of their responsibilities and obligations to respect patient/client confidentiality.

Principle 6: Understand and comply with the law.

Every use of personally identifiable information must be lawful. Someone in each organisation should be responsible for ensuring that the organisation complies with legal requirements.

Date Approved: Oct 2020	Review Date: (max 2 yrs) Oct 2022	Version: 5.0	Author: Carol Macdonald
Content Approval By & Date: IGSG Aug 2020		Page 20 of 20	Owner: (Director) Dr Maggie Watts
Approval for Use within NHS Western Isles:			Reviewers: IGSG