

Meeting the Requirements

Policies and Procedures

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Introduction

"Policies and procedures provide clarity and consistency, by communicating what people need to do and why. Policies can also communicate goals, values and a positive tone. Data protection law specifically requires you to put in place data protection policies where proportionate. What you have policies for and their level of detail varies, but effective data protection policies and procedures can help your organisation to take the practical steps to comply with your legal obligations."

The Information Commissioner's Office

The Information Governance Management Assurance Group (IGMAG), on behalf of NHS Wales Health Boards and Trusts, have developed an '[All Wales Information Governance Policy](#)' under the "All Wales Information Governance Framework" for adoption by organisations.

This policy, written as a high-level statement of the intended approach to implement IG within the organisation, provides employees with a framework to ensure all personal data is acquired, stored, processed, and transferred in accordance with the law and associated standards.

The IG Policy should be supported by other national and local policies and procedures that ensures the compliance of the organisation with other lawful obligations. Working through the IG Policy should provide a useful framework for identifying any gaps that need to be filled for underpinning procedures and guidance.

The other national policies, which have been developed with the purpose of providing a consistent 'all Wales' approach for Health Boards and Trusts, include:

- [All Wales Email Use Policy](#)
- [All Wales Internet Use Policy](#)
- [All Wales Information Security Policy](#)

For General Practice, all Wales policies have also been developed that are supplementary to those All Wales policies for the Health Boards and Trusts. The policies are divided in to two categories. The first set comprises of the:

[NHS Wales Email Use Policy for Primary Care Service Providers](#) must be implemented where staff have been given access to the NHS Wales Email Service. In-line with best practice organisations should request for their staff to acknowledge that they have read and understand the policy. All new starters must do so prior to being given access to the Email Service.

The organisation must ensure that the '[NHS Wales Microsoft 365 Acceptable Use Policy for General Medical Practitioners](#)' is implemented and that all staff are aware of the policy and understand their responsibilities. The policy sets out responsibilities when staff access the applications, including email via Outlook, through their NHS Wales Office 365 account.



[All Wales Internet Use Policy for Primary Care Service Providers](#) must be implemented where staff have been given access to the NHS Wales internet facilities via the NHS Wales network infrastructure. In-line with best practice organisations should request for their staff to acknowledge that they have read and understand the policy. All new starters must do so prior to being given access to the internet facilities.

The second set comprise of the:

[All Wales Information Governance Policy for Primary Care Service Providers](#) available for organisations to adopt as best practice, rather than developing their own, if they wish.

[All Wales Information Security Policy for Primary Care Service Providers](#) available for organisations to adopt as best practice, rather than developing their own, if they wish.

The responsibility for developing and maintaining local policies and procedures is likely to be allocated to the organisation's nominated Information Governance Lead/Team and should sit underneath the overarching Information Governance policy. The policy framework should be endorsed by the highest level of management and clearly outline roles and responsibilities. All policies and procedures should provide your staff with enough direction to understand their roles and responsibilities regarding data protection and information governance. They should be made easily accessible for staff and regularly reviewed to ensure they are fit for purpose and updated with any new legislation.

By staff adhering to the organisation's policies and the underpinning procedures, this will help protect the organisation against breaching Data Protection and Confidentiality. Therefore, it is important that staff are trained on all areas of the policies and procedures; with a record made that they have understood and acknowledged these documents. Staff can be informed by including them in staff handbooks, the new employee induction programme, and where appropriate on the organisation's intranet site.

How do we reach Attainment Level 1?

The UK GDPR requires the management, support and direction for data protection compliance in a framework of policies and procedures. Responsibility for developing and maintaining the policies, procedures and guidance within the Information Governance umbrella should sit with the organisation's Information Governance Lead/Team and their supporting staff.

Health Boards and Trusts should ensure that the national '[All Wales Information Governance Policy](#)', along with the national policies developed to support it have been approved and adopted by the organisation, in order to provide a consistent 'all Wales' approach. These national policies should be supported by other organisational IG policies and procedures that are current and up to date.

Other existing IG policies within the organisation, together with procedures and guidance documents should be collated and reviewed to ensure that they remain fit for purpose. Adopting the All Wales Information Governance Policy would provide a useful outline for identifying any



gaps that need to be filled for underpinning policies, procedures and guidance, it should be reviewed and agreed by the Management Team.

Your policies and procedures should foster a '[data protection by design and by default](#)' approach across the organisation. '[Table One](#)' sets out the ICO's expectations to meet this.

Capturing all required policies, procedures and guidance, and identifying areas which would benefit from such documented support requires a strong knowledge of all areas of the organisation's activity. Staff should be encouraged to contribute and make suggestions based on this knowledge. Networking with colleagues from other organisations might also provide valuable feedback and potential resources that can be adapted.

'[Table Two](#)' outlines the suggested IG procedures and '[Table Three](#)' the guidance.

Policies and procedure should be made actively available to staff, this may include inclusion in staff handbooks, the new employee induction programme and publication on the organisation's intranet site. It is recommended that processes are put into place for all staff to sign an acknowledgement stating that they have read and understood these documents. This will also provide staff with an opportunity to gain clarification on any areas within the policies and procedures.

