NHS Connecting for Health Information Governance Supporting Notes: Statement of Compliance Overview

Introduction
To gain authorisation for connecting your organisation to NHS Connecting for Health digital services and/or the N3 network, the Statement of Compliance form must be completed according to the guidelines and submitted with the appropriate supporting documentation. Below are guidelines that will provide answers to frequently asked questions and help you understand the documentation required and the process to organise connection.

How can I submit my Statement of Compliance?
The Statement of Compliance contains a form on page 6 which needs to be cut and pasted into an email from the authorised signatory's mailbox and sent to socteam@nhs.net. This email confirms that your organisation has read and understood the requirements of the Statement of Compliance and will adhere to them. The email will be stored by NHS Connecting for Health as a record that your organisation complies with the standards and requirements stated in the Statement of Compliance.

Who can submit the Statement of Compliance form?
The Statement of Compliance needs to be returned via email from any person who holds legal responsibility for the organisation e.g. by one of the following:
- Chief Executive (CEO)
- Senior Responsible Officer (SRO)
- Principle/Senior Partner (GP Practices)
- Legal Counsel
- A Duly Authorised Executive
- Chief U.K Representative (for international organisations)
Why does it have to be someone at a senior level in our organisation?
The Statement of Compliance is a document that creates commitments across the whole organisation. Therefore it needs to be signed by someone with responsibility that reflects this. There are also extensive information governance implications and we would advise that the information guardian or officer has been briefed on the agreement.

What documentation does my organisation need to provide alongside the signed Statement of Compliance?

- **NHS Organisations and Public Sector providers of Care**, for example Acute Trusts, Foundation Trusts, PCTs, GPs, Ambulance Trusts, Mental Health Trusts and Prison Health services.
  1. NHS Connecting for Health will use the organisation’s **NACs Code** to confirm that a there is already a valid **Information Governance Toolkit Self Assessment** in place for that organisation. If there isn’t an **Information Governance Toolkit Self Assessment** in place, the organisation will need to complete version 4 of the Information Governance Toolkit.
  2. The organisation must then complete and return the form on page 6 of the Statement of Compliance.

- **Commercial Third Parties**, e.g. Independent Sector Treatment Centres, Service Providers, Contractors, will need to provide
  1. A Connection Proposal
  2. A No Through Connection statement
  3. Evidence that a valid contract is in place with the NHS. This could be the reference number for an NHS Connecting for Health contract, a copy of a contract with an NHS organisation, or a letter of sponsorship from an NHS organisation.
  4. A completed **Information Governance Toolkit Self Assessment** submission. *To complete this, the organisation will need a NACS code. To obtain this, please see question, ‘Why does my organisation need a NACS Code and how do I get one?’*
  5. The Statement of Compliance form
Please Note - If there isn’t a Self Assessment in place, the organisation will need to complete version 4 of the Information Governance Toolkit Self Assessment.

- Other organisations should in the first instance contact socsteam@nhs.net. Such applications will be dealt with on a case-by-case basis in conjunction with the Department of Health Digital Policy Unit.

Any Statement of Compliance submissions which do not contain the appropriate documentation will be returned for re-submission.

When do I have to sign up to the Statement of Compliance?

- From the 1st December 2006 any organisations taking NHS Connecting for Health Digital Services and/or connecting to N3 network for the first time are required to complete the Statement of Compliance
- It is planned that from 1st April 2007, NHS Connecting for Health will be in a position to receive Statement of Compliance submissions from existing organisations with a Code of Connection/N3 connection. All organisations will be expected to migrate from the Code of Connection to the Statement of Compliance by the end of March 2008. During this period, NHS Connecting for Health will be providing proactive support at different stages throughout the year to each of the different types of organisations.
  
  If you already have an N3 connection/have previously signed the Code of Connection, you do not need to sign up to the Statement of Compliance until the 1st April 2007

My organisation is already connected to N3 and has signed the Code of Connection. When do we need to complete the Statement of Compliance?

