

Health and Social Care Information Centre

Minutes of Board Meeting – Wednesday 27 July 2016

HSCIC Board – Non-Statutory Board Development Day

Present:

Chair

Noel Gordon

Non-Executive Directors:

Sir Ian Andrews
Dr Sarah Blackburn
Sir John Chisholm (until 14:00)
Prof. Maria Goddard
Sir Nick Partridge (Vice Chair)

Executive Directors:

CEO

Andy Williams

Director of Workforce
Chief Operating Officer
Director of Finance and Corporate Services

Rachael Allsop
Rob Shaw
Carl Vincent

In Attendance:

Director of Digital Transformation
Director of Programmes

Beverley Bryant
James Hawkins

Secretary to the Board and Head of Corporate Governance

Annabelle McGuire

For item HSCIC 16 02 06 a

Director of Customer Relations
Deloitte Diversity Lead
HSCIC Lead for Inclusion and Diversity

Isabel Hunt
Clare Rowe
Tracey Thomas

For item HSCIC 16 02 10 a

Head of Operational Delivery

Dean White

1. **Chair's Introduction and Apologies** (oral) (HSCIC 16 02 01 NS)

1.1 The Chair convened a non-statutory HSCIC Board Development Day.

1.2 The Chair reported that he had received apologies from Tom Denwood, Director of Provider Support and Integration and Martin Severs interim Director of Information and Analytics, Medical Director and Caldicott Guardian. Sir John Chisholm, Non-Executive Director would need to leave the meeting at 14:00.

1.3 The Chair brought to the Board's attention the schedule and itinerary for the Heath and Care Innovation Expo2016 in Manchester on 07 and 08 of September 2016.

He informed the Board that at the evening hospitality on the evening 06 September that Bob Wachter, academic physician on the faculty of the University of California, San Francisco, would be joining the Board as a guest.

2 **Governance** (HSCIC 16 02 02 NS)

2.1 **(a) Minutes of non-statutory Board meeting 13 April 2016 (paper):** (HSCIC 16 02 02 (a) NS)

The Board noted the minutes of the non-statutory Board meeting on 13 April 2016.

2.2 **(b) Web Version of Minutes (paper):** (HSCIC 16 02 02 (b) NS)

The Board noted the published web version of the minutes of the non-statutory Board meeting on 13 April 2016.

2.3 **(c) Action Update (paper):** (HSCIC 16 02 02 (c) NS)

The Board noted the action update issued for information.

3 3.1 **Chief Executive's Report** (oral) (HSCIC 16 02 03 NS)

Andy Williams, Chief Executive, introduced this item. He observed there were a number of important items to cover.

A. The big issues the CEO spoke about were in summary:

- A software supplier TPP issue (an algorithm embedded in TPP software), highlighting that the immediate risk had been mediated. Medical device regulation required further scrutiny, and the Medical Director and Caldicott Guardian Martin Severs was cataloguing the issues.
- The close down of care.data programme, the focus was now on working though the compilation of a single GP dataset.
- The CEO noted that internal resourcing was an issue, and work was ongoing to resolve the situation. The Board discussed resourcing matters at length.

B. Feedback from the Secretary of State for Health and other Ministerial was in summary:

- A focus on a response to Bob Wachter review 'Making IT work: harnessing the power of health IT to improve care in England',
- An emphasis on patient power in new digital services for patients.
- The announcement of a new Ministerial team.

C. The operational anomalies reported on were in summary:

- Challenges on the migration of NHS Mail 2, the CEO observed that this was a complex and substantial undertaking.

- The service performance indicator was red. The Chief Operating Officer Rob Shaw updated the Board on an ATOS (software supplier) service issue.

D. Feedback from client interactions were in summary:

- The CEO informed the Board about a series of deep dives on each of the Paperless 2020 programmes.
- He highlighted that a formal stocktake of the Health and Social Care Network (HSCN) programme has taken place.
- The CEO provided an update on the internal Capability Review noting this was now getting underway in earnest. The Chair spoke about the themes that had emerged through a number of external meetings he had held with senior stakeholders, where he had discussed the Capability Review.

