

Board of Directors Meeting in Public – Information Governance Report

Subject:	Senior Information Risk Owner (SIRO) Report for Trust Board		Date:	4 th July 2024	
Prepared By:	Jacqueline Widdowson, Head of Data Security & Privacy				
Approved By:	Sally Brook Shanahan, Director of Corporate Affairs				
Presented By:	Sally Brook Shanahan, Director of Corporate Affairs				
Purpose					
The purpose of this report is to provide the Board with an overview of the Trust's statutory and legal compliance with the Information Governance and Information Security Agenda and provide the final submission outcome of the DSPT			Approval		
			Assurance	x	
			Update		
			Consider		
Strategic Objectives					
Provide outstanding care in the best place at the right time	Empower and support our people to be the best they can be	Improve health and wellbeing within our communities	Continuously learn and improve	Sustainable use of resources and estates	Work collaboratively with partners in the community
			x		
Principal Risk					
PR1	Significant deterioration in standards of safety and care				x
PR2	Demand that overwhelms capacity				
PR3	Critical shortage of workforce capacity and capability				
PR4	Failure to achieve the Trust's financial strategy				
PR5	Inability to initiate and implement evidence-based Improvement and innovation				
PR6	Working more closely with local health and care partners does not fully deliver the required benefits				
PR7	Major disruptive incident				
PR8	Failure to deliver sustainable reductions in the Trust's impact on climate change				
Committees/groups where this item has been presented before					
None					
Acronyms					
DSPT – Data Security Protection Toolkit IG – Information Governance SIRO – Senior Information Risk Owner IAO – Information Asset Owner IAA – Information Asset Administrator FOI – Freedom of Information DPA – Data Protection Act DPO – Data Protection Officer ICO – Information Commissioner's Office					
Executive Summary					
<p>This report provides the Trust Board with an overview of the Trust's compliance with the Information Governance (IG) and Information Security agenda both nationally and locally.</p> <p>The Annual SIRO report is included within Appendix A and provides an overview on our legislative and regulatory compliance with the FOI Act, DPA, DSPT and any incidents reported to the ICO.</p> <p>All 108 of the 108 Mandatory standard evidence items are now complete for the DSPT. The DSPT has now been submitted with an overall compliance as standards met and an auditor's opinion of substantial</p>					

assurance.

During 2023/24, 3 incidents were escalated as reportable to the Information Commissioners Office. None have resulted in action from the regulator as the Trust provided appropriate assurance.

Work continues to raise the profile of information governance across a variety of mediums to ensure that incidents and lessons learned, are raised to the attention of all employees across the Trust.

2023/24 Annual Senior Information Risk Owner Report

Purposes of the Report

To document the Trust's compliance with legislative and regulatory requirements relating to the handling of information, including compliance with the Freedom of Information Act 2000, the Data Protection Act 2018 and the General Data Protection Regulations.

To document the Trust's compliance with the Data Security & Protection Toolkit and provide assurance of progress in relation to the completion of its mandated requirements.

To inform the Trust Board about any Serious Incidents Requiring Investigation (SIRI) during the year, relating to any losses of personal data or breaches of confidentiality.

To outline the direction of information governance work during 2023/24 and how it aligned with the strategic business goals of Sherwood Forest Hospitals NHS Foundation Trust.

Assurance Framework

The Information Governance Committee meets on a bi-monthly basis to assess risks to security and integrity of information and the management of confidential information. The Committee monitors the completion of the Data Security & Protection Toolkit submission, data flow mapping, and information asset registers. The Committee also ensures the Trust has effective policies, processes, and management arrangements in place.

No outstanding standards remain for completion and the final toolkit submission has been made with all 108 standards met. The Trust has received substantial assurance from the internal auditors.

Data Flow Mapping & Information Asset Registers

To be legally compliant with data protection legislation, the Trust must keep a register of all the different types of information it stores, shares, and receives. The register also needs to detail all the digital and physical places where personal and sensitive information is stored, and how it is kept safe.

The SIRO is responsible for the development and implementation of the organisation's Information Risk agenda. During 2023/24 the IG Team circulated the Information Asset Register (IAR) and Data Flow Maps (DFM) for each business area to ensure that all new systems and data flows were recorded, and risk assessed. We aim to disseminate and receive returns each year to ensure we have the most up to date registers in place. Some challenges were encountered in-year for reviews due to operational pressures across the services, staffing changes and staff shortages within the IG Team.

The registers contain information including:

- Key owners
- Retention periods
- Location of the data
- Media type (paper/ digital)
- Frequency of back up
- Access controls
- The legal basis for sharing
- Who the recipient of the data is
- Data transfers outside the UK

The IARs & DFMs received were reviewed on 1st June 2024 by the Head of Data Security & Privacy. Some gaps in information have been identified by the Head of Data Security & Privacy and our internal auditors. An action plan will be developed to support the IAOs/IAAs to address the gaps in information that will be monitored by the Information Governance Working Group from which any escalations will be forwarded to the Information Governance Committee.

Serious Incidents Requiring Investigation (SIRI)

As part of the Annual Governance Statement, the Trust is required to report on any Serious Incidents (SIRIs) or Cyber Incidents which are notified on the Data Security & Protection Toolkit and then reported through to the ICO.

To date there have been three incidents that have been reported on the Data Security & Protection Toolkit during 2023/24 of which none required further investigation by the ICO.

Risk Management and Assurance

The SIRO is responsible for the development and implementation of the organisation's Information Risk agenda. During 2023/24 the Head of Data Security & Privacy has reviewed the current top 3 data risks with the Risk Manager and Chief Digital Information Officer. These have been identified as training, cyber security, and data centres. An additional risk was identified about resources within the Information Governance Team. This is due to the increased numbers of FOI and SARS requests and also the workload attributed to ensuring the Trust's digital systems have adequate protection around data security and integrity.

Freedom of Information (FOI)

During 2023/24 to date the Trust processed a total of 863 FOI requests. This function is managed by the IG Team, the activity is demonstrated in the table below. There has been a significant increase in the number of FOI requests received at the Trust from the previous year. The Trust received 710 which is an increase of more than 100 requests. The IG Team continue to monitor the number of requests and going forward the IG Committee continues to monitor compliance. An FOI working group has been formed in order to support the teams across the Trust who provide the information to answer the requests thereby enabling compliance.

Total	Breached timeframe of 20 days	Escalated to ICO
863	418	0

2023-24 has been a challenging year due to ongoing operational pressures which have had a continued impact on the number of FOI requests breaching the 20 working days statutory timeframe.

Subject Access Requests

The Trust has received 3710 requests for access to patient records. The patient records have been processed in line with national guidance and given that some of these cases involve many hundreds of pages of information and require methodical attention to detail to ensure that information is released appropriately is a particularly noteworthy achievement. There have been no complaints to the Information Commissioner arising out of the responses provided. Any requests for review of content of records by patients have been handled locally and achieved satisfactory resolution for patients. There has been a substantial increase of around 500 more requests received into the department during 2023/24 than in previous year. There has been an increase of more than 900 requests over the last two fiscal years.

Type	01/04/23 to 31/03/24	Completed within 30 days
Total Requests	3710	3710

The Board is asked to note the contents of the report and take assurance from its content.