Understanding Your Information Governance Responsibilities And The New CQC Assessment

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Todays Session

Today we will be covering

- The new CQC Assessment Approach
- How your rating is calculated
- WELL-LED Key Question
- Governance, Management & Sustainability Quality statement
- What you need in place
- Where to get help

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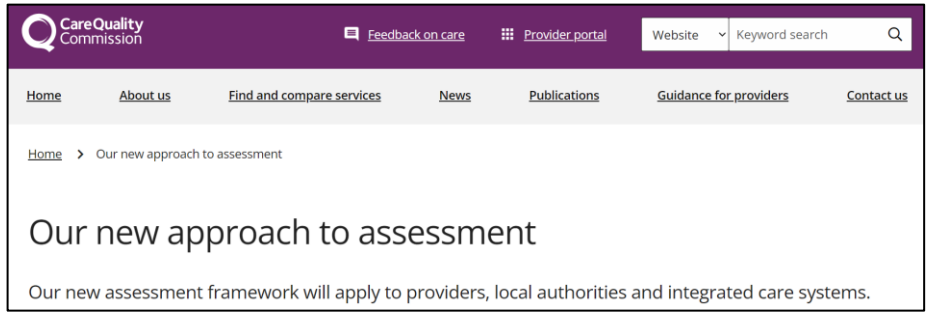
CQC New Assessment Approach

[Our new approach to assessment - Care Quality Commission (cqc.org.uk)]



5 Key Questions

Safe **Effective** **Caring** **Responsive** **Well-led**

You must provide evidence to support the Quality Statements within each Key Question.

Evidence is assessed & given a score.

4 = Evidence shows an exceptional standard
3 = Evidence shows a good standard
2 = Evidence shows some shortfalls
1 = Evidence shows significant shortfalls

How your Rating is calculated

Scores within each Key Question are combined and calculated as a percentage, then translated into a Rating using set thresholds.

Over 87%	=	Outstanding
63-87%	=	Good
39-62%	=	Requires Improvement
25-28%	=	Inadequate

Scores/ratings from all 5 Key Questions will be used to determine your **Overall Rating**.

Key Question WELL-LED

- Shared direction and culture
- Capable, compassionate and inclusive leaders
- Freedom to speak up
- Workforce equality, diversity and inclusion
- **Governance, management and sustainability**
- Partnerships and communities
- Learning, improvement and innovation
- Environmental sustainability – sustainable development

Quality Statement

Governance, Management & Sustainability

- We have clear responsibilities, roles, systems of accountability and good governance.
- We use these to manage and deliver good quality, sustainable care, treatment and support.
- We act on the best information about risk, performance and outcomes, and we share this securely with others when appropriate.

What this quality statement means

- There are **clear and effective governance**, management and accountability arrangements. Staff understand their **role and responsibilities**. Managers can account for the **actions, behaviours and performance of staff**.
- The systems to **manage current and future performance** and risks to the quality of the service take a proportionate approach to managing risk that allows new and innovative ideas to be tested within the service.
- Data or notifications are consistently submitted to **external organisations** as **required**.
- There are robust arrangements for the **availability, integrity and confidentiality** of data, records and data management systems. **Information is used effectively** to monitor and improve the quality of care.
- Leaders implement relevant or mandatory **quality frameworks**, **recognised standards**, **best practices** or equivalents to improve equity in experience and outcomes for people using services and tackle known inequalities.

Subtopics - Where CQC will focus

- Roles, responsibilities and accountability
- Governance, quality assurance and management
- **Cyber and data security and protection toolkit (DSPT)**
- Emergency preparedness, including climate events
- Sustainability, including financial and workforce
- **Data security/data protection**
- Statutory and regulatory requirements
- Workforce planning
- External recommendations, for example safety alerts
- **Records/digital records**

Data Security & Protection Toolkit (DSPT)

A FREE online self-assessment of care providers' data management policies, procedures and processes

42 questions, split into 4 sections

Staffing & Roles **Policies & Procedures**
Data Security **IT Systems & Devices**

Demonstrates compliance with

- GDPR
- Data Protection Legislation
- 10 National Data Guardian Standards (DHSC)
- Good Practice

CQC will expect an annually published of your DSPT

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But what does all that mean ?

What you need…

- A record of the data you hold (Digital & Paper), where you hold it and the people/organisations you are sharing data with
- A Privacy Notice
- Data Protection policies
- Clear procedures
- Clear staff, volunteers, director roles and responsibilities with the ability to assess knowledge
- A robust, workable, tested, Business Continuity Plan
- Securely held data and unauthorised access prevention
- Compliance with GDPR and the 10 National Data Guardian Standards

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Staffing & Roles

What do you need in place?

- Designated person responsible for demonstrating GDPR compliance
- Confidentiality, Integrity and Accessibility clause within Staff Contracts
- Clear roles and responsibilities
- Training Need Analysis
  - Data security induction training
  - Scheduled refresher training
- Assessment of staff knowledge
  - Team discussions
  - Spot checks

Staffing & Roles – Data Breach

When working with personal information think C I A

- **Confidentiality**

Do not share (paper, digital or verbal) unless there is a Lawful Basis.
Breach example - Talking about a resident's health diagnosis in a communal area or leaving a care plan on a table in a communal lounge.

- **Integrity**

Must be fit for purpose, accurate, complete and up to date
Breach example - Changes or incidents not logged correctly. Updates to medication or care needs not recorded.

- **Accessibility**

Must be available to those with authority to view it.
Breach example - Lost key to care plan cabinet or Phishing email locks systems

Staffing & Roles – eLearning

End to End Data Security & Protection training. Specifically developed for care providers.

