

Regional Health and Social Care Information Sharing Agreement

Information Governance Steering Group 13th September 2022

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IGSG Decision Paper – Establishing the BOB IGSG Sub Group

The IGSG Chair and members recognise the need for an interim IG forum that is able to give particular focus to matters relating to the inclusion of Buckinghamshire, Oxfordshire and Berkshire West stakeholders within the Regional Health and Social Care Information Sharing Agreement (Regional ISA). Therefore, in accordance with paragraph 4.2 of Annex 1 to the Regional ISA the IGSG Chair authorises the Chair of the Thames Valley SIGN Group to establish an IGSG Sub Group (the BOB IGSG Sub Group) to focus on the matters relating to Buckinghamshire, Oxfordshire and Berkshire West stakeholders joining the Regional ISA.

The terms of reference for the BOB IGSG Sub Group are set out below.

The BOB IGSG Sub Group is Accountable to and Advised by

1. The BOB IGSG Sub Group is accountable to:
 - 1.1. IGSG itself; and
 - 1.2. The members of the Regional ISA.
2. The BOB IGSG Sub Group is advised by:
 - 2.1. IGSG itself;
 - 2.2. The programme boards of any large-scale sharing arrangements managed through the Regional ISA, with particular emphasis on Buckinghamshire, Oxfordshire and Berkshire West programmes;
 - 2.3. The National Data Guardian;
 - 2.4. The Information Governance Alliance; and
 - 2.5. The Information Commissioner's Office.
3. Members of BOB IGSG Sub Group are directly accountable for delivery of the actions allocated to the member.

Meeting Arrangements

4. BOB IGSG Sub Group meetings:
 - 4.1. BOB IGSG Sub Group meetings are held monthly;
 - 4.2. At the BOB IGSG Sub Group chairperson's discretion BOB IGSG Sub Group meetings may be held as virtual meetings:
 - 4.2.1. By conference call technology
 - 4.2.2. By an exchange of emails;
 - 4.3. Papers in support of BOB IGSG Sub Group meetings are sent out at least five days in advance of a meeting;
 - 4.4. Minutes and other papers relating to a completed BOB IGSG Sub Group:
 - 4.4.1. Are sent out within five days of the meeting to all standing members of IGSG and the members of the BOB IGSG Sub Group
 - 4.4.2. Include a summary of BOB IGSG Sub Group decisions and recommendations
 - 4.4.3. And the summary of BOB IGSG Sub Group decisions are distributed to all of the members of the Regional ISA;
 - 4.5. At the BOB IGSG Sub Group chairperson's discretion papers may be presented at short notice including at a BOB IGSG Sub Group IGSG meeting itself; and
 - 4.6. With the exception of 4.5 above BOB IGSG Sub Group members are expected to come to the meetings having read and understood any papers provided. The meetings are for clarification and decision making.

Role and Purpose

5. In respect of Information Governance (IG) the role of BOB IGSG Sub Group includes:
 - 5.1. Ensuring that the Regional ISA is implemented effectively within Buckinghamshire, Oxfordshire and Berkshire West and in accordance with the requirements of the Regional ISA;
 - 5.2. Providing leadership and direction within Buckinghamshire, Oxfordshire and Berkshire West;
 - 5.3. Setting the strategic IG direction and priorities within Buckinghamshire, Oxfordshire and Berkshire West;
 - 5.4. Ensuring IG-related work is coordinated and completed across organisations within Buckinghamshire, Oxfordshire and Berkshire West;
 - 5.5. Promoting IG as an enabler to the transformation of health and social care and to moving away from separate and fragmented information systems within Buckinghamshire, Oxfordshire and Berkshire West;
 - 5.6. Providing timely and appropriate visibility of IG-related activity and key IG risks and issues to all relevant Regional ISA members;

- 5.7. Maintaining a register of identified data protection and security risks and associated mitigation actions within the scope of the BOB IGSG Sub Group and communicating material data protection and security risks and associated mitigation actions to the Regional ISA Administrator; and
- 5.8. Providing assurance that the Regional ISA is effectively managed within Buckinghamshire, Oxfordshire and Berkshire West.