The Board debated the matters raised and noted the updates.

4 4.1 **(a) Informatics Governance and Funding Arrangements (paper):** (HSCIC 16 02 04 (a) NS)

The Director of Finance and Corporate Services Carl Vincent introduced this item. The purpose was to obtain the Board's approval, via a Chairs Action, for the revised informatics external governance and funding arrangements. The CEO described the documentation development process. The Chair commented on the significance of the Remit document. The Board discussed the emergent work at length.

The Board approved the revised external governance and funding arrangements. Formal ratification of the Chair's Action would take place at 07 September 2016 statutory Board meeting.

Carl Vincent noted the subject of Board oversight of the investment decisions, which were likely to increase as the Paperless 2020 programmes came online. He described the options and asked for the Board's views. The Board provided a number of constructive comments concerning scrutiny and governance. Carl Vincent agreed to consider the matter further.

Action: Director of Finance and Corporate Services

5 5.1 **(a) Annual Review of Board Effectiveness 2015-16 Checkpoint (paper):** (HSCIC 16 02 05 (a) NS)

Non-Executive Director Sir Ian Andrews presented this item. The purpose was to provide the Board with an update on the actions. He described the background to the review of Board effectiveness and set the context in respect to the outcomes. He highlighted the progress against each of the actions in turn, noting the closed actions.

Sir Ian Andrews recommended that at the halfway point during the year the Board reflected on its effectiveness. The Board also discussed a short period of reflection at the end of every Board meeting. He also highlighted, in his position as the Board's Senior Independent Director, there was the opportunity to speak to him on an individual basis to raise issues. The Board received and noted the update.

6 6.1 **(a) Organisation Transformation: Diversity and Inclusion Update (external speaker/presentation/paper):** (HSCIC 16 02 06 (a) NS)

Director of Customer Relations Isabel Hunt introduced this item. She introduced Clare Rowe, Diversity Lead at Deloitte and Tracey Thomas, Senior Project Manager and HSCIC lead for inclusion. The purpose was to provide the Board with an update on activity to support the organisational diversity and inclusion objectives.

Clare Rowe gave a presentation about respect and inclusion at Deloitte's. This included flexible and agile working, and women in leadership. She highlighted a number of ongoing initiatives. She introduced a short video for the Board's attention.

The Director of Digital Transformation Beverley Bryant highlighted that there was a lot of work to undertake. The Director of Workforce spoke about the required culture change in respect to the transformation programme. Tracey Thomas said that it was encouraging that networks were developing across the organisation highlighting that work was required to raise awareness and collect relevant information. The Board made a number of salient points and discussed the matters introduced.

In summary, the Chair highlighted how critical the issues are and that the Board put its full support behind the work. The Chair spoke about the 'Dinner in the Dark' initiative. The Board received and noted the update, and thanked those presenting for attending.

7 7.1 **(a) National Data Guardian's Report (implications for the HSCIC) (paper):** (HSCIC 16 02 07 (a) NS)

The Chief Operating Officer Rob Shaw introduced this item in the absence of Martin Severs the Medical Director and Caldicott Guardian. The purpose was to provide the Board with an update on the National Data Guardian's review of data security, consent and opt-outs published on 06 July 2016 along with a set of recommendations. The aim was to highlight the risks and issues, and the implications for the HSCIC and signpost the programmes that would be most affected.

He felt that the review had strengthened the organisations strategic role. He highlighted where work was ongoing and where additional work was required, both internally and externally.

Rob Shaw also noted that resourcing for this area of work was low, and there was a shortage of capability in cyber security. He suggested a Board response welcoming the review, which emphasised the important issues. He recommended there should be a further update to the Board in due course. Rob Shaw would discuss these issues with Martin Severs on his return from leave.

