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INFORMATION GOVERNANCE SUPPORT FOR PRIMARY CARE
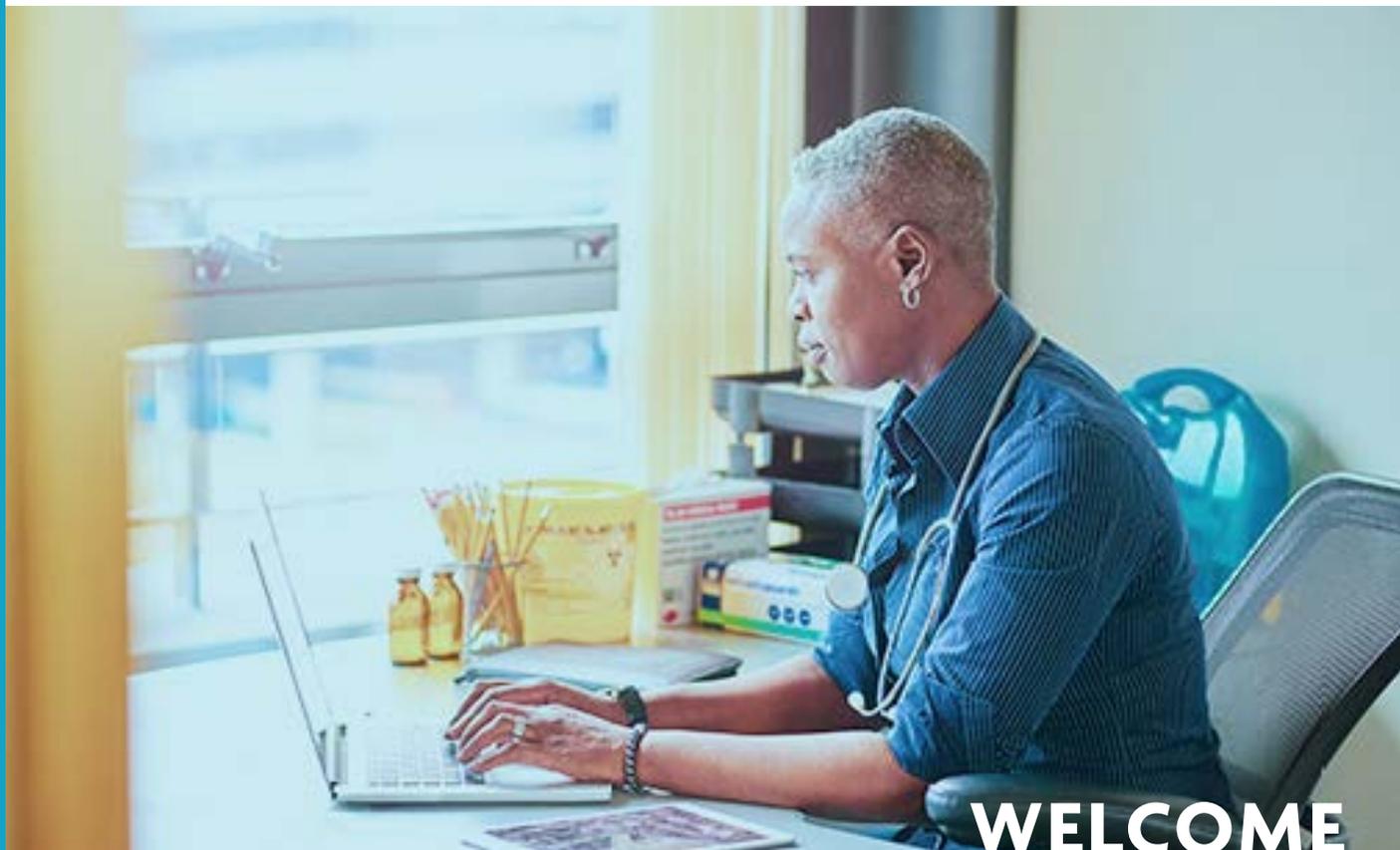
WELCOME

to the June 2022 edition of the

IG Support Service for Primary Care

Newsletter

We publish these newsletters on a bi-monthly basis, providing you with updates on support and guidance developed by the Support Service, progress and developments with the IG Toolkit for GMPs, and related IG training and resources which will include 'Lessons Learnt' scenarios.

next **ig**

NEW! Your Privacy Your Rights

"**Your Privacy Your Rights**" is a national set of materials used to help NHS Wales organisations meet their legal obligations to the right to be informed, replacing the previous "Your Information Your Rights" materials. The materials have been reviewed to ensure they stay relevant, up-to-date and continue to reflect the use of information by NHS Wales organisations. This includes a new name – "Your Privacy Your Rights".

These high-level materials are intended to be used by organisations to supplement existing local privacy information, forming a layered approach.

"Your Privacy Your Rights" materials, in both English and Welsh, are available on the **IG Website** in the following formats:

- Online booklet version

- Printable booklet version

- Poster version

The poster version can be amended to provide details of your organisation. Electronic versions of the documents can be added to your organisation's website alongside your existing local privacy information. Booklets and posters can be printed and placed in accessible locations, so that members of the public can access these materials and read how information about them is managed.

