**The Northern, Yorkshire & Humberside**

 **NHS Directors of Informatics Forum**

**Information Governance Sub-Group**

**Yorkshire & Humber Area Strategic Information Governance Network (SIGN)**

**GoToMeeting – 10 September 2020, 13:00 – 14:30**

**Present:**

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| **Name** | **Initials** | **Organisation** |
| Susan Meakin (Chair) | SMe | Northern Lincolnshire and Goole Hospitals |
| Nicola Gouldthorpe (Minute Taker) | NG | Northern Lincolnshire and Goole Hospitals |
| Roy Underwood  | RU | Doncaster and Bassetlaw Teaching Hospitals |
| Barry Jackson | BJ | N3i |
| Peter Wilson | PW | Sheffield Teaching Hospital |
| Caroline Britten | CB | RDASH |
| Derek Stowe | DS | Rotherham NHS Foundation Trust |
| Jo Higgins | JH | Harrogate and District NHS Foundation Trust |
| Gershon Nubour | GN | NHS Sheffield CCG |
| Claire McInnes | CMc | Rotherham CCG |
| Dianne Llewellyn | DL | Mid Yorkshire Hospitals |
| Taryn Milton | TM | Hull University Teaching Hospital |
| John Wolstenholme | JW | SHSC |
| Kate Ayres | KA | York Teaching Hospitals NHS Foundation Trust |
| Rachael Nicholson | RN | Leeds Community Healthcare NHS Trust |
| Martin Moorhouse | MM | Mid Yorkshire Hospitals |
| Blaine Williams | BW | NHS Calderdale CCG |
| Steve Rose | SR | CHFT |
| Ruth Parker | RP | Yorkshire Ambulance Service |
| Hayley Gillingwater | HG | East Riding of Yorkshire CCG |
| Cheryl Rollinson | CR | Doncaster CCG |
| Narissa Leyland | NL | Leeds Community Healthcare Trust |
| Lindsey Stuffins | LS | RDASH |
| Paul Ellis | PE | NE Lincs Council |
| Steve Creighton | SC | Leeds CCG |
| Lynne Trickett | LT | RDASH |
| Karen Rowe | KR | Leeds CCG |
| Jodie Holderness | JHo | NHS Informatics Service |
| Joanne Robertshaw | JR | RDASH |
| Susan Hall | SH | Audit Yorkshire |
| Helen Hartland | HH | Yorkshire Ambulance Service |

 **Apologies:**

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| Linda Da Costa | LDC | Northern Lincolnshire and Goole Hospitals |
| Andrew Harvey | AH | Western Sussex Hospitals  |
| Joanne Sturdy | JS | Sheffield Teaching Hospitals |
| Adam Barker | AB | Care Plus Group |
| John Shingleton | JSh | NHS England & NHS Improvement |
| Jenny Pope | JP | Airdale NHS Trust |
| John Mitchell | JM | NHS NE Lincs CCG |
| Dave Britton | DB | Spectrum Community Health |
| Carolyn Sampson | CS | Sheffield Children’s Hospital |
| Caroline Million | CM | LOCALA Community Partnerships CIC |
| Tracey Cooper | TC | Spectrum Community Health |
| Liza Broughton | LB | Sheffield Teaching Hospital |
| Sandie Buchan | SB | Sheffield CCG |
| Paul White | PWh | Barnsley Hospital NHS Foundation Trust |
| Tracey O’Mullane | TOm | Humber Teaching NHS Foundation Trust |
| Johnny Chagger | JC | Leeds Teaching Hospitals NHS Trust |
| Louise Whitworth | LW | Leeds Council |
| Paul Nicholas | PN | Harrogate & District NHS Foundation Trust |
| Helen Sanderson | HS | NHS North of England Commissioning Support Unit |

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|  |  | **Action** |
| 1. | **Apologies** - See above |  |
| 2. | **Minutes of previous meeting** held 13 August 2020.Accepted as a true record |  |
| 3. | **Matters arising** * Please refer to the action log
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| 4. | **Data Protection Regulation** |  |
|  | The group discussed the following areas:* **SARS** - Some Trusts actively engage with solicitors using the [secure] method to send SAR requests through. The group thought that email was currently the best method due to the size of some of the packages which would incur an expensive delivery cost of up to £30. Although if a patient specifically requested a paper copy this would be made available for them.

 SMe reported sending SARS by post could go astray and she tries to  send things out electronically by discussing the risks with the  requester. BJ reported that emails sent via Microsoft 365 could send  files up to 5GB. Storage could become an issue when scanning things  in as this will eat away at storage. Other organisations used a web link, where instructions are sent out  with the acknowledgement, this holds 750MB of encrypted files  which are held for 28 days. DS reported that it is up to the individual to request the format,  organisations cannot insist on an electronic format and have to take  into account any disability/problems. Coroners request paper copies  to take into court. * SAR Internal Review Process - SMe asked the group if they have a process in place if someone is not happy with their SAR, she was challenged by the solicitors on this process. Details of who to contact if there was a complaint could be included in the letter that goes out with SAR. The solicitors asked for an Internal Review Policy the SIRO would undertake this for staff SARS and SMe would undertake this as DPO for patient SARS.

