

Job description

Job title:	Head of Information Governance & Data Protection	
Clinical Service Unit:	Information Governance	
Division:	Corporate Affairs	
Corporate Area:	Information Governance	
Salary band:	AfC Band 8b	
Responsible to:	Director of Corporate Affairs	
Accountable to:	Director of Corporate Affairs	
Hours per week	37.5	
Location:	MKUH	
0Manages:	Direct reports:	5
	Indirect reports:	

Milton Keynes Hospital Standards, Commitments and Behaviours

By living up to our standards we deliver more than just a quality patient experience because we:

- Treat everyone with respect, courtesy and kindness
- Provide timely care and attention
- Listen, inform and explain
- Involve you as part of the team and work together
- Are reassuringly professional
- Provide and maintain a clean and comfortable environment

Aim of the role

The Head of Information Governance and Data Protection is a key member of the corporate Directorate with operational responsibility for information governance and will provide expert information governance advice. The post holder's direct portfolio will include operational responsibility for information risk, information security, information sharing, information rights and to ensure the Trusts overall management and compliance responsibility with key legislation to include:

- Data Protection Act/GDPR
- Computer Misuse Act
- Freedom of Information Act
- Environmental Health Act
- Copyright legislation
- Copyright and Patents Act
- The Privacy and Electronic Communications Regulations (PECR)

Actively facilitate partnership working across the ICS and the stakeholder organisations.

The post holder will be expected to be an effective team member who creates, builds and maintains good relationships with stakeholder organisations and project colleagues and 3rd party supplier organisations.

The post holder will attend and represent the Trust at meetings, forums and cross-Trust/organisational projects, relating to the broader Information Governance agenda both internal and external to the organisation.

In the capacity of DPO, independently act and determine the relevant information to be released to the police and other agencies.

Advise the SIRO and Caldicott Guardian on the legalities of sharing agreements before signature.

Key Result Areas:

The post requires a person with significant proven specialist expertise in the IG agenda in the NHS or Health Sector environment and at least five years management experience. The individual is expected to provide expert and appropriate degrees of Information Governance training, support, consultation and advice across all levels of staff and to members of the public, external organisations and other stakeholder groups.

Key Relationships

Internal:

- Members of the Information Governance Steering Group
- Management Board
- Caldicott Guardian and SIRO
- Executive Director, Clinical Directors / leads
- Complaints and Legal Services leads, Safeguarding leads
- Chief Technology Officer,
- Cyber Security Manager and team
- Performance & Information staff,
- eCARE Team and Trust System Owners
- Staff at all levels within the Trust

External:

- External organisations such as NHS Digital
- Regulators

- Commissioners
- Other Trusts and organisations
- Contractors and service providers
- Solicitors
- The Courts
- Police
- GMC
- Service users and their families
- ICO and governing bodies.

Main duties and responsibilities

Staff Management

- Provide visible leadership within the Trust for Information Governance and Data Protection.
- Provide visible leadership of the Information Governance and Data Protections team including talent management and staff development.
- Line manage all team members in accordance with HR policies and procedures ensuring that good practice in recruitment, appraisal, performance management and other policies areas is maintained.
- Monitor levels and standards of performance, staff conduct, standards of behaviour and staff absenteeism as appropriate ensuring the matters are dealt with effectively and in line with Trust policy and procedure.
- Manage all aspects of performance, development and training of staff in line with Trust policies, ensuring that systems are in place to ensure that all staff within remit have an annual appraisal and personal development plan and attend annual mandatory refresher training.
- Actively participate in the recruitment and selection and the subsequent employment and induction of new staff.
- Work with colleagues to ensure that staff are working to competencies which are regularly assessed and appropriate and in line with the Knowledge and Skills framework and are able to develop the necessary level of personal and professional capability to fulfil their roles.
- Ensure training and development needs of staff are identified and communicated to the Learning & Organisational Development department.
- Deliver both formal and informal teaching and/or training programmes and coordinate appropriate orientation programmes for all new team members.

- Ensure efficient and effective use of the workforce and ensure that the structure and skill mix of the team reflects the activity demands and implement skill mix and staff deployment/changes as appropriate and review work allocation to meet the changing needs within the financial budget.
- Communicate the Trust, Division, and Service objectives, future plans and current progress against plans to all team members and foster a sense of identity, common purpose and shared values in pursuit of goals and organisational objectives.
- Participate in regional, national meetings and conferences to ensure that the trust is aware of all national guidance required to be implemented in local policies.
- Support staff engagement by encouraging team members to be involved in shaping and influencing service delivery and ensuring that the contributions and perspectives of all staff are heard, valued and influence management decision making.
- Enable effective communications within and between teams.
- Actively participate in team, locality, divisional and other relevant meetings, working groups and committees.
- Work closely with Caldicott Guardian and Senior Information Risk Officer to ensure IG and DP risks are fully known, appropriately documented and managed, signed off and mitigated where relevant.
- Work closely with Execs to develop the IG strategy for the Trust
- Promote equal opportunities for staff in accordance with the Trust's policies.

