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**To:** Renfrewshire Integration Joint Board

**On:** Friday 15 January 2016

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**Report by:** Chief Officer

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**Heading:** Information Sharing and Information Governance Arrangements

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## **1. Summary**

- 1.1 The purpose of this report is to advise the members of the Integration Joint Board (IJB) of the information sharing arrangements amongst NHS Greater Glasgow & Clyde, Renfrewshire Council and Renfrewshire Integration Joint Board (IJB) and the IJB's responsibilities in relation to information governance issues.
  - 1.2 The Integration Scheme obliges Renfrewshire Council and NHS Greater Glasgow and Clyde to ratify the arrangements for information governance by April 2016.
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## **2. Recommendation**

It is recommended that members:

- 2.1 Note the content of this Report and the protocols established to meet the information governance requirements of the Integration Scheme.
  - 2.2 Note the appointment of the Chief Officer as Senior Information Risk Owner (SIRO) for the IJB.
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## **3. Background**

- 3.1 Effective, lawful and secure sharing of information about service users is essential to providing an integrated service and achieving efficient service delivery. The Public Bodies (Joint Working) (Scotland) Act 2014 allows for information sharing between a Local Authority, a Health Board and an

Integration Joint Board for the purposes of carrying out of integrated functions.

- 3.2 The Integration Scheme requires the Chief Officer to ensure that appropriate arrangements are in place in respect of information governance for the IJB. Such arrangements can be achieved by Information Sharing Protocols (“ISPs”).
- 3.3 The Council and the Health Board are both individually Data Controllers under the Data Protection Act 1998 (“DPA”) and are therefore each responsible for their own compliance with the provisions of the DPA. Although the Council and Health are working in partnership as Renfrewshire Health and Social Care Partnership (“RHSCP”), the Council is the Data Controller of Council data and the Health Board is the Data Controller of Health data.
- 3.4 It is likely that the IJB will only rarely be in possession of “Personal Data” (in terms of the DPA) as information reported by the Council and the Health Board to the IJB will, generally, be in aggregated form. This means that the Council and the Health Board retain legal responsibility for this data. The IJB is Data Controller for its own Strategic Plan and other documents it authors, for example IJB and SPG action notes, strategies and policies. Other notable exceptions are that the IJB will also be Data Controller for information it holds about IJB enquiries, IJB complaints, feedback etc. as well as any information held in relation to group membership/ local contacts. The IJB will be Data Controller for those categories of IJB information and will, therefore, be legally responsible for that data. The IJB, as Data Controller of this data, must ensure that the processing of this is compliant with the DPA.
- 3.5 Although the DPA only regulates the processing of personal data, it is of note that all information held by the IJB is covered by the Freedom of Information (Scotland) Act 2002. A separate report was submitted to the first meeting of the IJB detailing freedom of information responsibilities.
- 3.6 All parties, including the IJB, must have appropriate technical and organisational measures in place to ensure the security of any Personal Data shared between the parties. The ISPs amongst the parties make provision for this, including arrangements for the management of any information security incidents. The IJB should therefore have its own Information Security Policy and Information Incident Reporting Procedures.

#### **4. Local Information Sharing Protocol**

- 4.1 The Integration Scheme sets out certain information sharing and data handling requirements. The Scheme states that the Health Board and the Council will work together to agree an information sharing accord and specific

procedures for the sharing of information in relation to integrated services (between themselves and the IJB). It is specified that the accord and procedures will be developed from existing information sharing and data handling arrangements.

- 4.2 Renfrewshire Council and NHS Greater Glasgow and Clyde were parties to an existing Information Sharing Protocol (ISP). This ISP has been updated to reflect the new information sharing and data handling arrangements between the Parties, as a result of the Scheme (including adding the IJB as a Party to the ISP) and sets out the principles under which information sharing will be carried out. It defines the processes and procedures that apply to sharing information for any purpose connected with the Integration Scheme or the carrying out of integration functions. The aim of the ISP is to facilitate the sharing of information between the relevant parties and put in place a framework which will allow this information to be exchanged in ways which respect the rights of people about whom information is shared.
- 4.3 The ISP is subject to ongoing review (at least annually). This positively encourages staff to share information appropriately about their service users when it benefits their care and when it is necessary to protect vulnerable adults or children. This was signed by Renfrewshire Council on 14 December 2015 and is now with the Health Board for signing. This will be passed to the IJB for signing in January 2016.

