

Approved by the Committee on 29 August 2022

Information Governance Committee

Monday 9 May 2022 at 10am

MS Teams meeting

Present: Mrs Jean Ford, Non-Executive Board Member (Chair)
Mr Michael Breen, Non-Executive Board Member
Ms Sheila Cowan, Non-Executive Board Member
Mr Marc Mazzucco, Non-Executive Board Member

Ex-officio: Ms Claire Burden, Chief Executive
Ms Nicola Graham, Director Infrastructure and Support Services
Mr Derek Lindsay, Director of Finance and Senior Information Risk Owner
Dr Crawford McGuffie, Medical Director and Caldicott Guardian

In attendance: Ms Natali Higgins, Information Governance Manager
Ms Tara Palmer, Freedom of Information Officer
Mrs Angela O'Mahony, Committee Secretary (minutes)

1. Apologies for absence

1.1 Apologies were noted from Cllr Joe Cullinane and Mrs Lesley Bowie.

2. Declaration of any Conflicts of Interest

2.1 There were no conflicts of interest declared.

3. Draft Minutes of the Meeting held on 7 February 2022

3.1 The minutes of the meeting held on 7 February 2022 were approved as an accurate record of the discussion.

4. Matters Arising

4.1 The action log had previously been circulated to Committee members and the following updates were provided:

Item 5.1 (7 February 2022), PRSA Update Report, Element 4, Business Classification Scheme, Element 15 Public records created or held by third parties, Contract Clauses – A progress update was provided in the action log. Action complete.

Item 6.1 (4 November 2019), Information Security Policy Framework – Ms Graham and Dr McGuffie had met to discuss this action. It was proposed to update the action to cover the progress of the Network and Information Systems (NIS) Framework audit that was due to take place in the near future, to benchmark how NHSAA compared to other Boards and key actions being taken as a result. In addition, there would be ongoing progress updates provided in taking forward outstanding actions from the audit. Action complete and new

action agreed.

Item 6.1 (30 August 2021), PRSA 2011 Update – Mrs Ford updated that the next submission to the Keeper was almost ready to be sent and changes to reporting arrangements would be made when this submission and subsequent response from the Keeper are presented to the Committee later in the year.

- 4.2 **IGC Work Plan 2022** – The Committee noted. PRSA updates would be provided on 29 August 2022 and 6 February 2023. The Information Asset Register update may be available for 29 August 2022 and, if not, this would be presented on 14 November 2022.

5. Information Governance

5.1 Digital/Cyber Security update

The Director Infrastructure and Support Services, Ms Nicola Graham, provided an update on key work being taken forward by the Digital team since the last Committee meeting.

Ms Graham reported that preparation was ongoing for the NIS Audit, the third audit as part of a three year rolling audit programme across NHS Scotland. Submission of evidence related to progress against the 213 actions was due by 12 May 2022. Auditors would visit NHSAA on 7 June 2022 to discuss progress and a draft audit report was expected in August 2022. A report for all Boards should be available in December 2022. Ms Graham assured that the Committee would receive specific updates once NHSAA's initial report had been received and once all NHS Scotland Boards had received their reports and benchmarking had taken place.

The Committee received assurance that focused work was taking place for actions with a red status and good progress was being made in these areas. Committee members recognised that some elements of Digital/Cyber Security work will require to be monitored and scrutinised by the Information Governance Committee while other areas will sit with the Integrated Governance Committee. Ms Graham assured that Digital and Information Governance teams will work closely together in taking forward actions arising from the audit.

Ms Graham confirmed in response to a question from a Committee member that a Board workshop on Digital/Cyber Security was still planned and it was hoped that this would take place later in the year.

Outcome: Committee members noted the update on Digital/Cyber Security.

5.2 Health Records update

On behalf of the Health Records Manager, the Medical Director, Dr Crawford McGuffie, provided an update on Health Records Service activities that fall within the remit of the Information Governance

Committee.