KEY RESPONSIBILITIES – Information Governance

- Promote an effective information governance and risk culture that embeds information governance principles in Trust activities, ensures individual responsibilities are understood and supports good working practices throughout the Trust.
- Proactively be a source of information and expertise on information governance including EU and national legislation, Information Commissioner Directives, Department of Health targets, and translate into strategy and policy that impact across the Trust. This will involve decision making where no precedent exists.
- Ensure the Trust is compliant with all relevant legislation and codes of practice for Information governance.
- Lead on the development of key information governance policies and procedures.
- Responsibility of named Privacy officer for the Trust

- Responsibility for all Notifications to the ICO including all 72 hour breach reports and registration.
- Lead and support specific groups such as information asset owners, system owners, and information governance/ departmental leads through effective networking structures.
- Represent the Trust at local, regional and national information governance meetings and ensure any relevant developments and issues are communicated and acted upon within the Trust.
- Manage the Information Governance Steering Group and specialist information governance working groups required to support the current and evolving information governance agenda.
- Lead on the development of training, awareness and communications programmes for all levels of staff aimed at raising information governance awareness and compliance throughout the Trust where there may be resistance to change.
- Proactively deliver information governance training on a wide range of information governance related functions to ensure the Trust is compliant with all mandatory requirements.
- Provide high quality, responsive and customer focussed advice in response to often complex, contentious and sensitive requests from a wide range of stakeholders including staff, contractors and the public.
- Proactively disseminate complex and contentious information governance principles to a wide audience where there may be resistance to compliance.
- Information security, risk and assurance – manage and lead all investigations and reports.
- Lead on information security compliance.
- Identify and manage organisational information risk, develop and maintain an information governance risk register and ensure appropriate assurance mechanisms are in place.
- Be the focal point for the discussion and resolution of information risk issues.
- Oversee information security across the Trust, working closely with the Chief Technical Officer where necessary so that technical requirements become embedded into robust information security principles
- Develop the Trust's knowledge and information assets, its network of Information Asset Owners and System Owners and manage the Trust's Information Asset registers
- Undertake risk assessments of business critical and multi-user systems and support System Owners to develop action plans to address significant areas of risk including the development and maintenance of system specific information policies and related procedures.

- Provide independent assurance for research proposals, business improvements, system requests for change etc.
- Provide balanced assurance and accreditation through a Data Protection Impact Assessment process for new systems, services and initiatives.
- Lead on the development of key information risk and information sharing policies.
- Lead, support and provide training for specific groups such as Information Asset Owners, System Owners and information governance leads through effective networking structures, sharing of relevant experience and provision of appropriate advice.
- Ensure information security and confidentiality breaches, including serious incidents are reported, investigated, resolved, and escalated in a professional manner, and operational and procedural improvements arising from lessons learned are implemented.

Data Protection Officer

To be the Trust's Data Protection Officer as defined by the GDPR.

- To monitor compliance with the GDPR and other data protection laws, and with the Trust's data protection policies, including managing internal data protection activities
- To provide routine reports to the Trust Board via the Deputy Chief Executive/SIRO on the organisation's state of compliance
- To raise awareness of data protection issues across the Trust, including training staff and developing user-friendly advice and guidance materials as necessary
- To advise on, and monitor the process for, data protection impact assessments
- To be the point of contact within the organisation:
 1. for the ICO and other governing bodies about data protection and to provide evidence of compliance requested in relation to breach management and resolution.
 2. for individuals whose data is processed (patients, employees, volunteers etc)
 3. for all data protection matters.
- To maintain expert knowledge of data protection law and practices and how they apply to the current and future work of the Trust. To ensure that data protection is addressed by default and in the design of new systems and information processes.

- To develop, or advise on the development, of policies, procedures and other measures to ensure compliance with GDPR including but not limited to:
 - Records of processing activities
 - Data protection by design and default
 - Data Subject Access compliance
 - Fair processing
- To monitor and report on levels of compliance with GDPR and other applicable data protection laws, and with the policies of the Trust in relation to the protection of personal data, including:
 - assignment of responsibilities,
 - awareness-raising and training of staff involved in processing operations
- To carry out or facilitate regular privacy audits
- To act as the privacy officer of the Trust and ensure systems are in place to monitor access to personal data on systems and records stored
- To respond to, investigate and resolve data protection and privacy related inquiries and complaints from data subjects including but not limited to members of the public, employees and the ICO
- To provide expert advice to staff on the interpretation of DPA legislation.

