



INFORMATION COMMUNICATION TECHNOLOGY (ICT) AND INFORMATION GOVERNANCE COMMITTEE

TERMS OF REFERENCE

INTRODUCTION

The Standing Orders of the Local Health Board provide that *“The Board may and, where directed by the Assembly Government must, appoint Committees of the LHB 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”*.

In line with standing orders (and the LHB scheme of delegation), the Board shall nominate a committee to be known as the **Information Communication Technology (ICT) and Information Governance (IG) Committee**. The detailed terms of reference and operating arrangements set by the Board in respect of this Committee are set out below.

PURPOSE

The purpose of the Committee is to advise and assure the Board in discharging its responsibilities with regard to the quality and integrity; safety, security and appropriate access and use of information, to support health improvement and the provision of high quality healthcare.

The Committee will seek assurance on behalf of the Board in relation to the Health Board’s arrangements for appropriate and effective management and protection of information (including patient and personal information) in with legislative and regulatory responsibilities.

The Committee will also provide advice and assurance to the Board in relation to the direction and delivery of the Information Communication Technology (ICT) and Information Governance (IG) Strategies to drive continuous improvement and support IT enabled health care to achieve the objectives of the Health Board’s Integrated Medium Term Plan (IMTP).

DELEGATED POWERS AND AUTHORITY

The Committee will, in respect of its provision of advice and assurance will, and is authorised by the Board to ensure that it:

- oversees the development of the Health Board’s 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
- oversees the direction and delivery of the Health Board’s Information Communication Technology (ICT) and Information Governance Strategies to drive change and transformation in line with the Health Board’s Integrated Medium Term Plan (IMTP) that will support modernisation through the use of information and technology
- considers the Information Communication Technology (ICT) and Information Governance (IG) implications arising from the development of the Health Board’s corporate strategies and plans or those of its stakeholders and partners
- considers the Information Communication Technology (ICT) Information Governance (IG) implications for the Health Board of internal and external reviews and reports
- oversees the development and implementation of a culture and process for data protection by design and default (including Privacy Impact Assessments) in line with legislation (e.g. General Data Protection Regulation)
- seek assurance through monitoring the Cyber Security Action plan
- completes an annual self assessment exercise in respect of the Information Communication Technology (ICT) and Information Governance.

The Committee will, in respect of its assurance role, seek assurances that Information Communication Technology (ICT) and Information Governance Strategies and 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.

To achieve this, the Committee's programme of work will be designed to ensure that, in relation to Information Communication Technology (ICT) and Information Governance (IG).

- there is a clear, consistent strategic direction, strong leadership and transparent lines of accountability
- there is a citizen centred approach, striking an appropriate balance between openness and confidentiality in the management and use of information and technology
- the handling and use of information and information systems across the organisation is consistent, and based upon agreed standards
- there is effective communication, engagement and the workforce is appropriately trained, supported and responsive to requirements in relation to the effective handling and use of information (including IT systems), consistent with the interests of patients and the public
- 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 (WASPI) and Caldicott requirements)
- the integrity of information is protected, ensuring valid, accurate, complete and timely information is available to support decision making across the organisation
- the Health Board is meeting its responsibilities with regard to the General Data Protection Regulation, the Freedom of Information Act, Caldicott Information Security, Records Management, Information Sharing, national Information Governance policies and the Information Commissioner's Office guidance
- the Health Board is safeguarding its information, technology and networks through monitoring compliance with the Security of Network and Information Systems regulations and relevant standards
- 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

- Lessons are learned from breaches in the safe, secure and effective use of information, as identified for example through reported incidents, complaints and claims, and
 - Training needs are assessed and met.
- receive assurance on the delivery of the Information Communication Technology (ICT) and Information Governance (IG) Strategies operational plans including performance against the annual Informatics Capital Programme
 - seek assurance on the effectiveness and impact of the Health Board's Digital Transformation Plans
 - seek assurance on the performance and delivery of the rollout of the core national IT systems which could have significant impact on the Health Board's operational services and escalate to the Board as appropriate.

The Committee will receive assurance on compliance with key performance indicators in relation to the quality and effectiveness of information and information systems against which the Health Board's performance will be regularly assessed.

- The Committee will maintain oversight of the effectiveness of the relationships and governance arrangements with partner organisations in relation to Information Communication Technology (ICT) and Information Governance. This will include NHS Wales Informatics Service (NWIS).