You are free to use these documents as you wish, however, you should ensure existing references and links to "Your Information Your Rights" are updated.

For further information on these materials, please contact:

DHCW.InformationGovernance@wales.nhs.uk

UPDATE! DVLA – Emailing Patient Information

Following work between the DVLA and DHCW's Cyber Security Team we can confirm that the DVLA are now a TLS enabled organisation and have been added to the **TLS list**.

This means patient information can now be sent safely and securely between NHS Wales email accounts and those ending @dvla.gov.uk. TLS does not mitigate the risk of misdirection therefore extra vigilance should be applied when entering the email address to avoid misdirection.

UPDATE! IG Support for Primary Care Guidance

A number of IG guidance documents produced by the support service have been reviewed and updated including:

- IG Guidance on Remote Working for General Practice Staff; including Working from Home;
- IG Guidance on Use of Email for GMPs; including Locums;
- IG Guidance on Communicating with Patients using the NHS Wales Email Service;
- IG Guidance on Capturing and Obtaining Clinical Images;
- IG Guidance on Cyber Insurance; and
- IG Guidance on Charging for Information within your FOI Publication Scheme.

All of the IG Support for Primary Care guidance documents are available on the **IG Website**. Contact the Information Governance Support Service for Primary Care via **dhcwinformationgovernance@wales.nhs.uk**

Welsh Information Governance Toolkit

The current edition of the IG Toolkit is available via the Information Governance Website.

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WELSH INFORMATION GOVERNANCE TOOLKIT

The website hosts a specific section designed to support GMPs in completing the IG Toolkit, including detailed information on each of the requirements. The **Support and Resources** section continues to be developed and includes detailed information on each of the requirements set out in the Toolkit along with guidance on how to reach each attainment level. The supporting resources section includes the **IG Toolkit User Guide**, a set of **Frequently Asked Questions**, Guidance on **How do I delete evidence?** and **Guidance on carrying over evidence from previous submissions**, together with several templates and exemplars. As more resources are developed the pages will be updated.

IG Toolkit Progress

The 2021-22 edition of the IG Toolkit went live at the beginning of December 2021 with a submission date of 30th September 2022. We encourage practices to work through the Toolkit throughout the year to avoid last minute pressure leading up to the submission date.

The toolkit has now been live for six months. We are pleased to see that a total of 77 practices have started their annual IG Toolkit submission, and an additional 15 practices have completed and submitted their IG Toolkit.

Toolkit Stats

Health Boards	Not Started	In Progress	Complete	Total
Aneurin Bevan	53	18	2	73
Betsi Cadwaladr	72	23	2	97
Cardiff & Vale	47	10	3	60
Cwm Taf Morgannwg	40	9	0	49
Hywel Dda	38	8	1	47
Powys	9	2	5	16
Swansea Bay	40	7	2	49
All Wales	299	77	15	391

20%

4%

76%

● Not Started ● In Progress
● Completed
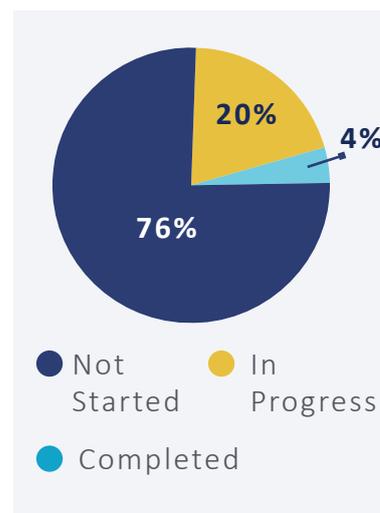
New IG Toolkit Platform

Substantial work is currently underway developing a new bespoke platform to host the IG Toolkit. Great progress has been made by the Software Development Team to date and we hope to be in the position to conduct some user testing in the late summer. This will be for testing purposes only; you will not be required to complete a submission. If you are interested in taking part, please contact the Information Governance Toolkit Team via **WelshIGToolkit@wales.nhs.uk**

IG Toolkit Service Management Board

To support the expansion of the IG Toolkit, we are in the process of establishing a Service Management Board (SMB) to oversee the development of the IG Toolkit itself, this will include representation from various stakeholders. The IG Toolkit Team have reached out to, and received nominations from, the GP Stakeholder Reference Consultation Group (SCRG) to represent GMPs on the SMB.

Information Governance Training

Practices are reminded that all staff are mandated to complete information governance training every two years as a minimum, this includes GP Partners, Clinicians, Allied Health Professionals, Administrative Staff, Locums, Bank Staff, Temporary Staff, etc.

The **Information Governance Website** contains information regarding the Information Governance eLearning course, which has been approved by the Information Governance Management Advisory Group (IGMAG) and the Wales Information Governance Board (WIGB). The course aims to inform on how information governance is organised in Wales and includes:

- An introduction to information governance training;

- Definition of information governance;

- Confidentiality;

- Security of personal information;

- IG Breaches; and

- Access to information.

