Report to: Public Trust Board  
Date of Meeting: 27 March 2013

Title of Report: Information Governance Annual Report  
Status: For Approval  
Board Sponsor: Catherine Philips, Director of Finance  
Author: Simon Edwards, Head of Information Governance  
Appendices Appendix 1: Report from the CFH IG toolkit

1. **Purpose of Report (Including link to objectives)**
   The Trust Board is required to sign off the Trust’s annual IG Toolkit return prior to its submission to Connecting for Health

2. **Summary of Key Issues for Discussion**
   The Information Governance Group agreed a target of 91% at the beginning of the year for the 2012/13 IG toolkit return to CFH. This was the same target as for the previous year where the Trust had been placed top of all the acute hospitals reporting for the South West SHA area.

   At the time of this paper being written for Trust Board, 44 of the 45 requirements have been completed and have achieved either level 2 or level 3 resulting in a score of 89%.

   Only one requirement is currently scored at level 1, the requirement that 95% of staff have completed their mandatory annual Information Governance training. It is requested that the Finance Director is given delegated responsibility to sign this requirement off as a substantial effort is made to achieve this standard with work continuing up until the reporting deadline of the 31/3/13. Currently the compliance percentage is 70% but plans have been requested from both the surgical and medical division for non-compliant staff to complete the training by attending a face to face session or by completing the eLearning module.

   Failure to achieve this target will see the Trust graded as unsatisfactory for Information Governance, as a score of level 1 for any of the 45 requirements results in the whole assessment as being unsatisfactory.

3. **Recommendations (Note, Approve, Discuss etc)**
   Request to approve the IG toolkit return by the Trust for 2012/13, with delegated responsibility to the Finance Director to sign off the last outstanding requirement.

4. **Care Quality Commission Outcomes (which apply)**
   The IG toolkit helps demonstrate compliance with Outcome 21 - Records Management.

5. **Legal / Regulatory Implications (NHSLA / Value for Money Conclusion etc)**
   There are only two overall statuses for the IG toolkit which are satisfactory or unsatisfactory. Any requirements assessed only to have reached level 1 (levels are...
from 0 to 3) means the Trust is graded as unsatisfactory. Our contracts with the PCT’s require that we have reached a minimum of level 2 against all requirements of the toolkit and have a satisfactory grading. Achievement of level 2 minimum for the mandatory annual IG training of staff is important should there be any breaches of patient confidentiality as this is an area looked at by the Information Commissioners Office and would form part of their investigations.

6. **NHS Constitution**
This report shows that the Trust is committed to maintaining patient confidentiality and patient’s right to privacy, as well as complying with the Data Protection Act principles.

7. **Risk (Threats or opportunities link to risk on register etc)**
NA.

8. **Resources Implications (Financial / staffing)**
NA

9. **Equality and Diversity**
NA

10. **Communication**
How will the key messages in the report need to be communicated to staff and outside of the organisation.

11. **References to previous reports**
This information was first presented to the IG group on the 29th February 2012.

12. **Freedom of Information**
Public
Summary

This year’s IG toolkit, version 10, has 45 separate requirements or work streams, of which 44 have been completed and reviewed as complete, by a panel from the IG group. The panel’s task is to review the information supplied as evidence of achievement of the various levels within the Toolkit. The panel reported back to the IG group on the 13th February 2013, as part of the assurance process, and the IG group approved the IG toolkit return at its current score of 89% against the target of 91%, noting there was one further requirement still in progress.

The IG toolkit requirements have been progressed over the course of 2012/13, following initial individual meetings with Owners for the various work streams, held back in June 2012.

The one requirement which continues as work in progress, is the requirement for all staff to have been trained in Information Governance on an annual basis. The Trust reporting tool shows that the trust is currently showing 70% of all staff trained in IG, however further training events are scheduled which should improve on this figure whilst other staff have committed to using eLearning to complete their training. The key action is to ensure that there is a plan to deliver the 95% of all staff being trained even if it has to roll over into the first two weeks of April.

Failure to achieve this target will see the Trust graded as unsatisfactory for Information Governance, as a score of level 1 for any of the 45 requirements, results in the whole assessment as being unsatisfactory.

The impact of failing to achieve the 95% of all staff trained is not immediate but are as follows;

- Our contracts with the PCT’s require that we have reached a minimum of level 2 against all requirements of the toolkit and have a satisfactory grading.

- Achievement of level 2 minimum for the mandatory annual IG training of staff is important should there be any breaches of patient confidentiality as this is an area looked at by the Information Commissioners Office and would form part of their investigations and decision making regarding the possibility of issuing a monetary penalty notice, or fine.

Trust Board are asked to support;

- The efforts being made to ensure all non-compliant staff complete their training in the remaining time available and help the trust achieve a satisfactory status for the IG toolkit

- That Delegated authority is given to the Finance Director to sign off the remaining requirement

- Trust Board approves the IG toolkit return at its current score of 89%