

Data Protection Act 1998 Undertaking follow-up

Cardiff and Vale University Health Board ICO Reference: ENF0474328

In March 2014 the Information Commissioner's Office (ICO) conducted a follow-up assessment of the actions taken by, Cardiff and Vale University Health Board (the Board) in relation to the undertaking it signed on 4 October 2013.

The objective of the follow-up is to provide the ICO with a level of assurance that the agreed undertaking requirements have been appropriately implemented. We believe that appropriate implementation of the undertaking requirements will mitigate the identified risks and support compliance with the Data Protection Act 1998.

The follow-up assessment consisted of a desk based review of the documentary evidence the Board supplied to demonstrate the action it had taken in respect of the undertaking requirements. This included the following:

- Action plan/response - updated 22.3.14
- Alert notice Keeping PII Confidential Safe and Secure - November 2013
- Procedure Flyer - Ambulance Health Courier Service Transportation exchange mail and transport specimens. Routine 9-6 and 24 hour urgent service. Internal and Welsh Health Boards.
- Draft procedure – transport of PII (awaiting approval by the Information Governance Group)
- IG investigation template.

The review demonstrated that Cardiff and Vale University Health Board has taken appropriate steps and put plans in place to address the requirements of the undertaking to mitigate the risks highlighted.

In particular the Health Board confirmed that it has taken the following steps:

- The health board has implemented new procedures for the removal of documentation off site and the security of the data whilst in transit. Steps have been taken to make staff aware of the new procedure. This includes new guidance for staff who work from home.
- NHS Wales has introduced mandatory IG training (including Data Protection) which the Health Board will implement. In addition to this IG training (including Data Protection) has been included into both corporate and local inductions. The Health Board has introduced a monitoring system which will be linked to the NHS Wales IG e-learning training.
- While there is no requirement by NHS Wales for a protective marking scheme, the health board has taken steps to limit access to records on a "need to know" basis. The health board has the ability to prevent information being shared if a patient were to request it.
- The health board has introduced an IG Investigation template to enable incidents to be reported and investigated appropriately. All incidents are now monitored by the IG group.

Date Issued: 12 June 2013

The matters arising in this report are only those that came to our attention during the course of the follow up and are not necessarily a comprehensive statement of all the areas requiring improvement. The responsibility for ensuring that there are adequate risk management, governance and internal control arrangements in place rests with the management of Cardiff and Vale University Health Board. We take all reasonable care to ensure that our Undertaking follow up report is fair and accurate but cannot accept any liability to any person or organisation, including any third party, for any loss or damage suffered or costs incurred by it arising out of, or in connection with, the use of this report, however such loss or damage is caused. We cannot accept liability for loss occasioned to any person or organisation, including any third party, acting or refraining from acting as a result of any information contained in this report.