Information sharing

- Manage information sharing initiatives and agreements, ensuring the Trust's approach is compliant with law and best practice.
- Proactively ensure the Trust is able to effectively and appropriately share information where multi agency or partnership working exists.
- Take the lead in developing, managing and reviewing information sharing protocols and third-party access agreements with other organisations including local authorities, police and voluntary organisations including sign off.
- Liaise with a wide range of stakeholders including staff, service users, solicitors, the Courts and other organizations to ensure appropriate information sharing.
- Represent the Trust at regional and national information sharing groups
- Ensure effective Registration Authority input for any Trust-wide initiatives requiring RA services

Budgets

Effectively manage the information governance team budget

Compliance

- Manage a systematic programme of confidentiality audits and ensure results are communicated and acted upon.
- Ensure legitimate relationship and Privacy Officer audits are routinely undertaken within the team and any results requiring action appropriately escalated.
- Manage and coordinate the delivery of action plans and improvement programmes to support Data Security & Protection Toolkit compliance. This will require liaison with all levels of staff throughout the Trust, service users, contractors and other agencies.
- Ensure Data Security & Protection Toolkit and audit submissions are made correctly, within timescales, signed off and evidence is available to support the attainment levels submitted.
- Manage and support the information governance team to effectively process Freedom of Information requests, providing expert advice and direction on the use of exemptions.
- Support a records management strategy focused on managing records electronically to deliver organisational benefit and service quality improvements across the Trust..
- Manage and implement into the Trust, the Access to Records function, disseminating good practice and engaging with locality leads to ensure good operational practice that supports confidentiality practice and records disclosure.
- Manage and support the information governance team with SAR requests to ensure compliance with legal framework.

General

- Responsible for developing and delivering staff induction and specialist training in all aspects of responsibility across the Milton Keynes health economy.
 - Carry out any other duties which are consistent with the theme of this job description and which are commensurate with the grade of the post.
 - Data Controller for the Trusts CCTV system
-

Key Performance Indicators

Work to Key Performance Indicators for the Department for the purpose of quality and performance monitoring against organisational objectives.

The job description is not intended to be exhaustive and it is likely that duties may be altered from time to time in the light of changing circumstances and after consultation with the post holder.

Effort, skills and working conditions

Physical skills	
Physical effort	
Mental effort	
Emotional effort	
Working conditions	

Performance management and appraisal

All staff are expected to participate in individual performance management process and reviews.

Personal development and training

MKUH actively encourages development within the workforce and employees are required to comply with trust mandatory training. MKUH aims to support high quality training to NHS staff through various services. The trust is committed to offering learning and development opportunities for all full-time and part-time employees.

General

All staff are required to comply at all times with any regulations issued by the Trust, especially those governing Health and Safety at Work and Infection Prevention and Control and to ensure that any defects which may affect safety at work are brought to the attention of the appropriate manager. All staff are required to work in a way that promotes the safety of our patients, staff and public by proactively preventing and managing patient safety incidences.

Reducing risk is everyone's responsibility. All staff must attend training identified by their manager, or stated by the Trust to be mandatory. The Trust uses risk assessments to predict and control risk and the incident reporting system to learn from mistakes and near misses and so improve services for patients and staff. All staff are expected to become familiar with these systems and use them

The prevention and control of infection is a core element in the organisation's clinical governance, managing risk and patient safety programmes. In consequence, all employees are expected to:-

- i) Follow consistently high standards of infection control practice, especially with reference to hand hygiene and aseptic techniques,
- ii) Be aware of all Trust infection control guidelines and procedures relevant to their work.

All staff are required to respect confidentiality of all matters that they may learn relating to their employment, other members of staff and to the general public. All staff are expected to respect the requirements under the Data Protection Act 1998.

All staff have a responsibility for safeguarding children, young people and vulnerable adults in the course of their daily duties and for ensuring that they are aware of the specific duties relating to their role.

The trust values equality and diversity in employment and in the services we provide. All staff are responsible for ensuring that the trust's policies, procedures and obligation in respect of promoting equality and diversity are adhered to in relation to both staff and services.

Staff are responsible for ensuring that they do not abuse their official position for personal gain or to benefit their family or friends. The trust's standing orders require any officer to declare any interest, direct or indirect with contracts involving the trust. Staff are not allowed to further their private interests in the course of their NHS duties.

If you have responsibility for a budget you are expected to operate within this and under the trust's standing financial instructions (available in the intranet's policies section) at all times.

This job description reflects the present requirements and objectives of the post; it does not form part of your contract of employment. As the duties of the post change and develop the job description will be reviewed and will be subject to amendment, in consultation with the post holder.