

Data Protection Act 1998 Undertaking follow-up

Norfolk Community Health & Care NHS Trust ICO Reference: COM0536710

On 10 March 2015 the Information Commissioner's Office (ICO) conducted a follow-up assessment of the actions taken by Norfolk Community Health & Care NHS Trust (the Trust) in relation to the undertaking it signed in September 2014.

The objective of the follow-up is to provide the ICO with a level of assurance that the agreed undertaking requirements have been appropriately implemented. We believe that appropriate implementation of the undertaking requirements will mitigate the identified risks and support compliance with the Data Protection Act 1998.

The follow-up assessment consisted of a desk based review of the documentary evidence the Trust supplied to demonstrate the action it had taken in respect of the undertaking requirements. This includes a management summary of actions taken, process maps, policies and procedures, training and awareness materials, training statistics and meeting agendas.

The Trust has taken appropriate steps and put plans in place to address the requirements of the undertaking and to mitigate the risks highlighted. In particular the Trust confirmed that it has taken the following steps:

- A review of departmental procedures has taken place relating to the compiling and transfer of data to third parties. Increased procedural controls have been implemented to include sign off by the Assistant Director of IM&T and the Senior Information Risk Owner (SIRO) before any transfers take place. The new procedure was discussed at a number of relevant IT team meetings as part of the roll out process.
- Additional training such as HSCIC 'Secure Transfers of Personal Data' has been completed by all staff within the IM&T department involved in data transfer and this is formally recorded within the Trusts Information Governance (IG) Training Needs Analysis.

- IG and data protection are covered in the Trust corporate induction and IG related policies and procedures are reviewed by the IG Group as part of its annual work plan. The Trust raises staff awareness of new and updated policies and procedures through the intranet and communications such as the 'Weekly Messages', 'Monthly Exchange' and individual subject matter expert advice.
- An up to date Information Sharing Policy is in place along with a register of information sharing agreements. Both are reviewed annually by the IG Group as part of its annual work plan and the register is also reviewed on a monthly basis by the Head of IG. Additionally, the Trust is signed up to the Norfolk Information Sharing protocol which is currently being reviewed by the Lead Agency, Norfolk County Council.
- A review of Trust IT contracts has taken place to ensure appropriate safeguards on the management and protection of data during the entire lifecycle of the contract. Learning from the review will inform a review of the standard NHS contract Terms and Conditions by the Trust's Commercial Team once the standard contract is released. Additionally a number of Trust staff attended an information sharing workshop in 2014 which covered information management during contract commencement, transition and exit.

Date issued: 11 March 2015

The matters arising in this report are only those that came to our attention during the course of the follow up and are not necessarily a comprehensive statement of all the areas requiring improvement.

The responsibility for ensuring that there are adequate risk management, governance and internal control arrangements in place rests with the management of Norfolk Community Health & Care NHS Trust.

We take all reasonable care to ensure that our Undertaking follow up report is fair and accurate but cannot accept any liability to any person or organisation, including any third party, for any loss or damage suffered or costs incurred by it arising out of, or in connection with, the use of this report, however such loss or damage is caused. We cannot accept liability for loss occasioned to any person or organisation, including any third party, acting or refraining from acting as a result of any information contained in this report.