CB would review again then send a letter back to the requester. PW reported that there is no legal requirement of best practice but would mitigate before the requester went to the ICO. NL would send it through the complaints process, as this is something formal before it goes back to ICO. CB said that you are to complain to the DPO if you are not happy, if there is a complaint in and it goes to FOI they separate it out from the complaints.RU queried charging overseas visitors for SARS, CB said that everyone has to be treated the same whether they are outside the EU or not. |   |
| 5. | **Subject Access Requests – best practice**As above |  |
| 6.  | **Regional/National Events**NHSX webinar - The National data opt out decision is with the minister to extend in line with COPI notice; Dawn was almost certain it would be extended with the DSPT to remain the same meaning the Acute sector would have to put an interim in at the end of October.Red Tape - This is looking at guidance documentation that needs to be reviewed. SH commented on the webinar saying that this needs to be done in conjunction with SIGN groups, but wasn’t sure that Rachel from NHSX understood what she meant, the SIGN groups need to be involved at an early stage not just to review the documentation. DS said there is lots of Information Governance information available, however some of which is conflicting. Information needs to be gathered in 1 place and then say this is what you should be used. PW has previously had incorrect guidance from NHSX, BJ reported the historic Information Governance Alliance was set up 2 years ago to do this and some of the guidance is no longer kept up to date so the IG Portal would be a good idea as a central repository.  | SMe to raise at the National Group that regional SIGN groups need to be involved  |
| 7.  | **IG Education/Personal Development Updates**BJ sent out information on the DPO training, BJ signed up to the 4 day DPO course which is all online. Other members of the group are attending the Capsticks information Governance law session at 2.00pm today. | SMe to look to see what training can be offered to the group |
| 8. | **EU/Brexit**At the recent NHSX webinar EU exit was discussed, guidance and documents will be added to the new IG Portal.Brexit 18 key suppliers aren’t legally binding. NL has asked the NHSX policy team in relation to Brexit, with regards to the suppliers outside of the 18 e.g. Zoom, Survey Monkey etc DS reported that EU Exit is 31 Dec anything to do with the EU Privacy Shield and Schrems needs to be dealt with now not left until 31 December. NL is looking at this together with the EU Work stream. NHSX need to put something out in terms of guidance and what they want us to do.NHSX state that we need to continue to map flows when they come into the UK. There will be ICO web links from the IG Portal and NHSE. |  |
| 9. | **Data Security and Protection Toolkit**SMe has received an email from John Hodson stating the 19/20 DSPT submission date is end September. The October baseline has been removed for 20/21 toolkit. They may capture some of data as a baseline in January 2021 and the March submission would possibly be extended until June 2021.**Post meeting note:** SMe emailed JH re the removal of the October base line, JH confirmed this would be done and this was added to DSPT site within news release. | SMe to send email to JH for the details to be added to the DSPT website |
| 10. | **Confidentiality, Data Protection and Freedom of Information**GN is awaiting full guidance from the ICO with regards to Schrems II. NL hasn’t got many flows going out of the EU, so not worrying about it at the momentCB has met with her regional rep and IT team to discuss the list of things they are expecting to turn on with technical policies, with anything outside of UK to be turned off, possibly look at this and take a regional approach.  | CB to send the list to turn off to GN |
| 11. | **Data and IT/Information Security** |  |
|  | **Office 365 -** SMe has messaged Andrew Harvey as at national group issues was raised with NHSX they have had a call with NHSD so IG concerns are getting discussed around N365. SMe reported that the terminology is not fit for purpose for the shared tenant. CB is currently having conversation with her technical team with regards to what is getting turned on/off and if staff can still get access the common functionality which they are used too. SMe reported that’s the 2 ICS’ need to talk to each other. DS raised the recent reported incident with his Health informatics Director, who has raised this previously with NHSD as cancer waiting times had been found from a London Trust, NHSD should have sent something out making people aware of this issue. PW reported that Clive Starr from NHSD is to run an IG focus webinar on 18 September 2020, also sent out from BJ. | Issues to be raised so SMe can push up to NHSD via National SIGN  |
| 12. | **Any Other Business** |  |
|  | **New rules/classifications for apps as Medical Devices -**  The Government have expanded their rules on what is a medical device if they are now appsPlease see links below for further information:<https://www.digitalhealth.net/2020/08/health-apps-developers-take-note-new-mhra-rules-are-here/><https://www.gov.uk/government/publications/medical-devices-software-applications-apps>MM reported that this is not just apps but also software, NL queried is this IG? GN said it would sit with IG as records needs to be accurate and IG are asked to do undertake a DPIA for any new apps/software, this also links in with the Asset Register.**111 First, part of Talk before you Walk** - Links in with Acute Trusts, as a patient you ring 111 and A&E book you an appointment to reduce footfall within urgent and emergency care settings. NLAG looking into this with the Humber Coast and Vale (talk before you walk). HH reported that the lead for the Information Sharing Agreement is Greater Huddersfield and Kirklees CCG and will get everything signed in the next week.  |  |
| 13. | **Date/Time of Next Meeting:**Thursday 08 October 2020, 1.00 pm – 2.30 pmVia Microsoft Teams | Meeting invite to be sent out |