

Council, 3 December 2015

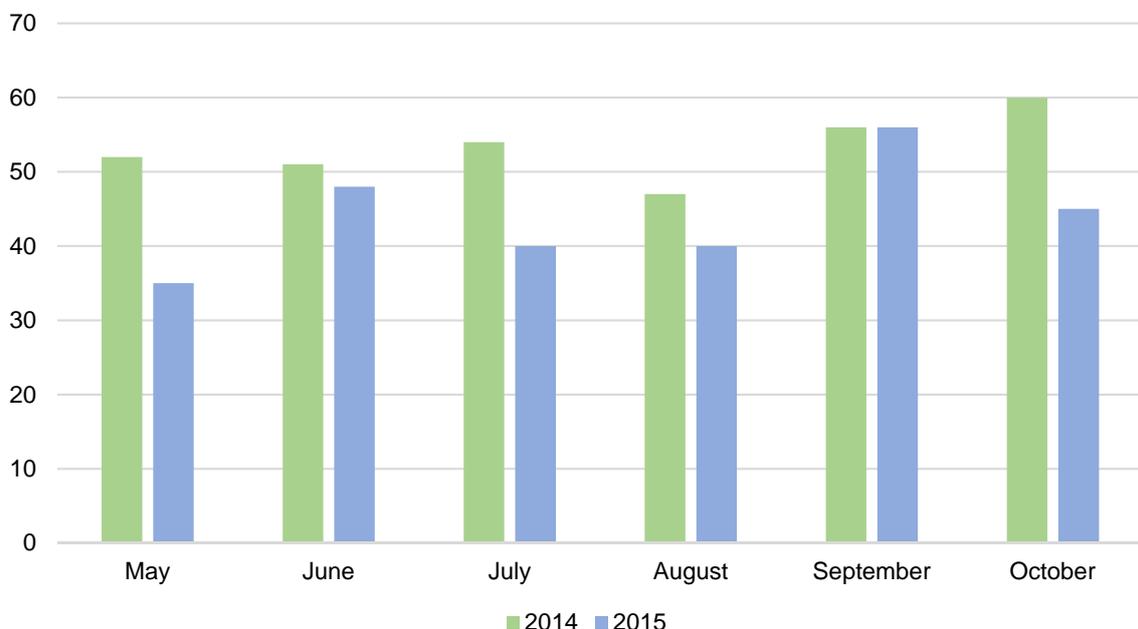
Information Governance Report

Introduction

- 1.1 The Information Governance (IG) function within the Secretariat Department is responsible for the HCPC's ongoing compliance with the Freedom of Information Act 2000 (FOIA), the Environmental Information Regulations 2004 (EIR) and the Data Protection Act 1998 (DPA). The Department also manages the HCPC's relationship with the Information Commissioner's Office (ICO), the information rights body.
- 1.2 More information on the context of this function is available in the Information Governance Report paper discussed by Council on 14 May 2015. The Information Governance Manager (IGM) ran a session on IG for Council on 23 September and the Council has agreed that it will receive six monthly reports on the HCPC's IG work.
- 1.3 This report provides an update on IG activity.