Action: Medical Director and Caldicott Guardian/Chief Operating Officer

Rob Shaw said he would contact the Department of Health in relation to the reports scheduled for publication in a relatively close timescale.

Action: Chief Operating Officer

Non-Executive Director Sir Ian Andrews spoke about possible developments in respect to the Information Assurance and Cyber Security Committee and other important aspects regarding cyber security system wide. The Board received and noted the update.

8 8.1 **(a) Proposed HSCIC Burden Advice to the Secretary of State for Health (paper):** (HSCIC 16 02 08 (a) NS)

The Director of Digital Transformation Beverley Bryant introduced this item in the absence of Martin Severs the Medical Director and Caldicott Guardian. The purpose was to provide the Board with an update on the production of the organisations advice and the stakeholder engagement plans in respect to burden.

The update provided an early draft of the advice, which is for discussion with stakeholders. The advice specified ways of reducing the administrative burden, caused by national and local requests for information, affecting care services.

The Board commented on the matters raised in respect to the draft advice and recommendations. The Board noted the scheduling of the final version of the advice, for Board approval, at 30 November 2016 statutory Board meeting. The Board agreed that on this basis there was no requirement for a non-executive director to be involved in drafting the advice. The Board received and noted the update.

9 9.1 **(a) Data Services for Commissioners Regional Offices (DSCROs) Data Flows Update (paper):** (HSCIC 16 02 09 (a) NS)

The Chief Operating Officer Rob Shaw introduced this item in the absence of Martin Severs the Medical Director and Caldicott Guardian. The purpose was to provide the Board with a summary of a review of Data Services for Commissioners Regional Offices (DSCROs) and the subsequent recommendations for action. All data coming into the HSCIC must have a legal basis for collection and all external applications for data must go through the Data Access Advisory Request Service (DARS).

Rob Shaw explained the background to the DSCROs and the need for the review, which included compliance with type 2 opt-outs. He said that a full set of audits were due to commence in August 2016. The Assurance and Risk Committee would see the audit results. The paper also covered a whistle blowing event.

In summary, he considered the organisation was now in a better position in respect to DSCROs. The Board discussed the position and stated that overall they were more content with the assurances in the paper. The Board received and noted the update.

Given the DSCRO links to the National Data Service Platform, the CEO would determine when a programme update should come back to the Board.

Action: CEO

10 10.1 **(a) National Back Office Tracing Review Update (paper):** (HSCIC16 02 10 (a) NS)

Non-Executive Director Professor Maria Goddard introduced this item. Head of Operational Delivery Dean White attended the meeting. The purpose was to provide the Board with an update on the legal advice to the Board regarding the provision of Tracing Services from the National Back Office (NBO) to the Home Office (HO). Maria Goddard summarised the status for the Board's attention. The Board noted the amount of progress in discussions with the DH and the HO and the legal basis for the data flows to the HO is now clearer. The focus of attention is now on improving the clarity in administering HO tracing requests in order to ensure the HSCIC can apply, and be seen to apply, the public interest test (PIT).

Maria Goddard drew the Board's attention to the proposed next steps developed in conjunction with the Department of Health. The Board observed that one element remained subject to further discussion (whether the HO was using the HSCIC only as a last resort) and the Board was keen for clarification that this was the case. In conjunction with the re-design of the HO forms to allow for the PIT, another important next step was the development of a Memorandum of Understanding between the HO and the HSCIC. The Board emphasised the importance of delivering the Memorandum of Understanding and the sign-off at a high level, along with Ministerial buy-in.

The Board noted that consultation would take place with the HSCICs Caldicott Guardian Martin Severs to ensure he was content with the actions, as he is the accountable officer for data releases.

Maria Goddard said it was unlikely that the report would be ready for publication in September, there was still some work required to update the report and it was not critical to publish that month, although as soon after then as possible would be preferable.