The Authority of the BOB IGSG Sub Group

6. The authority of the BOB IGSG Sub Group includes:
 - 6.1. Appointment of a chairperson for the BOB IGSG Sub Group;
 - 6.2. Appointment of an alternative chairperson for the BOB IGSG Sub Group where the chairperson is temporarily unavailable;
 - 6.3. Nomination of the Buckinghamshire, Oxfordshire and Berkshire West membership of IGSG meetings;
 - 6.4. Approval of the associated:
 - 6.4.1. Processing and sharing specifications (in principle and prior to authorisation by the data controllers concerned)
 - 6.4.2. Data Protection Impact Assessments (in principle and prior to authorisation by the data controllers concerned)
 - 6.4.3. In respect of the Buckinghamshire, Oxfordshire and Berkshire West members, generic and specific:
 - 6.4.3.1. Sharing use case precedents
 - 6.4.3.2. Arrangements for joint controllership
 - 6.4.3.3. Privacy and processing notices (in principle and prior to authorisation by the data controllers concerned)
 - 6.4.3.4. Access, consent, opt-in and opt-out policies, controls and processes (in principle and prior to authorisation by the data controllers concerned)
 - 6.4.3.5. Auditing and data quality policies and processes
 - 6.4.3.6. Processes and policies for incident management and reporting, freedom of information requests and subject access requests as set out in Annex 3 to the Regional ISA
 - 6.4.3.7. Risk mitigation actions;
 - 6.5. Recommending new members to the Regional ISA;
 - 6.6. Approval on behalf of the Buckinghamshire, Oxfordshire and Berkshire West members of the Regional ISA of data processing contracts in respect of information that is part of jointly controlled data flows and information assets; and
 - 6.7. Nomination of Lead Controller organisations in respect of jointly controlled data flows and information assets.
7. The role, purpose and authority of the BOB IGSG Sub Group supports the management of data sharing and processing by the members of the Regional ISA as data controllers but does not include:
 - 7.1. Determining the purpose of data processing; and
 - 7.2. Determining the means of data processing.

The Effect of the BOB IGSG Sub Group Decision Making

8. The decisions made by the BOB IGSG Sub Group are:
 - 8.1. Subject to the conditions set by paragraph 8 of the Regional ISA Annex 1;
 - 8.2. Subject to ratification by IGSG itself. Such ratification will not be unreasonably withheld;
 - 8.3. Binding on all member organisations in respect of:
 - 8.3.1. Decisions regarding information governance policies and processes
 - 8.3.2. Decisions relating to Data Processor Contracts
 - 8.3.3. The management of data protection issues; and
 - 8.4. Regarded as recommendations that are subject to explicit approval by the member data controller organisations themselves where decisions are made in respect of:
 - 8.4.1. Schedule K data processing and sharing specifications and documents
 - 8.4.2. Schedule L initial and summary Data Protection Impact Assessments
 - 8.4.3. Regional Health and Social Care Data Protection Impact Assessments
 - 8.4.4. Proposals for changes to the Regional ISA itself
 - 8.4.5. Processing and sharing use case precedents
 - 8.4.6. Arrangements for joint controllership
 - 8.4.7. Privacy and processing notices
 - 8.4.8. Risk mitigation actions.

Membership of the BOB IGSG Sub Group

9. The membership of BOB IGSG Sub Group meetings is determined by the chairperson of the BOB IGSG Sub Group.
10. Membership of BOB IGSG Sub Group meetings is extended to as a minimum, the:
 - 10.1. General Practice organisations within Buckinghamshire, Oxfordshire and Berkshire West;
 - 10.2. Local Authorities with a Social Care responsibility within Buckinghamshire, Oxfordshire and Berkshire West;
 - 10.3. The Lead Controllers for all joint controller arrangements overseen by the BOB IGSG Sub Group; and
 - 10.4. The NHS Trusts within Buckinghamshire, Oxfordshire and Berkshire West.
11. Membership of BOB IGSG Sub Group meetings and attendance at BOB IGSG Sub Group meetings is recorded by the administrator.
12. While it is not a mandatory requirement the expectation is that individuals attending on behalf of the member organisations are Caldicott Guardians, Senior Information Risk Owners, Data Protection Officers or their empowered delegates.

BOB IGSG Sub Group Quorum and Decision Making

13. BOB IGSG Sub Group meeting decision making will be inclusive as far as possible but urgency and timescales will be considered and taken into account and the chairperson may elect to take a majority decision rather than a unanimous decision;
14. Where a member organisation does not attend a BOB IGSG Sub Group meeting, the member organisation's opinions and decisions can be communicated by the member organisation to the chairperson in advance of the BOB IGSG Sub Group meeting.
15. BOB IGSG Sub Group meetings are quorate when at least one member is present from each of the following:
 - 15.1. The chairperson or alternate chairperson;
 - 15.2. Clinical professionals from within Buckinghamshire, Oxfordshire and Berkshire West;
 - 15.3. Social Care professionals from within Buckinghamshire, Oxfordshire and Berkshire West; and
 - 15.4. Information Governance professionals from within Buckinghamshire, Oxfordshire and Berkshire West such as:
 - 15.4.1. Caldicott Guardians
 - 15.4.2. Data Protection Officers
 - 15.4.3. Managers of information governance departments
 - 15.4.4. Senior Information Risk Owners.
16. BOB IGSG Sub Group meetings are quorate for specific agenda items when:
 - 16.1. The Lead Controller for any joint controller arrangement to be decided on as part of the agenda of the BOB IGSG Sub Group meeting concerned is in attendance at the BOB IGSG Sub Group meeting; and
 - 16.2. At least one BOB IGSG Sub Group member representing any sole or several controller arrangements to be covered on the agenda of the BOB IGSG Sub Group meeting concerned is in attendance at the BOB IGSG Sub Group meeting.
17. For BOB IGSG Sub Group meetings to be quorate at least one attendee at the BOB IGSG Sub Group meeting must also be a standing member of the regional IGSG.