Health and social care staff members:
What you should know about
Information Governance

What is Information Governance?

You have probably heard of Clinical or Social Care Governance, which is a way for organisations and individuals to continuously improve the quality of health and social care and ensure high standards of care are provided.

You may be aware of Research Governance, which defines the good practice guidelines necessary to ensure health and social care research complies with scientific and ethical standards.

Senior personnel will be involved in Corporate Governance, which is the way that organisations are able to achieve their business objectives and meet the necessary standards of accountability and integrity.

Information Governance sits alongside these other governance initiatives, it is to do with the way organisations process or handle information. It covers personal information, i.e. that relating to patients/service users and employees, and corporate information, e.g. financial and accounting records.

Information Governance allows organisations and individuals to ensure that personal information is handled legally, securely, efficiently and effectively, in order to deliver the best possible care. It additionally enables organisations to put in place procedures and processes for their corporate information that support the efficient location and retrieval of corporate records where and when needed, in particular to meet requests for information and assist compliance with Corporate Governance standards.

Information Governance provides a framework to bring together all of the requirements, standards and best practice that apply to the handling of information, allowing:

- Implementation of central advice and guidance.
- Compliance with the law.
- Year on year improvement plans.

At its heart, Information Governance is about setting information handling standards and giving organisations the tools to achieve the standards.

The ultimate goal is to help organisations and individuals to be consistent in the way they handle personal and corporate information and avoid duplication of effort, leading to improvements in:

- Information handling activities.
- Patient and service user confidence in care providers.
- Employee training and development.

What are the standards and requirements that make up Information Governance?

Information Governance provides a consistent way for employees to deal with the many different information handling requirements, including:

• The Data Protection Act 1998.
• The common law duty of confidentiality.
• The Confidentiality NHS Code of Practice.
• The NHS Care Record Guarantee for England.
• The international information security standard: ISO/IEC 27002: 2005.
• The Information Security NHS Code of Practice.
• The Records Management NHS Code of Practice.
• The Freedom of Information Act 2000.

The Department of Health and NHS Connecting for Health have made available sets of standards, which enable organisations to measure their compliance with the information handling requirements. The standards are grouped under the headings described below:

• Information Governance Management.
• Confidentiality and Data Protection Assurance.
• Information Security Assurance.
• Clinical Information Assurance.
• Secondary Use Assurance.
• Corporate Information Assurance.

Why should you learn about it?

Because Information Governance helps ensure that all employees follow best practice guidelines on information handling.

> *Information Governance helps all employees providing care services to manage personal information for the benefit of the patient or service user.*

Your patients and service users will know that:

- Their records will not be disclosed inappropriately, which will
- Give them greater trust in NHS and social care working practices, and
- Encourage them to be more open to sharing important personal information with you.
- Ensuring they receive care of the best quality.

> *Information Governance includes training requirements to help ensure that all employees comply with law and best practice when handling information.*

Training and development is a vital component of Information Governance. If you attend or participate in the available training and evaluation, you can ensure you are adequately informed how to:

- Respect patient/service user information rights.
- Use personal information appropriately and legally.
- Create, file and store corporate documents in line with the best practice records management standards outlined in the Records Management NHS Code

of Practice and equivalent codes for social care records.
- Seek assistance if required.

> *Information Governance helps employees to work with others outside of their own area and organisation.*

It depends on teamwork and good communication among all staff to encourage:

