Information Governance Toolkit Version 9 - SHA and PCT Cluster Arrangements

The DH publication "PCT Cluster Implementation Guidance" (31 January 2011) and "SHA Clustering – NHS Management Board Decisions" (14 July 2011) charged SHAs and PCT clusters with ensuring that information governance is addressed clearly and explicitly and effectively through the new arrangements.

Each SHA has been asked to take the necessary steps to ensure that, as at June 2011, clusters of PCTs exist (PCT Cluster guidance dated 31 January 2011).

SHAs have also now been asked to move to four SHA Clusters from 3 October 2011 (Dear Colleague letter dated 14th July 2011)

Given recent significant incident of data loss that are clearly in breach of national guidelines, partial or inconsistent coverage in terms of IG reporting is unacceptable. On 6 April 2010, new legal powers came into force that enable to Information Commissioner to order organisations to pay up to £500,000 as a penalty for serious breaches of the Data Protection Act 1998. The power to impose a monetary penalty is part of the ICOs overall regulatory framework that includes the power to prosecute those involved in the unlawful trade in confidential personal data.

Cognisant of the context, it would be negligent to omit areas or activities which still pose high risk to the NHS during the period of transition. The purpose of this guidance note is to outline actions required to ensure the adequacy of our systems, procedures and working practices during this immediate period of transition.

PCT Cluster Reporting Arrangements

To ensure that there are no gaps in the information governance assurance provided by SHAs and PCTs, the following performance assessment must be followed:

A combined cluster IG Toolkit (IGT) assessment must be completed and published by 31st March 2012 eg a PCT cluster should conduct and publish an assessment that covers all constituent PCTs. The lowest assessed individual PCT scores against each requirement will provide the cluster score, not an average of scores.

Where local organisations retain a strong presence out with the cluster arrangements, individual assessments may also be completed and published. This should be a cluster level decision with the aim of providing the required comprehensive assurance as efficiently as possible.

Individual PCT IGT evidence will not be rolled over to the Cluster assessment but the PCT's IGT accounts will be accessible, via the Commissioning view of the IG, to facilitate the population of the new PCT Cluster assessment.

A PCT cluster view and supporting assessment is expected to be available on IGT by 4th August 2011. To register for a Cluster account, the appropriate IGT Administrator will need to contact the IG Policy Team (via exeter.helpdesk@nhs.net (FAO IGT 3rd Line)).

PCT clusters will be asked to baseline performance at 31st October 2011 and publish a return at 31st March 2012.

SHA Cluster Reporting Arrangements

SHA Cluster codes are being developed and will be uploaded into the SHA view of the IGT.

As with the PCT clusters, a combined cluster IG toolkit assessment must be completed and published by 31st March 2012 eg a SHA cluster should conduct and publish an assessment that covers all constituent SHAs. The lowest assessed individual SHA scores against each requirement will provide the cluster score, not an average of scores.

Where individual SHAs retain a strong presence out with the cluster arrangements, individual assessments may also be completed and published.

SHA clusters will be required to baseline performance at 31st October 2011 and publish an assessment at 31st March 2012.

Further help or advice can be obtained from the Department's Information Governance Policy Team by contacting exeter.helpdesk@nhs.net