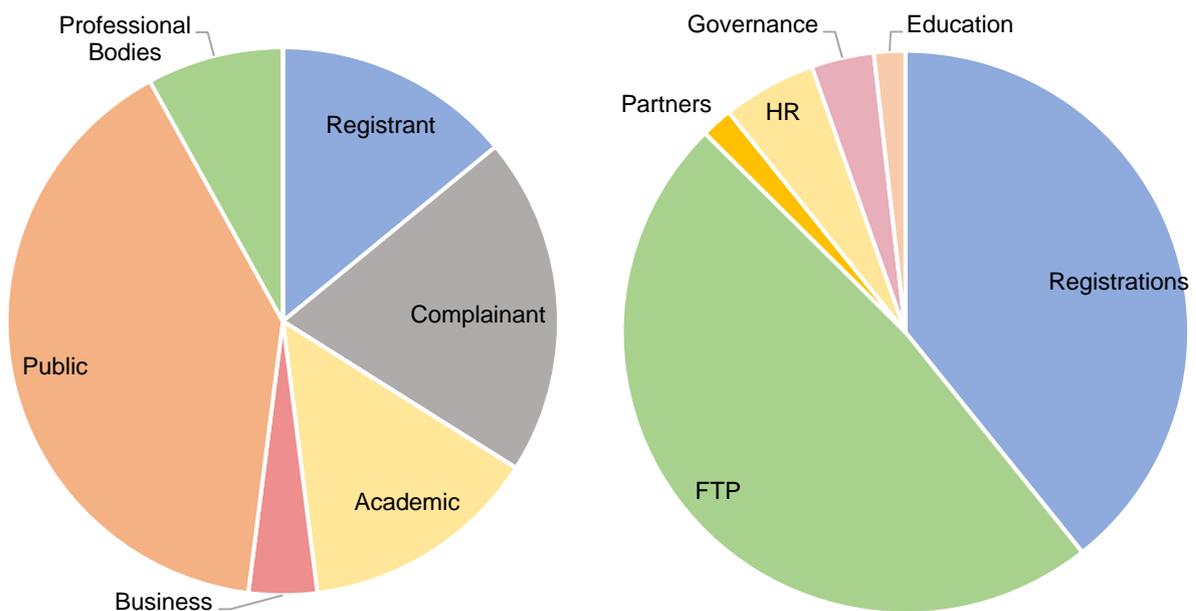
Information requests

- 2.1 The number of information requests received by the HCPC has grown considerably following the on boarding of social workers to the HCPC Register in 2012. In 2011, the HCPC received 170 requests and in 2014, 579 requests were received.
- 2.2 So far in 2015-16 we have not seen an increase in the numbers of requests as in previous years and these now remain steady. Below is a comparison of six months' volume data in 2014 and 2015.



2.2 In September and October 2014, there was a peak in the number of information requests. This corresponded with the renewal cycles of social workers in England and operating department practitioners, who renewed between 1 September and 30 November. The feedback function also saw a peak period in these months.

2.3 The source of requests and the nature also remains steady month to month. Below is an illustration of the origin and nature of all requests received in September 2015.



ICO information access complaints

3.1 Anyone requesting information from the HCPC has the right to contact the ICO if they do not agree with our disclosure decision, or they are unhappy with the way we have handled the request.

3.2 In 2014-15, four complaints to the ICO about information access were investigated by the ICO. The HCPC's response was upheld in all cases. In 2015-16 so far, the ICO has contacted the HCPC about five complaints. In three cases, the ICO upheld the HCPC's response. In two cases the ICO sought clarification only. One complaint was withdrawn by the complainant.

3.3 When the ICO investigates a complaint, they require the HCPC to provide a very detailed analysis of the FOIA or DPA application with reference to case law. Often they will also require sight of the information withheld. This can impact on resources, however the ICO upholding the HCPC's position provides assurance that our approach to disclosure is compliant.

Information Incident Management

- 4.1 The HCPC encourages an open reporting culture, with an emphasis on analysis and learning in order to engineer-out any weaknesses in our processes, much like the feedback and complaints function.
- 4.2 Since February 2015, all incidents, regardless of how minor they may initially appear, are reported centrally and risk scored. The incident severity scoring is based on the Data Protection Act and the ICO's criteria for reporting incidents. Severity is measured according to the risk of harm to the data subject and to the HCPC and the scale is aligned with HCPC's Risk Matrix.
- 4.3 The EMT have receive a monthly report of all incidents and their scorings. Corrective action and possible future mitigations are discussed and agreed and any agreed actions are then reviewed after six months to monitor progress.
- 4.4 No incidents have been reported to the ICO in 2015-16 to date. In 2014-15 we reported two incidents, both of which were closed with no further action. Due to the new reporting and classification system discussed in the last IG paper, the number of internally recorded incidents has increased considerably.
- 4.5 We do not consider that the actual number of incidents has risen, but rather that central reporting and good organisational awareness of the need to report centrally has increased our visibility of incidents.
- 4.6 So far in 2015-16, the HCPC has recorded 81 incidents. This is compared to 38 last year. The split between green and amber ratings is around half and half. The great majority of incidents occurring within the fitness to practise department were amber, as is to be expected due to the sensitive nature of the data the department processes.
- 4.7 Registrations incidents have all been green so far. We do not see many incidents outside of these two departments as other departments do not process as much data, or personal data.

Information Governance

- 5.1 The HCPC recently attended a Health Regulators Information Security Special Interest Group, the focus of which was the NMS information governance toolkit. The team behind the toolkit gave a presentation and briefed us on the new version being developed. Whilst it is not mandatory for organisations like ours, a few regulators take part in the IG toolkit process. The HCPC will consider undertaking this in 2016-17. The next meeting of the group takes place on 8 December 2015.

- 5.2 The HCPC's internal information Security and Governance Group (ISGG) continues to meet weekly to discuss incidents and developments. This aids cross-departmental communication on IG.
- 5.3 The HCPC will shortly be publishing its new publication scheme data online. This includes details of expenditure over £25k and Council and EMT expenses by category.
- 5.4 The IGM and Solicitor to Council are working on reviewing the HCPC's documented compliance with the DPA. This will include a new FOI and DPA policy, as well as clarifying to stakeholders how we use data. So far, a new privacy notice applicable to all HCPC data processing has been drafted, this will be presented to EMT for agreement.
- 5.5 The HCPC will also look at aligning itself with the Caldicott principles which apply to many of our registrants. An update on this work will be given at the next IG report to Council in June 2016.

Decision

The Council is requested to discuss the document.

Appendices

None.

Date of paper

25 November 2015