- Sharing of good practice ideas across departmental and organisational boundaries.
- Joint initiatives between health and social care organisations.
- Avoidance of duplication through shared efforts.
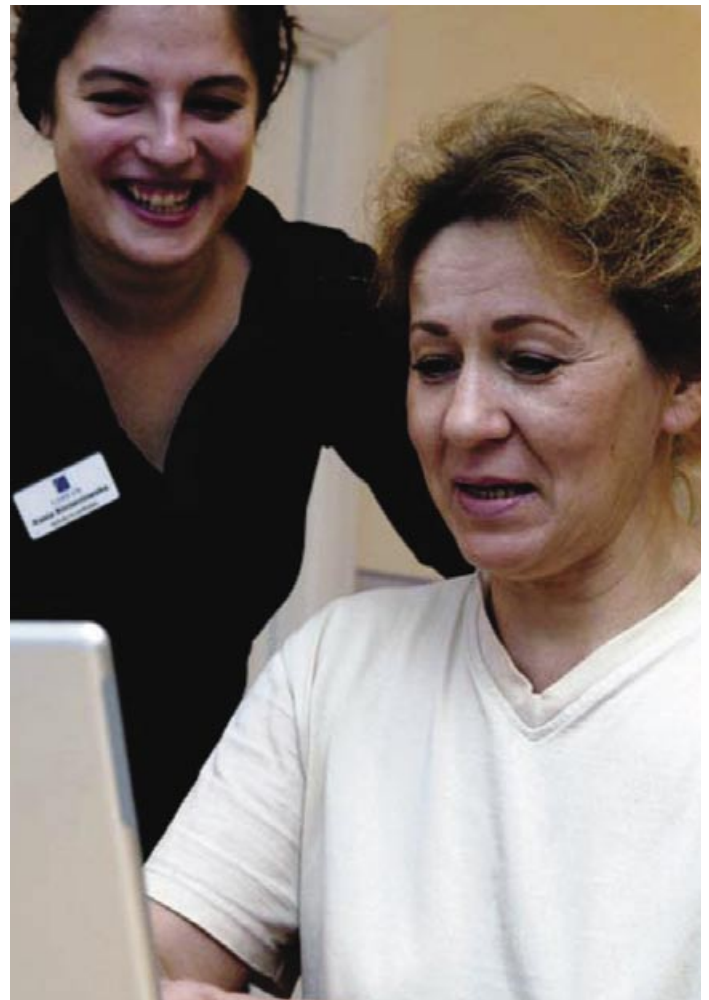
Information Governance leads to improvements in information handling

The Department of Health has developed clear standards of information handling to ensure that information is:

• **Held** securely and confidentially.
• **Obtained** fairly and efficiently.
• **Recorded** accurately and reliably.
• **Used** effectively and ethically.
• **Shared** appropriately and lawfully.

The information standards assist organisations to ensure that:

• appropriate management structures and personnel are in place to oversee IG arrangements.
• information within computerised and paper-based systems is held securely, is accurate and is available when and where needed.
• processes and procedures for information and records are efficient and effective.
• employees are provided with guidance and appropriate, effective training.

Annual Information Governance assessments are performed to help identify good practice and highlight areas that can be improved.

When assessing information handling, Information Governance staff review the existing policies, procedures and processes in place throughout the organisation. They ensure that the policies, etc are relevant, understandable and are published and widely distributed throughout an organisation; and that employees in general are aware of and comply with them. Where documentation is absent or outdated, they arrange for it to be written or updated. They will identify areas of good practice and enable them to be shared with others.

Your responsibility is to comply with the policies, procedures and processes, and share any good practice in information handling with the IG staff.

It is the responsibility of all organisations to comply with the law. The organisation can achieve this by assigning responsibilities for Information Governance issues to named staff, and by ensuring that all employees are made aware of their individual responsibilities and of any penalties for non-compliance.

Training and awareness raising sessions can help to ensure that all employees practice in accordance with policies, procedures and processes and ultimately with the law. Your organisation will have personnel and/ or structures in place to provide you with assistance on Information Governance issues.

NHS Connecting for Health has made an IG Training tool available to assist organisations, in ensuring their staff members are appropriately trained in Information Governance.

Users can self-register to use the products in the tool or take a guest tour. The tool can be accessed at: www.connectingforhealth.nhs. uk/igtrainingtool

Your responsibility is to undertake the IG training specified by your organisation and seek assistance from an appropriate source if you require it.

Policies, procedures and processes are reviewed to monitor their effectiveness, enabling improvements or deterioration in information handling standards to be easily picked up.

Information Governance staff regularly review policies, procedures and processes and employee compliance with them. The outcomes are measured against the Information Governance standards, allowing year on year improvements to be made and any deterioration in standards to be quickly tackled.

Your responsibility is to participate in Information Governance surveys carried out by IG staff so that compliance can be monitored.

Information Governance can help improve patient/service user care

The NHS Care Record Guarantee for England
The Guarantee explains to patients how their information is used and the controls they have over this. It makes 12 commitments to patients that their records will be used in ways which respect their rights and promote their health and wellbeing. Your organisation may make copies of the Guarantee available to patients, if not; it can be downloaded from the National Information Governance Board website: http://www.connectingforhealth. nhs.uk/nigb/crsguarantee

Your responsibilities are to comply with the promises in the Guarantee, to make sure you know how patients can obtain a copy and be prepared to discuss any concerns that are raised, or be able to direct patients to a more knowledgeable member of staff.

The NHS Care Records Service
Patients and the public will be informed how their information will be used for the NHS Care Records Service. Information materials will be made available as the Service "goes live" in a particular area or organisation.

Your responsibilities are to make sure you know how patients can access the information materials when they become available in your area, and to direct any concerns they may have to an appropriate member of staff.

Local guidance
Your organisation will have patient and service user information materials that explain how personal information is used and how concerns about use can be

expressed. Adhering to the guidance will mean that patients/service users' rights are respected, and they will be assured that their information is handled in accordance with the law. Organisations should have an effective and well-advertised procedure to enable patients/service users to make known any concerns they have.

Your responsibilities are to make sure you comply with the assurances made in the guidance, know where to obtain a copy of materials and where to direct patients/ service users who require further advice.

Organisations should ensure that there are defined reporting and investigation procedures so that employees have access to clear advice and guidance networks.
Incidents and "near misses" should become learning opportunities, to enable employees to avoid similar problems in the future. The reporting of incidents both actual and potential is essential to raising Information Governance standards in the organisation, so you should make sure you know how to report potential and actual breaches.

If you witness an actual or potential breach of Information Governance, your responsibility is to advise the responsible person of their failure to comply and in most circumstances, to report the matter to your line manager or to the appropriate IG staff.

Information Governance will improve records management

NHS organisations: The Records Management: NHS Code of Practice sets out the required standards of practice for all NHS records.

The standards in the Code apply to all those who work within or under contract to NHS organisations in England. It is based on current legal requirements and professional best practice and contains details of the recommended minimum retention period for each record type.

Social care organisations: There are similar standards of practice contained within legal regulations, National Minimum Standards, local guidance and professional codes of conduct.

These standards apply to all those who provide social care services in care homes and in the service user's own home. They provide guidance on record creation, security, confidentiality and retention.

Your responsibility is to make sure you comply with the standards and assist your organisation to achieve efficient and effective records management through:

- Standardised records creation, including naming and filing.
- Appropriate storage of records.
- Controlled access to records.
- Speedy location and retrieval of records, when and where needed.

Information Governance involves new ways of working

Multidisciplinary teams should work more closely together to help to reduce repetitive practices and minimise duplication of effort.
The focus will be on appropriately sharing the information between professions, leading to:

- A single assessment process for care purposes.
- Joint working between IT and Information Governance employees.
- Employee time and skills put to more effective use.
- Less annoyance to the patient or service user at having to repeat information already given.

IG requires greater patient/service user participation, therefore it is important that the NHS and social care providers listen to the opinions of patients and service users and where appropriate act on those opinions.

Organisations should actively seek patient/service user participation in decisions about treatment and uses of their personal information and monitor "user satisfaction", e.g., by way of public and patient/service user involvement groups or surveys.

Your responsibility is to make patients and service users aware of any surveys being carried out regarding Information Governance.

A National Information Governance Board for Health and Social Care has been established to support those working in information governance by providing oversight, developing and interpreting best practice, promoting consistency and arbitrating on the interpretation of policy, procedure and legal requirements. The National Information Governance Board has a web site at http://www.connectingforhealth/nigb and can be contacted by email at nigb@nhs.net

What can you do to make Information Governance a success?