Please see question, ‘When do I have to sign up to the Statement of Compliance?’ NHS Connecting for Health will be contacting organisations in this category.

Why does my organisation need a NACS Code for the Statements of Compliance process and how do I get one?
The NACS (National Administrative Code Service) code will be used to register your organisation with the Information Governance Toolkit. This is an essential component of the Statement of Compliance requirements. Without a NACS code you cannot complete the toolkit and therefore cannot submit the Statement of Compliance. You will also need to be registered as a user in the Information Governance Toolkit, in order to access it. To do this, please email igtsocapplications@nhs.net, and copy in (cc) socteam@nhs.net.

For more information on NACS Codes please visit: http://www.connectingforhealth.nhs.uk/technical/standards/nacs

What services will my organisation have access to once the Statement of Compliance has been processed and approved?
Every organisation which completes a Statement of Compliance application and is approved will receive a connection to the N3 network and/or Connecting for Health’s digital Services through their supplier. NHS and other Public Sector providers of care may additionally receive access to the Domain Name Service (DNS), National Care Record Services, NHS Mail and Internet access as part of the ‘baseline’ offering. It should be noted that the ability to access Personally Identifiable Data will then be controlled by normal NHS Information Governance controls and National Standards required for these services, e.g. Access Control through smartcard authentication.

What are the differences between the Statement of Compliance and the Code of Connection?
• The Statement of Compliance replaces the Code of Connection. It applies to all organisations that use the N3 and/or NHS Connecting for Health digital services
• The Code of Connection was based around the network connection. The Statement of Compliance is broader and covers all digital services which NHS Connecting for Health provide. The Code of Connection was developed before the National Programme for IT, taking into account the NHS requirements at that time. With the changing environment of the National Programme for IT, a review of the
Code of Connection was needed and this resulted in the development and introduction of the Statement of Compliance.

- The Code of Connection was suitable protection for the old environment and the Statement of Compliance has been designed and adapted to suit the new NHS Connecting for Health environment.
- The Statement of Compliance is an agreement between the connecting organisation and NHS Connecting for Health. The Code of Connection was between the NHS Information Authority and the connecting organisation.

What is the process for approving my Statement of Compliance?

1. The organisation downloads the Statement of Compliance form from the website
2. The organisation ensures they have completed the required ‘Supporting Documentation/Information Governance Toolkit’ needed for their application.
3. The organisation completes the Statement of Compliance form and emails it back to NHS Connecting for Health Statement of Compliance Team socteam@nhs.net, attaching the relevant Supporting Documentation.
4. The Statement of Compliance team assigns a reference number.
5. The organisation receives an acknowledgement email containing a reference number.
6. The organisation is prompted to complete the ‘Expression of Interest’ form at: www.n3.nhs.uk in order to initiate the ordering process with BT.

NHS Connecting for Health Internal Process Checks

1. The NHS Connecting for Health Statement of Compliance Team check through documents supplied by the organisation
2. If the documents supplied are inadequate, a ‘Return for Further Work’ email will be sent back to the organisation requesting the correct documents. Please note – the ‘5 day turn around timescale’ will start only once an organisation has successfully completed the Information Governance Toolkit and has supplied the appropriate correct supporting documentation.
3. The progress will be tracked by the SoC Team to see if the organisation sends back the documents.
4. If the organisation does not send back the correct documents, they will be contacted three times at two week intervals.

5. If the organisation is a ‘Commercial Third Party’ then the application will be subject to an Information Governance Security assessment.

6. On a random sample basis, some applications will be subject to a Quality Assurance check delving into more detail from documents provided.

7. If any of these checks fail our tests, a ‘Return for further Work’ email will be sent to the organisation with advice and guidance of what is required.

8. Providing that the organisation has passed the above checks, and all the correct documentation has been supplied, the NHS Connecting for Health Statement of Compliance Team will issue an ‘Authority to Proceed’ notification to the supplier. The requestor will be copied in on this email for information.

What is the timescale from my organisation sending in a Statement of Compliance to it being authorised to receive an N3 connection?

We will deal with your request with in 5 working days. An ‘Authority to Proceed,’ communication will be issued to all the relevant parties once an application has been approved, unless further information is required you.

This '5 day turn around' timescale commences when an organisation has successfully completed the Information Governance Toolkit and has provided the correct supporting documentation.

When should I expect to hear whether my connection to NHS Connecting for Health digital services has been approved?

You will receive email notification from the Statement of Compliance team that your application has been received. From the date you receive this email, the Statement of Compliance team will process your Statement of Compliance application within five working days, providing you have successfully completed the Information Governance Toolkit and submitted all the appropriate documentation. Also, see question, ‘What is the timescale from my organisation sending in a Statement of Compliance to it being authorised to receive an N3 connection?’

I have received notification that my application is going through Quality Assurance. What does this mean?
Most applications will be assessed according to a standard set of criteria, relying mostly on the Information Governance Toolkit Self Assessment returns. A random sample of applications will be extracted and examined in far greater depth. This may result in calls to people nominated on the Statement of Compliance application form and requests for further information.

**What happens if there is a problem with my Statement of Compliance submission?**
If there is a problem, you will be contacted by the NHS Connecting for Health Statement of Compliance Team by email using the address you have supplied in your application. The email will clearly state what you need to do to get your application back on track.

**My organisation is based outside England. Can I apply for NHS Connecting for Health Services through the Statement of Compliance process?**
Until an inter-country agreement is in place, these queries will be dealt with on an individual basis via socsteam@nhs.net.

**Our organisation spans several sites. Which address should we use on the return?**
The address entered on the Statement of Compliance must be your registered legal address, for example, the address which was used on your Data Protection registration.

**Our organisation is in the process of merging with another. Which name and/or address should we use on the form?**
The newly created organisation needs to sign up to the Statement of Compliance. The new organisation should complete the Information Governance Toolkit using the code the organisation’s new NACS code.
If existing organisations are not due to merge for several weeks, and they want/are using NHS Connecting for Health’s digital services, then they also need to sign a Statement of Compliance and complete the Information Governance Toolkit Self Assessment using their existing NACS code.

**If two connected organisations merge, does the new organisation have to sign a Statement of Compliance and complete the Information Governance Toolkit straight away?**
Yes, if the merge was completed after 1st December 2006, the Statement of Compliance must be signed by the new organisation. The Information Governance Toolkit must be completed using the newly merged organisation’s NACS code.

All organisations currently receiving NHS Connecting for Health digital services under the NHS Information Authority Code of Connection will need to review and sign the new Statement of Compliance within 12 months from 1st April 2007.

**Will my organisation need to submit a new Information Governance Toolkit Self Assessment if my organisation has changed name, but still has the same NACS code?**

No. Your updated information (Organisation name) will be captured in the next version of the Information Governance Toolkit Self Assessment your organisation submits the following year.

All organisation types are mandated to complete the full Information Governance Self Assessment annually by 31st March e.g. If an organisation changes name mid year, this will be captured in the year end of NHS Connecting for Health’s Digital Policy Unit assessment process.

**Why does my Third Party Organisation need to complete the No Through Connection Statement (NTS)?**

Commercial Third Parties are connected to N3 with managed outbound access-control, limiting their access to only the IP addresses specified in their sponsorship letter. Each Commercial Third Party is obliged to sign a No Through Connection Statement to guarantee that they will access only those I.P’s and will not seek to establish an onward connection.

**What are the restrictions on ‘through connections’?**

The Statement of Compliance states: ‘Connections to other systems or networks that are not covered by this Statement of Compliance must either be disconnected or comply with a security mechanism specifically approved by the NHS Connecting for Health Statement of Compliance team.’
This means that those organisations connecting to N3 must ensure that there is no possibility of an onward connection existing (for example, to the Internet or another organisation's network) through their infrastructure.