Dr McGuffie highlighted activity and progress related to processing of requests for access to personal health records and data; selection and destruction of personal records; the Electronic Patient Record Programme; the National CHI Programme; and changes to arrangements for obtaining supporting information for disability claims.

Dr McGuffie advised in response to a question from a Committee member that the EPR was a rolling programme and he would seek an update on timescales and provide details to the Committee member.

Outcome: Committee members discussed the report on activities performed within the Health Records Service that fall within remit of the Board's Information Governance function

6. For Assurance

6.1 Information Security Breach

The Medical Director, Dr Crawford McGuffie, presented the Information Security Breach report to provide assurance on the work being done to promote compliance with Data Protection Legislation.

Dr McGuffie advised that for the reporting period January to March 2022 there had been 21 information security breaches, which was below the quarterly average. Two of these breaches were reported to the Information Commissioner's Office (ICO). NHSAA currently had no breaches being investigated by the ICO.

The Committee received assurance that all breaches had been handled in compliance with the Board's procedure for reporting and managing information security breaches, all lessons had been learned and necessary actions taken.

Outcome: Committee members discussed and took assurance from the work being done to promote compliance with Data Protection Legislation

7. Governance

7.1 Information Governance Committee (IGC) Annual Report 2021-2022

The Committee Chair, Mrs Jean Ford, presented the IGC annual report which set out the Committee's activities and key achievements throughout the year in discharging its remit.

Outcome: The Committee reviewed and approved the IGC Annual Report for onward submission to the NHS Board for awareness.

7.2 Information Governance Operational Delivery Group (IGODG)

The Medical Director, Dr Crawford McGuffie, provided an update on the work of the IGODG.

Dr McGuffie reported that the IGODG had met on 29 April 2022. This had been a well-attended meeting which had provided the opportunity to consider in detail information security breaches, as well as discussion about a recent power outage and learning that had arisen as a result. The group had received updates on Freedom of Information, IT security and the NIS audit. There was some discussion about the requirement to work from abroad. The group had reflected on the good progress made over the last year and strengthened interactions. Consideration was given to plans to improve outreach to operational teams and it was agreed that a work programme should be put in place, with individual specialisms to be invited to future meetings to provide updates.

Committee members welcomed the progress being made by the IGODG and future plans to reach out to operational teams. Dr McGuffie confirmed in response to a question that, once in post, the new Head of IG would lead on the IG Work Programme.

Outcome: The Committee noted the update on the progress of the IGODG.

8. Risk

8.1 Information Governance Committee (IGC) Strategic Risk Register

The Medical Director, Dr Crawford McGuffie, provided an update on risk management arrangements and presented the IG Strategic Risk Register for awareness. The report had been discussed at the RARSAG meeting on 8 April 2022.

Dr McGuffie reported that there were two high IG risks being treated. The risk related to service/business interruption – cyber incident had been reviewed since the last meeting with no changes made. Further details of both risks were provided in the report.

Committee members discussed the risk level allocated to each of these risks. Ms Graham advised in response to a question that she would review the likelihood and consequence of the risk related to cyber incident before the scheduled review date and report back to the Committee.

Dr McGuffie gave assurance that the risk related to Compliance – Information Governance would be reviewed in June 2022 and he envisaged that this would be updated to reflect the IG work undertaken over the year, including by the IGODG.

Outcome: Committee members discussed the update on risk management arrangements and the IG Strategic Risk

Register.

8.2 Risk issues to report to Risk and Resilience Scrutiny and Assurance Group (RARSAG)

There were no risks to report to RARSAG.

9. Key issues to report to NHS Board

9.1 Committee members agreed that the following key issues be reported to the NHS Board meeting on 23 May 2022:

- Digital/Cyber update and NIS audit.
- Consideration of regular IG reports with no material issues arising.
- Committee approved the IGC annual report 2021-2022.

10. Any Other Competent Business

10.1 There was no other business.

**11. Date and Time of Next Meeting
Monday 29 August 2022 at 10am, MS Teams**



Signed by the Chair

Date: 29 August 2022