How do we reach Attainment Level 2?

Best practice requires that the policies and, any associated procedures and guidance, are regularly reviewed and updated accordingly ensuring they are always current and relevant. When undertaking the review of organisational policies, procedures etc. ensure the UK GDPR and Data Protection Act 2018 are referenced. Any amendments to the policy must be signed off and a process put into place to ensure that staff are made aware of any such changes.

'[Table Four](#)' sets out the ICO's expectation for the policy and procedure review and approval process.

How do we reach Attainment Level 3?

Compliance monitoring and staff spot checks should be regularly performed to ensure policies and procedures are being followed. Adherence to these documents by staff will help protect the organisation against breaching Data Protection and Confidentiality. It is therefore imperative that staff are appropriately trained on all areas of the policies and supporting procedures and guidance.

Supporting Resources

All Wales Information Governance Policy - *Developed for Health Boards and Trusts in NHS Wales by the Information Governance Management Advisory Group (IGMAG) and forms part of the IG Framework in NHS Wales*



All Wales Information Security Policy - Developed for Health Boards and Trusts in NHS Wales by the Information Governance Management Advisory Group (IGMAG) and forms part of the IG Framework in NHS Wales

All Wales Email Use Policy - Developed for Health Boards and Trusts in NHS Wales by the Information Governance Management Advisory Group (IGMAG) and forms part of the IG Framework for NHS Wales

All Wales Internet Use Policy - Developed for Health Boards and Trusts in NHS Wales by the Information Governance Management Advisory Group (IGMAG) and forms part of the IG Framework in NHS Wales

All Wales Information Governance Policy for Primary Care Service Providers - The policy is supplementary to the All Wales policy for Health Boards and Trusts and forms part of the IG Framework for NHS Wales. The policy is available for organisations to adopt as best practice, rather than developing their own, if they wish

All Wales Internet Use Policy for Primary Care Service Providers - The policy is supplementary to the All Wales policy for Health Boards and Trusts and forms part of the IG Framework for NHS Wales. The organisation must ensure this national policy is implemented and that all staff are aware of the policy and understand their responsibilities in complying with the requirements of the policy

All Wales Email Use Policy for Primary Care Service Providers - The policy is supplementary to the All Wales policy for Health Boards and Trusts and forms part of the IG Framework in NHS Wales. The organisation must ensure this national policy is implemented and that all staff are aware of the policy and understand their responsibilities in complying with the requirements of the policy

NHS Wales Microsoft 365 Acceptable Use Policy for General Medical Practitioners - The AUP sets out staff responsibilities when accessing the applications, including email via Outlook, through their NHS Wales Office 365 account. The organisation must ensure this national policy is implemented and that all staff are aware of the policy and understand their responsibilities in complying with the requirements of the policy

All Wales Information Security Policy for Primary Care Service Providers - The policy is supplementary to the All Wales policy for Health Boards and Trusts and forms part of the IG Framework for NHS Wales. The policy is available for organisations to adopt as best practice, rather than developing their own, if they wish

ICO: The Accountability Framework - Accountability is one of the key principles in data protection law

ICO: Data Protection by Design and by Default – The UK GDPR requires you to put in place appropriate technical and organisational measures

ICO: Guide to the UK General Data Protection Regulation

ICO: Introduction to data protection



ICO: Children and the UK GDPR - *Practical guidance for organisations who are processing children's personal information*

Welsh Assembly Government: Confidentiality: Code of Practice for Health and Social Care in Wales - *This document sets out non-statutory guidance on best practice for those who work within or under contract to NHS or local authority social services authorities operating in Wales concerning confidentiality and the consent of patient and social care service users to the use of their health and social care records.*

General Medical Council: Confidentiality: Good Practice in Handling Patient Information 2018 - *Confidentiality (2018) sets out the principles of confidentiality and respect for patients' privacy that doctors are expected to understand and follow. Supplementary guidance explaining how these principles apply in situations doctors often encounter or find hard to deal with is also available*

GOV.UK: National Information Board (NIB) and DH: Personalised Health and Care 2020 - *[Relates to NHS England] The NIB Framework helps take forward the ambitions of the Care Act 2014, the Government Digital Strategy (2013), the Department of Health's Digital Strategy: Leading the Culture Change in Health and Care (2012) and the proposals in the Department of Health's Power of Information (2012). It also builds upon the commitment to exploit the information revolution outlined in the NHS's Five Year Forward View*

GOV.UK: Secretary of State for Constitutional Affairs: Code of Practice on the Discharge of Public Authorities' Functions under Part I of the Freedom of Information Act 2000 - *The Code covers such issues as public authorities' duties in providing advice and assistance to applicants, charging fees, timeliness in answering requests, and transferring requests to other public authorities*

Summary Requirement

Attainment Level	Summary Requirement
1	The organisation has a number of policies and procedures in the context of IG. National policies such as Information Security, IG and Email Use policy have been adopted and made available to staff
2	There is a review process in place for all policies and procedures and any changes are communicated to staff
3	Compliance with policies and procedures are regularly monitored to ensure they have been adopted in practice throughout the organisation