On the basis that the Memorandum of Understanding was completed and signed before 30 September 2016, the Board agreed, via Chair's Action, to extend the National Back Office Tracing Service until 30 September 2016, whilst the next steps were progressed. The Board noted there would also be implementation work required prior to the 01 October 2016, especially as the impact of the changes internally (on NBO staff) is currently unknown. Formal ratification of the Chair's Action would take place at 07 September 2016 statutory Board meeting.

11

Chairs Actions:11.1 **(a) HSCIC Business Plan 2016-17 (paper):** (HSCIC 16 02 11 (a) NS)

Director of Finance and Corporate Services Carl Vincent presented this item. The purpose was to seek approval from the Board for the refreshed business plan. The updated business plan now captured more detail about the Paperless 2020 programmes of work.

The Board discussed presenting the business plan to external stakeholders. The Chair enquired about the plans for the new brand launch including the use of important organisational artefacts. Beverley Bryant the Director of Digital Transformation said she would consider these aspects further.

Action: Director of Digital Transformation

The Board approved the refreshed business plan 2016-17. Formal ratification of the Chair's Action would take place at 07 September 2016 statutory Board meeting.

11.2 **(b) ICT Partnership Outline Business Justification (OBJ) (paper):** (HSCIC 16 02 11 (b) NS)

The Chief Operating Officer Rob Shaw introduced this item. The purpose was to seek approval from the Board. He summarised the purpose of the item. An ICT partnership contract has been in place since 2007, the awarding of the current contract took place in 2014. The contract underpins the HSCIC corporate ICT service, and is utilised by all staff.

The Board approved the ICT Partnership Outline Business Justification. Formal ratification of the Chair's Action would take place at 07 September 2016 statutory Board meeting.

11.3 **(c) Third Party Development Suppliers: Digital Outcomes and Specialists (DOS) Call-Off Contacts:** (HSCIC 16 02 11 (c) NS)

The Director of Finance and Business Services Carl Vincent introduced this item. The purpose was to seek approval from the Board. He summarised the purpose of the item.

Non-Executive Director Dr Sarah Blackburn asked about risk mitigation in respect to what provisions will be in the contract to allow for audit and inspection of the supplier. Carl Vincent said he would investigate and respond outside the meeting. The Board stated that the approach to contract utilisation was a last resort.

Subject to a satisfactory response to Non-Executive Director Dr Sarah Blackburn's query, the Board approved the procurement via Crown Commercial DOS Framework for third party development suppliers over the next two years. Formal ratification of the Chair's Action would take place at 07 September 2016 statutory Board meeting.

12 12.1 **(a) Forward Business Schedule (paper):** (HSCIC 16 02 12 (a) NS)

The Board noted the Board Development Day Forward Business Schedule.

13 13.1 **Any Other Business:** (HSCIC 16 02 13 NS)14 **Background Paper(s):** (HSCIC 16 02 14 NS)14.1 **Board Performance Pack (paper):**

The Board noted the Board Performance Pack.

15 **Date of next meeting:** (HSCIC 16 02 15 NS)

15.1 The next meeting would take place on 26 and 27 October 2016

Table of Actions:

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National Data Guardian's Review: The Chief Operating Officer suggested a Board response welcoming the review, which emphasised the important issues. He recommended there should be a further update to the Board in due course. Rob Shaw would discuss these issues with Martin Severs on his return from leave.	Medical Director and Caldicott Guardian/Chief Operating Officer
Rob Shaw said he would contact the Department of Health in relation to the reports scheduled for publication in a relatively close timescale.	Chief Operating Officer
Given the Data Services for Commissioners Regional Offices (DSCROs) links to the National Data Service Platform, the CEO would determine when a programme update should come back to the Board.	CEO
The Board discussed presenting the business plan to external stakeholders. The Chair enquired about the plans for the new brand launch including the use of important organisational artefacts. Beverley Bryant the Director of Digital Transformation said she would consider these aspects further.	Director of Digital Transformation

Agreed as an accurate record of the meeting	
Date:	
Signature:	
Name:	Noel Gordon
Title:	HSCIC Chair