Data Security and Protection Lead
A new role for providers of social care

DSPT
Better security.
Better care.

Digital Social Care

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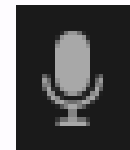
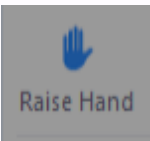Autumn 2021

Introductions

Zoom housekeeping

 Exit full screen

 Use gallery view

 Open chat
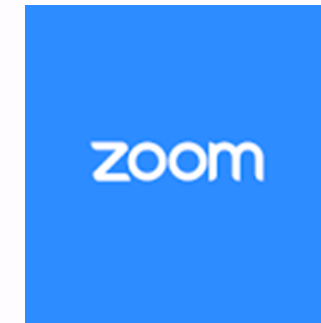
 Check your display name

 Mute unless speaking

 Use raise hand

Better Security, Better Care

- National programme funded by NHSX
- Its aim is to help make sure adult social care providers have good data and cyber security in place
- By helping care providers to register on and complete the Data Security and Protection Toolkit (DSPT)
- The DSPT is a self assessment to support you to check your practice against national data standards
- Local and national support e.g. Digital Social Care - dedicated space to provide advice and support to the sector on technology and data protection https://www.digitalsocialcare.co.uk/

How the webinar will work

- We will take you through the detailed content
- Use the chat or raise your hand if you wish to ask us anything
- If you've any questions we cannot answer today, we will come back to you
- No jargon
- No assumptions

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What we'll be covering in this webinar

- At the conclusion of this activity, participants will be able to:
  - Recognise the importance of **data protection and cyber security** in adult social care
  - Understand **why** the organisation requires a data security and protection lead role
  - Differentiate and describe **specialist roles** for data and cyber security
  - Outline **what the lead role covers**
  - Establish the **next steps** to take to implement the data security and protection lead role in their organisation

Who is this webinar for?

Writer of policies

Person who ensures GDPR compliance

Person who liaises with external IT suppliers

Senior admin/ Office manager

(Internal) provider of IT support

Registered manager

'Hands on' owner

Deputy manager

Person who sets up recording/ filing systems

Governance lead

Digital Social Care

Why is data and cyber security in social care important?

Why is data and cyber security in social care important?

Compliance

- General Data Protection Regulations (GDPR)
- CQC Key Lines of Enquiry
- CQC Guidance "What good looks like for digital records in adult social care"
- NHS Continuing Health Care contracts
- Local authority contracts
- Registration with the Information Commissioner's Office (ICO)

Digital
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Why is data and cyber security in social care important?

Risk

- Data breaches, including:
  - Risks to people's rights and freedoms
  - