



Aneurin Bevan University Health Board

Information Governance Committee

Terms of Reference

Draft Revised – July 2019 (Revised October 2019)

ANEURIN BEVAN UNIVERSITY HEALTH BOARD

INFORMATION GOVERNANCE COMMITTEE TERMS OF REFERENCE

1. INTRODUCTION

- 1.1 The Health Board's Standing Orders state that *"The Board may and, where directed by the Welsh Government must, appoint Committees of the Health Board either to undertake specific functions on the Board's behalf or to provide advice and assurance to the Board in the exercise of its functions. The Board's commitment to openness and transparency in the conduct of all its business extends equally to the work carried out on its behalf by committees"*.
- 1.2 In line with Standing Orders (reference 3.4.1) and the Health Board's Scheme of Delegation, the Board shall nominate annually a committee to be known as the **Information Governance Committee**. The detailed terms of reference and operating arrangements set/agreed by the Board in respect of this committee are set out below.

2. PURPOSE

- 2.1 The purpose of the Information Governance Committee "the Committee" is to:
- **Provide assurance** to the Board that the Health Board's arrangements for creating, collecting, storing, safeguarding, disseminating, sharing, using and disposing of information are appropriately designed and are functioning effectively in accordance with the Health Board's:
 - stated objectives;
 - legislative responsibilities, e.g., the Data Protection Act and Freedom of Information Act; and
 - any relevant requirements and standards determined for the NHS in Wales.
 - Act as a source of **advice** for the Board to assist it in

discharging its functions and meeting its responsibilities with regard to the:

- quality and integrity;
- safety and security; and
- appropriate access and use,

of information (including patient and personal information) to support its provision of high quality healthcare.

3. DELEGATED POWERS AND AUTHORITY

3.1 The Committee will, in respect of its provision of advice to the Board:

Digital Applications

- assess whether or not the Health Board's arrangements are appropriate for the development and implementation of strategies and plans for maintaining the trust of patients and public through its arrangements for handling and using information, including personal information, safely and securely, consistent with the Board's overall strategic direction and any requirements and standards set for NHS bodies in Wales;
- consider the information governance implications arising from the development and implementation of the Health Board's corporate strategies and plans or those of its stakeholders and partners
- consider the information governance implications for the Health Board of review reports and actions arising from the work of external reviewers.

3.2 The Committee will, in respect of its assurance role, seek assurances that information governance arrangements are appropriately designed and operating effectively to ensure the safety, security, integrity and effective use of information to support the delivery of high quality, safe healthcare across the whole of the Health Board's activities. The Committee will link with other Committees of the Board, as appropriate, particularly the Audit Committee and Quality and Patient Safety Committee.

3.3 To achieve this, the Committee's programme of work will be designed to seek assurance that for all aspects of information management and information governance that:

- there is clear, consistent strategic direction, strong leadership and transparent lines of accountability;
- the organisation, at all levels (division/directorate/clinical teams) has a citizen centred approach, striking an appropriate balance between openness and confidentiality in the management and use of information;
- the handling and use of information and information systems across the organisation (division/directorate/clinical teams) is consistent, and based upon agreed standards;
- the workforce is appropriately selected, trained, supported and responsive to requirements in relation to the effective handling and use of information – consistent with the interests of patients and the public (in line with GDPR regulations);
- there is effective collaboration with partner organisations and other stakeholders in relation to the sharing of information in a controlled manner, to provide the best possible outcomes for its citizens (*in accordance with the Wales Accord for the Sharing of Personal Information and Caldicott requirements and GDPR*);
- information and information governance risks are actively identified and robustly managed at all levels of the organisation;
- the integrity of data and information is protected, ensuring valid, accurate, complete and timely data and information is available to support decision making across the organisation;
- there is continuous improvement in the handling, management and use of information across the whole organisation – evidenced through the Health and Care Standards in Wales;
- the Health Board is meeting its legislative responsibilities, e.g., Data Protection and Freedom of Information Acts, as well as complying with national Information Governance policies and guidance;

- all reasonable steps are taken to prevent, detect and rectify irregularities or deficiencies in the safety, security and use of information, and in particular that:
 - Sources of internal assurance are reliable, and have the capacity and capability to deliver;
 - Recommendations made by internal and external reviewers are considered and acted upon on a timely basis; and
 - Lessons are learned from breaches in the safe, secure and effective use of information, as identified for example through reported incidents, complaints and claims.
- 3.4 The Committee will advise the Board on the adoption of a set of key indicators in relation to the quality and effectiveness of information systems against which the Health Board's performance will be regularly assessed.

Authority

- 3.5 The Committee is authorised by the Board to investigate or have investigated any activity within its terms of reference. In doing so, the Committee shall have the right to inspect any books, records or documents of the Health Board relevant to the Committee's remit and ensuring patient/client and staff confidentiality, as appropriate. It may seek any relevant information from any:
- employee (and all employees are directed to co-operate with any reasonable request made by the Committee); and
 - any other committee, sub-committee or group set up by the Board to assist it in the delivery of its functions.
- 3.6 The Committee is authorised by the Board to obtain outside legal or other independent professional advice and to secure the attendance of outsiders with relevant experience and expertise if it considers it necessary, in accordance with the Board's procurement, budgetary and other requirements.
- 3.7 The Committee will also link with other Committees of the Board, as appropriate, to provide and seek assurance with regard to its programme of work and that of other Committees and the Board.

Sub Groups

- The Committee may, subject to the approval of the Health Board, establish sub groups to carry out, on its behalf, specific aspects of Committee business.

4. MEMBERSHIP

Members

- 4.1 A minimum of three Independent Members, comprising:

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| Chair | Independent Member (ICT) |
| Vice Chair | Independent Member |
| Members | One other Independent Members of the Board |

Attendees

- 4.2 Lead Executive Director of Planning, Digital and IT
- 4.3 In attendance Medical Director (Caldicott Guardian)
Assistant Director of Informatics
Head of Information Governance
- 4.4 By invitation The Committee Chair may extend invitations to attend committee meetings to others from within or outside the organisation who the committee considers should attend, taking account of the matters under consideration, such as national digital developments e.g. invitations to representatives from the National Wales Information Service (NWIS).

Secretariat

- 4.5 Secretariat - As determined by the Board Secretary

Member Appointments

- 4.6 The membership of the Committee shall be determined by the Board, based on the recommendation of the Health Board Chair - taking account of the balance of skills and expertise

necessary to deliver the Committee's remit and subject to any specific requirements or directions made by the Welsh Government.

- 4.7 Members shall be appointed to hold office for a period of one year at a time, up to a maximum of their term of office. During this time a member may resign or be removed by the Board. The Board should consider rotating a proportion of the Committee's membership after three or four years service to ensure the Committee is continuously refreshed whilst maintaining continuity.
- 4.8 Terms and conditions of appointment (including any remuneration and reimbursement), in respect of co-opted independent external members are determined by the Board, based upon the recommendation of the Health Board Chair and, where appropriate, on the basis of advice from the Health Board's Remuneration and Terms of Service Committee.

Support to Committee Members

- 4.9 The Board Secretary, on behalf of the Committee Chair, shall:
- Arrange the provision of advice and support to committee members on any aspect related to the conduct of their role; and
 - ensure the provision of a programme of organisational development for Committee Members as part of the Health Board's overall OD programme developed by the Director of Workforce & Organisational Development.

5. COMMITTEE MEETINGS

Quorum

- 5.1 At least two members must be present to ensure the quorum of the Committee, one of whom must be the Committee Chair or Vice Chair.

Frequency of Meetings

- 5.2 Meetings shall be held at least quarterly and otherwise as the Chair of the Committee deems necessary – consistent with the Health Board's annual plan of Board Business.

Withdrawal of individuals in attendance

- 5.3 The Committee may ask any or all of those who normally attend but who are not members to withdraw to facilitate open and frank discussion of particular matters.

6. RELATIONSHIP & ACCOUNTABILITIES WITH THE BOARD AND ITS COMMITTEES/GROUPS

- 6.1 Although the Board has delegated authority to the Committee for the exercise of certain functions as set out within these terms of reference, it retains overall responsibility and accountability for the safety, security and use of information to support the quality and safety of healthcare for its citizens through the effective governance of the organisation.
- 6.2 The Committee is directly accountable to the Board for its performance in exercising the functions set out in these terms of reference.
- 6.3 The Committee, through its Chair and members, shall work closely with the Board's other committees and groups to provide advice and assurance to the Board through the:
- joint planning and co-ordination of Board and Committee business; and
 - sharing of information
- in doing so, contributing to the integration of good governance across the organisation, ensuring that all sources of assurance are incorporated into the Board's overall risk and assurance framework.
- 6.4 The Committee shall embed the Health Board's corporate standards, priorities and requirements, e.g., equality and human rights through the conduct of its business.

7. REPORTING AND ASSURANCE ARRANGEMENTS

- 7.1 The Committee Chair shall:
- report formally, regularly and on a timely basis to the Board on the Committee's activities. This includes verbal updates on activity, the submission of Committee minutes and written reports, as well as the presentation of an annual report;

- bring to the Board’s specific attention any significant matters under consideration by the Committee;
 - ensure appropriate escalation arrangements are in place to alert the Health Board Chair, Chief Executive or Chairs of other relevant committees/groups of any urgent/critical matters that may affect the operation and/or reputation of the Health Board.
- 7.2 The Board may also require the Committee Chair to report upon the Committee’s activities at public meetings, e.g., AGM, or to community partners and other stakeholders, where this is considered appropriate, e.g., where the Committee’s assurance role relates to a joint or shared responsibility.
- 7.3 The Board Secretary, on behalf of the Board shall oversee a process of annual and rigorous self assessment and evaluation of the Committee’s performance and operation including that of any sub groups established.

8. APPLICABILITY OF STANDING ORDERS TO COMMITTEE BUSINESS

- 8.1 The requirements for the conduct of business as set out in the Health Board’s Standing Orders are equally applicable to the operation of the Committee, except in the following areas:
- Quorum

9. REVIEW

- 9.1 These Terms of Reference shall be reviewed annually by the Committee with reference to the Board.