First of its kind!!

Launched Dec 2023

Four modules

Module 1: Data protection rights & responsibilities.

Module 2: Keeping data secure.

Module 3: Threats to data security.

Module 4: Data breaches.

Assessment quiz:

- 20 questions across all 4 modules
- 80% pass mark
- downloadable certificate.

First free elearning resource on data protection for care staff launched - Digital Care Hub

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Policies

- Privacy Notice - a document that outlines how you collect information, its purpose, use and agreement that only necessary information will be collected. It should be available to the people you support, their families and any 3rd party whose information you hold or has a legitimate interest in the data you hold.
- Data Protection Policies - For internal purposes, the main goal of these policies are to protect and secure all data collected, managed, and stored by the organisation, they can become the processes to operate by.
- Information Retention Policy - sets out the time period for storing and managing data, it should detail all types of data you hold and the period of retention for each.
- Bring Your Own Device Policy – An agreement between the organisation and staff, if they are using their devides for work purposes, that they will do everything possible to keep work information safe and secure. Not allowing access to anyone outside the organisation

Templates can be found at [Template Policies and Resources - Digital Care Hub]

Data Mapping

What data do you hold?

Where do you hold that data?

Who are you sharing data with?

Do you know?

If you don’t, you cannot be confident that data is being managed securely or lawfully within your organisation.

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Data Mapping – What do you need?

Two documents will satisfy CQC that you know
What, **Where** & **Who**

- Information Asset Register (IAR)
  A record of all the places you hold information and how you keep it secure
- Record of Processing Activities (ROPA)
  A record of all the organisations and people you share data which, and the specific data you share

IAR & ROPA Template - How to Document Your Data Processing - Digital Care Hub

Where to start - Keep it simple

The IAR & ROPA templates can look a bit scary.

So, **start simple**.

1st, list all the data you hold, Paper & Digital

E
Data Name
Payslip
care plan
Training Records
Staff Contract

Data Mapping

With your data list complete, start to record all the places you hold that data. It is likely you will hold some data in several places.

Where Do We Hold This Data?			Data Name
Location 3	Location 2	Location 1	
	Cloud	*SAGE*	***Payslip***
	Cloud	*Care plan system*	**care plan**
Cloud	Office Computer	*Training Folder*	**Training Records**
Cloud	Office Computer	*Staff files*	**Staff Contract**

Each individual place you hold data becomes the 1st column in your IAR

Data Mapping

On the other side of your data list, record all the people/organisation you share data with, plus the Legal Basis for sharing

Data Name	Who Do We Share Data With?					
	Shared with 1	Legal Basis	Shared with 2	Legal Basis	Shared with 3	Legal Basis
Payslip	*External HR*	*Legititmate Activities*	*Accountant*	*Contract/Legititmate Activities*		
care plan			Social Services	*Contract/Legititmate Activities*	family	*contract*
Training Records						
Staff Contract	*External HR*					
Staff Bank details	*Accountant*	*Contract/Legititmate Activities*				
Medication records	*GP*	*Contract/Legititmate Activities*	Pharmacy	*Contract/Legititmate Activities*		

Each instance of sharing becomes a line within your ROPA

Legal Basis - Article 6 Provision	
6(1)(a)	Consent
6(1)(b)	Contract
6(1)(c)	Legal Obligation
6(1)(d)	Vital Interests
6(1)(e)	Public Task
6(1)(f)	Legitimate Interests

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IT Systems & Devices

What you need…

- Robust systems with up-to-date software
- Up to date antivirus/antimalware
- Ability to provide appropriate, individual system access
- Ability remove or change access profile quickly
- Good password practice – recommend 3 Random Words
- Tested Business Continuity Plan
- Accessible backups
- Systems in place to prevent unauthorised access

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Data Protection

Staff training is Key

(>60% of data breaches are due to human error)

Physical prevention to data

- Lockable doors & windows
- Lockable office, cabinets, drawers
- Keycode/Pass card entry systems
- Password, finger/face recognition
- CCTV

Recognise, record, report, review data breaches

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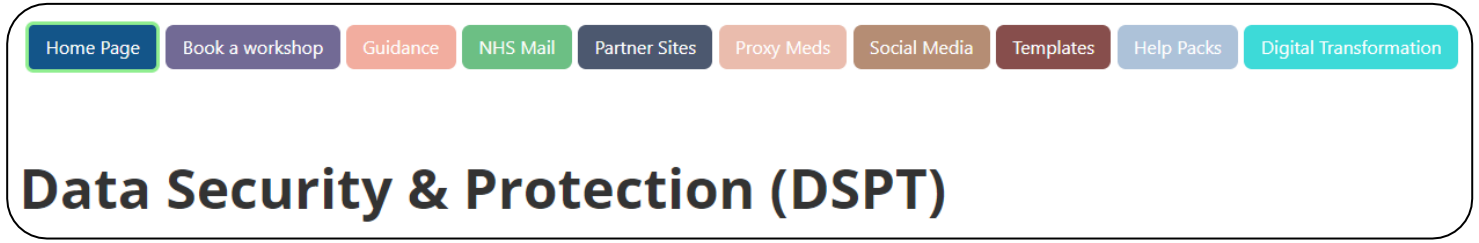
Where To Get Help, Other Info

HCPA Data Protection Team

Call: 01707 708018
Email: DataProtection@HCPA.co.uk
Website Data Security & Protection Toolkit (DSPT) | HCPA



Register for DSPT at Registration (dsptoolkit.nhs.uk)
Access Guidance & Templates for everything you will need

Next Forum – 1st Feb 2pm
Focusing on Modern Slavery

Questions?

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