**What is an “appropriate Information Governance framework” for non NHS organisations?**

The Statement of Compliance form says: ‘The Authorised Service Recipient undertakes to ensure that the activities of its authorised users are overseen by an appropriate Information Governance framework.’ NHS organisations should already be aware that they are required to complete the Information Governance Toolkit. Non-NHS organisations are also required to complete the Information Governance Toolkit, which can be found at www.igt.connectingforhealth.nhs.uk. We ask that all organisations signing up to the Statement of Compliance complete the Information Governance Toolkit self-assessment before they send in their application. This ensures Information Governance standards and requirements are met by each organisation and can be assessed and audited annually.

**Our organisation is small, do we now have to employ an IG Specialist?**

No, the intention is to ensure good Information Governance practice across all connecting organisations, not to dictate how they achieve this. For example it may be inappropriate for a small GP practice to employ an Information Governance specialist when they could achieve the same result through the active support of their PCT.

**How does the Statement of Compliance tie in with the Data Protection Act 1998?**

Information about your organisation may be held by NHS Connecting for Health for the purposes of administering the NHS Connecting for Health Statement of Compliance and requirements associated with it. Your information will not be used for any other purpose without your prior permission. If you have any queries you can contact socsteam@nhs.net.

**As a Third Party Organisation, why do we need to provide IP addresses on the Sponsorship Letter?**
Commercial Third Parties are connected to N3 with N3SP-managed outbound access-control, limiting their access to only the IP addresses specified in their sponsorship letter.

You may update your I.P address list once your N3 connection has been made live as you require more digital services through the Third Party Filter Request form.

**Why do we need to complete the EOI?**

You need to complete the Expression of Interest form at [www.n3.nhs.uk](http://www.n3.nhs.uk) in order to initiate the ordering process with BT N3SP. Once you have registered your details on the form, BT will then issue you an ‘Access Agreement.’ This is an Agreement between your organisation (the legal entity) and the BT N3SP so that you are able to take advantage of the N3SP contract with the NHS. It is required in order for BT N3SP to deliver N3 services to you. For further details of this, please visit the N3 link above.

**What do we need to do if our network architecture changes?**

It is the organisation’s responsibility to make a judgment and show that they have carried out the necessary self assessments on the changes. This is documented in the Statement of Compliance (bottom of page 8).

**Can I just complete ‘Requirement 108’ of the Information Governance Toolkit in order to submit my Statement of Compliance?**

No, the whole of the [Information Governance Toolkit](http://www.n3.nhs.uk) (currently, version 4) must be completed in order for your Statement of Compliance submission to be processed.

**Does my GP Practice need to complete the Statement of Compliance?**

Yes, each independent legal entity consuming NHS Connecting for Health’s digital services and/or the N3 network need to complete the Statement of Compliance. In effect, it could be signed by one of the senior partners.

**Version 4 of the Information Governance Toolkit is not required to be completed until the end of March 2007. Does this affect my Statement of Compliance submission?**
Your Information Governance Toolkit Self Assessment is mandatory in order to process your application. If you want to connect to NHS Connecting for Heath’s digital services and/or the N3 network, you **have to** complete the Information Governance Toolkit along with your application. The earlier you complete the Information Governance Toolkit, the faster you can submit your application.

**When will LSP’s need to sign the Statement of Compliance?**

LSP’s are not required to sign the Statement of Compliance until the migration starts on 1st April 2007. From this date you will be contacted and asked to complete the Statement of Compliance. However, if you require a new connection to the N3 network and/or NHS Connecting For Health’s digital services before the 1st April 2007 the Statement of Compliance will need to be completed.

**We are a Commercial Third Party (CTP) based in Scotland. Who do we contact?**

For CTPs based in Scotland, nisgtelecom.nss@nhs.net should be contacted for security assurance.

**We are a Commercial Third Party (CTP) based in Wales. Who do we contact?**

For CTPs based in Wales, service.desk@wales.nhs.uk should be contacted for security assurance.

**My organisations would like to migrate from N2 (NHSnet) to N3, what do we need to do?**

Your organisation is required to complete the Statement of Compliance process. The *What documentation does my organisation need to provide alongside the signed Statement of Compliance?* question provides further information on what you need to do.