## **5. Information Services Division (ISD) Information Sharing Protocol**

- 5.1 There is also a wider ISP in place amongst Renfrewshire Council, NHS Greater Glasgow & Clyde, Renfrewshire Integration Joint Board and the Common Services Agency for the Scottish Health Service. This ISP will be used to support all aspects of The Health and Social Care Data Integration and Intelligence Project (HSCDIIP).
- 5.2 The ISP takes account of all the legal requirements necessary to ensure the secure receipt of social care data, CHI seeding and linkage to health data, and sharing of this amongst ISD, NHS Greater Glasgow & Clyde, Renfrewshire Council and IJB through the HSCDIIP platform. The ISP acknowledges that ISD will be both data processors and data controllers in common with NHS Greater Glasgow & Clyde, Renfrewshire Council and the IJB. In order to support integrated information needs, ISD can therefore receive relevant social care data.
- 5.3 In terms of the ISD ISP, IJB is using the linked data supplied to it by National Services Scotland (NSS) ISD to prepare an integration scheme and/or

strategic plan and carry out integration functions pursuant to its statutory purposes in terms of the Public Bodies (Joint Working) (Scotland) Act 2014.

- 5.4 This was signed by Renfrewshire Council on 14 December 2015 and is now with the Health Board for signing. This will be passed to the IJB for signing in January 2016.

## **6. Service Level Agreement**

- 6.1 A Service Level Agreement (SLA) on Health and Social Care Integration has also been agreed by Renfrewshire Council, NHS Greater Glasgow & Clyde, Renfrewshire Integration Joint Board and the Common Services Agency for the Scottish Health Service. This is to deal with more practical issues to ensure that appropriate staff in NHS Greater Glasgow & Clyde, Renfrewshire Council and IJB can access the right level and type of information. This SLA is subject to annual review.
- 6.2 This was signed by Renfrewshire Council on 14 December 2015 and is now with the Health Board for signing. This will be passed to the IJB for signing in January 2016.

## **7. Senior Information Risk Owner (SIRO)**

- 7.1 Both the Cabinet Office and the Scottish Government advocate that all public bodies should appoint a Senior Information Risk Owner (SIRO) who is responsible for information risk as good practice. As a public body, it is appropriate that the IJB also has a SIRO.
- 7.2 The SIRO is responsible for:
- the information risk profile of the IJB;
  - identifying all of the information risks in relation to the responsibilities of the IJB;
  - making sure that appropriate mitigations are in place so that the risks can be accepted.
- 7.3 The Chief Officer will act as the SIRO of behalf of the IJB.

## **8. Joint monitoring and review arrangements**

- 8.1 Renfrewshire Council and NHS Greater Glasgow and Clyde have an ongoing responsibility to continue to develop information technology systems and procedures to enable information to be shared appropriately and effectively between themselves and the IJB.
- 8.2 The Information Sharing Protocols amongst the parties provide for the information sharing initiatives and information governance arrangements in place to be reviewed regularly to ensure that they continue to meet their objectives.
- 8.3 Each of the relevant documents provide for the services to notify one another in the event of an information security incident. This will be done in line with the service's own Information Security Policy or Incident Management Reporting Procedures.

## **9. IJB operational guidance and procedures**

- 9.1 Individual services will be required to develop detailed operational information sharing procedures to ensure that information flows and the methods of information sharing are understood by practitioners and staff to support the care of people who use services.
- 9.2 The Chief Officer should ensure the required guidance and procedures are developed and implemented on behalf of the IJB during 2016/17.

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## **Implications of the Report**

- 1. **Financial** - None.
- 2. **HR & Organisational Development** – None.
- 3. **Community Planning** – None.
- 4. **Legal** – the Integration Scheme between Renfrewshire Council and NHS Greater Glasgow and Clyde sets out certain information-sharing and data handling requirements at clause 10. This clause requires Renfrewshire Council and NHS Greater Glasgow and Clyde to develop information technology systems and procedures to enable information to be shared appropriately and effectively between the Parties and the IJB. The Information Sharing Protocols, both locally and with the ISD will ensure that there is appropriate and lawful information sharing between the relevant parties, thereby ensuring compliance with the Data Protection Act 1998 as well fulfilment of the parties' own statutory responsibilities in terms of service user care by ensuring there is an appropriate flow of relevant information.

5. **Property/Assets** – None.
  6. **Information Technology** – managing information and making information available may require ICT input.
  7. **Equality & Human Rights** - The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
  8. **Health & Safety** – None.
  9. **Procurement** – None.
  10. **Risk** – None.
  11. **Privacy Impact** - Privacy Impact Assessments have been carried out by the ISD and by NHS Greater Glasgow and Clyde. The Privacy Impacts identified in those Assessments are managed through the documentation which is to be signed.
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### **List of Background Papers**

1. Information Sharing Protocol in relation to Health and Social Care Integration amongst the Renfrewshire Council, NHS Greater Glasgow & Clyde and Renfrewshire Integration Joint Board.
  2. Information Sharing Protocol in relation to Health and Social Care Integration amongst Renfrewshire Council, NHS Greater Glasgow & Clyde, Renfrewshire Integration Joint Board and the Common Services Agency for the Scottish Health Service.
  3. Service Level Agreement in relation to Health and Social Care Integration amongst Renfrewshire Council, NHS Greater Glasgow & Clyde, Renfrewshire Integration Joint Board and the Common Services Agency for the Scottish Health Service
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