There are several general things you can do to assist your organisation:

Don't be afraid of change
Information Governance merely pulls together all the information handling requirements into one framework.

Participate in education and training opportunities
Take up any education and training offered to develop your awareness of the legal and organisational requirements when handling information.

Participate in assessments of Information Governance in your area
This will enable you to develop and strengthen your understanding of Information Governance, and also assist your organisation to improve the way in which information is handled.

Help your team achieve best practice
Make sure you follow the relevant procedures or processes in your organisation, as failure to do so could impact on the whole team.

Don't be afraid to speak up about shortcomings
If you have any concerns about standards or practices in your department, talk with other members of your team or your supervisor or manager.

Ensure that errors give rise to learning
A culture of blame is not conducive to improvement being made and lessons can usually be learnt from shortcomings allowing good practice for the future.

Share your good practice
If you identify ways in which information handling can be improved in your work area share your ideas with your colleagues.

Encourage others to share their good practice
Your colleagues will feel more valued and respected if they know that their ideas are listened to and where appropriate, action taken to implement them.

There are also more specific actions you can take to assist the success of Information Governance

Keep personal information secure:
Ensure confidential information is not unlawfully or inappropriately accessed.
Comply with your organisation's computer safety procedures. Do not share your access passwords with others. Ensure you "log out" once you have finished using a computer. Do not leave paper records unattended. Lock rooms and cupboards where personal information is stored.

Keep personal information confidential:
Only disclose personal information to those who legitimately need to know to carry out their role.
The information the care team needs to know may be different from the requirements of some admin and clerical support staff. Bear in mind that you could be overheard and do not discuss personal information about your patients/service users on the bus, in corridors, lifts or the canteen!

Ensure that the personal information you use is obtained fairly:
Inform patients/service users of the reason their information is being collected.
Organisational compliance with the Data Protection Act depends on employees acting in accordance with the law. The Act states information is obtained lawfully and fairly if individuals are informed of the reason their information is required, what will generally be done with that information and who the information is likely to be shared with. Patients/service users should also be informed whether any potential use of their information is optional, e.g. automatic referrals to other agencies.

Make sure the information you use is correct:
Ensure the information you record is accurate, legible and complete and if possible, verify personal information with patients/service users.
Information quality is an important part of Information Governance. There is little point in putting procedures in place to protect information if the information is inaccurate. You should give patients and service users the opportunity to check information held about them and allow them to point out any mistakes. You should encourage them to inform the organisation if any of their details have changed. If your organisation has an information leaflet about the importance of providing accurate

information, ensure patients/service users have access to it.

Please note: Under the Data Protection Act 1998, individuals have the right to request that inaccuracies in their records are corrected.

Make sure the records/documents you create are appropriately accessible:
Where there are locally determined standards for record/document creation and filing ensure you comply with them.
Organisations need to be able to locate and retrieve information, where and when it is needed; you can assist this process by adhering to the procedures for record/document creation e.g. file names, version control and filing/storage.

Only use personal information for the purpose for which it was given:
Use the information in an ethical way.
This means that personal information that was given for one purpose, e.g., hospital treatment, should not be used for a totally separate purpose, e.g. research, unless the individual consents to the new purpose.

Share personal information appropriately and lawfully:
Obtain consent before sharing personal information with others.
If you are providing social care and you believe that a service user requires NHS treatment, you should ordinarily obtain the individual's consent before sharing their details, e.g. with a health visitor or GP. Similarly, if a patient requires referral to another agency, e.g. from NHS to social services, check that the patient has agreed to be referred, and is fully aware of and consents to their personal information being passed to that other agency.

Comply with the law and local policies and procedures:
Ignorance of the law is not usually a defence for breach.
Your organisation will have spent time and money ensuring that its policies and procedures comply with the law and do not breach patient/service user rights. Whilst you may not need to know what all the specific rights are, if you comply with these policies and procedures you are unlikely to break the law.