Authority

The Committee is authorised by the Board to investigate or have investigated any activity within its terms of reference. It may seek relevant information from any:

- employee (and all employees are directed to cooperate with any legitimate request made by the Committee), and
- other committee, or group set up by the Board to assist in the delivery of its functions.

The Committee:

- may 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
- may consider and where appropriate, approve on behalf of the Board any policy within the remit of the Committee's business

- will review risks from the Organisational Risk Register that are assigned to the Committee by the Board and advise the Board on the appropriateness of the scoring and mitigating actions in place.

Sub Groups

The Committee may, subject to the approval of the Board, establish sub groups or task and finish groups to carry out on its behalf specific aspects of Committee business.

The following sub groups will report quarterly to the Committee:

- Digital Health Strategy Steering Group
- Information Governance Group

MEMBERSHIP

Membership shall comprise of Five Independent Members of the Board.

Attendance

Executive Medical Director (Caldicott Guardian)

Lead Director for ICT

Director of Governance & Board Secretary / Senior Information Risk Owner (SIRO)

Assistant Director of Information Communication Technology (ICT)

Clinical Lead for ICT

Information Governance Manager / Data Protection Officer

Other Directors/Officers will attend as required by the Committee Chair, as well as any others from within or outside the organisation who the Committee considers should attend, taking into account the matters under consideration at each meeting.

Member Appointments

The membership of the Committee shall be determined by the Chair of the Board, 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. This includes the appointment of the Chair and Vice-Chair of the Committee who shall be independent Members.

Appointed Independent Members shall hold office on the Committee for a period of up to four years. Tenure of appointments will be staggered to ensure business continuity.

A Member may resign or be removed by the Chair of the Board. Independent Members may be reappointed to the Committee up to a maximum period of eight years.

Support to Committee Members

The Director of Governance / Board Secretary, on behalf of the Committee Chair, shall:

- Determine the secretarial and support arrangements for the Committee
- Arrange the provision of advice and support to committee members on any aspect related to the conduct of their role, and
- Co-ordinate the provision of a programme of organisational development for committee members.

COMMITTEE MEETINGS

Quorum

A minimum of two Independent Members must be present to ensure the quorum of the Committee, this should include either the Chair or the Vice-Chair of the Committee. In the interests of effective governance it is expected that at least one Director listed above will also be in attendance.

Frequency of Meetings

The Committee will meet a minimum of four times per annum on a quarterly basis.

Withdrawal of individuals in attendance

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.

Circulation of Papers

The Director of Governance / Board Secretary will ensure that all papers are distributed at least 5 working days prior to the meeting.

REPORTING AND ASSURANCE ARRANGEMENTS

The Committee Chair shall:

- report formally, regularly and on a timely basis to the Board on the Committee's activities via the Chair's assurance report. This may include verbal updates on activity, the submission of committee minutes and written reports and 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 LHB Chair, Chief Executive or Chairs of other relevant committees of any urgent / critical matters that may affect the operation and / or reputation of the LHB.

The Director of Governance / Board Secretary, on behalf of the Board, shall oversee a process of regular and rigorous self assessment and evaluation of the Committee's performance and operation including that of any sub groups established.

RELATIONSHIP WITH THE BOARD AND ITS COMMITTEES/GROUPS

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 ensuring the quality and safety of healthcare for its citizens through the effective governance of its organisation.

The Committee is directly accountable to the Board for its performance in exercising the functions set out in these Terms of Reference.

The Committee, through the Committee Chair and members, shall work closely with the Board's other Committees including joint committees/Advisory 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 arrangements.

The Committee shall embed the corporate goals and priorities through the conduct of its business, and in doing and transacting its business shall seek assurance that adequate consideration has been given to the sustainable development principle and in meeting the requirements of the Well-Being of Future Generations Act.

APPLICABILITY OF STANDING ORDERS TO COMMITTEE BUSINESS

The requirements for the conduct of business as set out in the LHB Standing Orders are equally applicable to the operation of the Committee, except in the area relating to the Quorum.

REVIEW

These Terms of Reference and operating arrangements shall be adopted by the Information Governance and Informatics Committee and subject to review, at least on an annual basis thereafter, with any changed recommended to the Board for approval.

The next review due in December 2020.