The information governance eLearning package can be accessed through **Learning@wales**. For guidance on accessing the course, the assessment and obtaining your certificate please see **IG eLearning Step by Step User Guide for GMPs**.

For any staff who are not IT literate or do not have readily available access to a computer then support should be provided to assist them. An **IG Workbook** has been developed for primary care staff who do not use IT facilities and is available on the IG website.

Specialist Training

The Data Protection Officer Support Service are hosting training sessions on Subject Access Requests (SAR) and Freedom of Information (FOI) throughout the upcoming months. Subscribers to the DPO Service can find further details and information on how to book onto the training sessions within the DPO Support Service Monthly Newsletter.

Lessons Learnt

Sometimes things go wrong; when this happens, it is important that lessons are learnt. In each edition of the newsletter, we look at a real-life scenario either an incident or audit finding and reflect to see if this could happen in your organisation or if there are lessons which can be learnt, including any changes which can be implemented in your organisation to prevent a similar situation occurring.

Since 2019 the Health Sector have reported more data security incidents to the Information Commissioner's Office (ICO) than any other sector. Of the 5,205 incidents reported, 672 of these incidents were defined as 'Data posted or faxed to the incorrect recipient', making it the most common of all the predefined incident types, bar 'other non-cyber incident'.

Since April 2020, following the 'Axe the Fax' campaign, GP Practices in England are no longer allowed to use fax machines for either NHS or patient communications.

Despite the 'Axe the Fax' campaign in England, the transfer of information by fax remains in place in NHS Wales. **The use of communicating information via fax is strongly discouraged in NHS Wales**, as a method of transferring confidential health related information, due to the risks involved.

ICO Fine

Under the 1998 Data Protection Act, the ICO served the Bank of Scotland a civil monetary penalty of £75,000 for repeatedly faxing customer's account details to the incorrect recipients. The information included payslips, bank statements, account details and mortgage applications, along with customers' names, addresses, and contact details.

The ICO determined that the organisation had failed to implement additional technical and organisational measures having been previously informed that faxes were being misdirected.

Under the UK GDPR organisations can be subject to administrative fine of up to £17,500,000 or up to 4% of the total annual turnover, whichever is higher.

The preferred option for transferring information between NHS Wales organisations is via the NHS Wales email network, as it is considered secure to transfer any information, including sensitive and confidential data.

Where staff are required to send information to colleagues in NHS England, they may do so providing their email address ends with "nhs.net".

For communicating urgent prescriptions, practice staff should familiarise themselves with the **IG Guidance on Communicating Emergency Prescriptions between Prescribers and Community Pharmacies**.

Where no other alternative is available, the use of fax should be carefully considered. **Where the use of fax is considered absolutely necessary, 'Safe Haven' rules must be followed**. Please see **IG Guidance on Safe Haven Faxing**.

Transferring personal or sensitive information by fax is high risk, therefore the Practice should consider:

- In cases where the use of fax is still routine, processes are reviewed;

- How the use of fax can be actively discouraged, including removing fax numbers from letterheads, correspondence documents, websites and social media;

- Where it is deemed absolutely necessary to use fax, facilities are in place to ensure 'Safe Haven' rules are followed; and

- All relevant staff have been made familiar with the **IG Guidance on Safe Haven Faxing.**

Further information on any available IG training can be found on the IG website.

IG eAlert

The Digital Health and Care Wales (DHCW) IG Department produce a weekly **eAlert** intended for staff who have an interest in information governance issues that affect the NHS in Wales. These eAlert's include news items from around the world on topics such as data breaches, IG related news articles and fines issued by the Information Commissioners Office.

If you have any articles which you feel would also be useful to colleagues, please feel free to forward them for inclusion in the next edition.

Historic editions of the eAlert can be accessed through the IG Website.

If you would like to receive the weekly eAlert direct to your inbox, please contact **DHCWInformationGovernance@wales.nhs.uk**

ICO Newsletter

The Information Commissioner's Office (ICO) publish an e-newsletter at least once a month which provides an overview of their work. They bring you the latest news and events, information about enforcement, latest developments, blogs, guidance, codes of practice, etc. in a range of legislation such as data protection, freedom of information and electronic communications and marketing, to name but a few. **To sign up to receive the e-newsletter, please complete the form**.

The **latest edition of the ICO e-newsletter** is now available to view. **Previous editions of the ICO newsletter** can be found on the ICO website.

PLEASE NOTE: The ICO have created a new **Preference Centre** for existing subscribers to update their preferences in receiving the Newsletter, by answering "Do you still want email updates from the ICO?". Within this section there is also an accompanying privacy notice, and you can also provide feedback on what subjects and sectors you are interested in hearing about. **Those who answer no or do not answer before July 2022 will be unsubscribed from the newsletter.**

If you have previously signed up to receive the ICO Newsletter and wish to continue to receive the newsletter, **please update your preferences here.**

If you do not wish to receive further editions of the IG Support for Primary Care newsletter, please email **DHCWInformationGovernance@wales.nhs.uk**