Work with your patients and service users and take steps to ensure their rights and choices are respected

Don't be persuaded to break the law:
You owe a duty of confidentiality to all patients/service users, both under the common law and through Acts of Parliament.

If anyone asks or pressures you to breach this duty discuss the issue with your manager and/or Caldicott Guardian. If a legitimate need to disclose without consent is identified senior personnel must make the decision. A Caldicott Guardian is a senior person responsible for protecting the confidentiality of patient and service-user information and enabling appropriate information-sharing. The Guardian plays a key role in ensuring that NHS, Councils with Social Services Responsibilities and partner organisations satisfy the highest practical standards for handling patient identifiable information. You can find out more about Caldicott Guardians at: http://www. connectingforhealth.nhs.uk/systemsandservices/ infogov/caldicott.

You can also contact Public Concern at Work, an independent body providing free legal advice to individuals concerned about wrongdoing in the workplace, on 020 7404 6609 or email: helpline@pcaw.co.uk.

Communicate clearly:
Ensure that the advice and guidance you give to patients/service users is clear.

You should be able to clearly explain why you require the information you have requested, the purposes to which personal information may be put and with whom the information may be shared. If your organisation has an information leaflet, use it to reinforce what you have said.
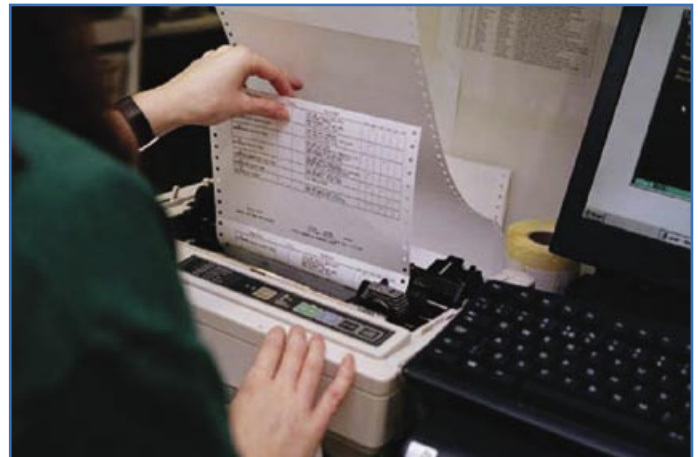
Encourage patients and service users to be actively involved in decisions about their care:
Patients/service users have a right to be involved in decisions about the use of their information.

Be open and honest with your patients and service users and ensure they have sufficient information to make an informed decision about the use of their personal information. For example, make sure that there are copies of the Care Record Guarantee available in your department, or know where to obtain them if they are stored elsewhere.

Make sure that patients and service users are aware of the routes through which a complaint about the use of their information can be made.
Your organisation will have assigned responsibility for dealing with complaints about the use of patient/service user information. Often responsibility will have been assigned to the Patient Advisory Liaison Service (PALS) Officer to deal with initial complaints, which may then be escalated to other staff such as the Caldicott Guardian/Lead. You must make sure you know who to contact in your organisation and how to contact them, and provide this information to patients/service users if asked.

So Information Governance ensures that personal information is dealt with legally, securely, efficiently and effectively

- *Understand what Information Governance is.*

- *Know how Information Governance applies to your role.*

- *Do your best to improve and encourage good practices in your department.*

- *Support information handling improvement efforts across your organisation.*

- *Be receptive to the change process.*

- *Be a team player.*

- *Ensure your patients / service users are fully informed.*

- *Take advantage of training and development opportunities.*

Remember:
Information Governance is the responsibility of every employee. You must treat all personal information with respect and regard for confidentiality, information security and information quality.

Contacts:
For assistance with:
The Information Governance Training Tool – content issues and technical advice please use the "Help" form within the Tool or send an email to igtrainingtool@nhs.net

The Information Governance Assessment – content, technical advice and administration issues, please email exeter.helpdesk@nhs.net

Information Governance policy enquiries should be directed to diginfo@dh.gsi.gov.uk

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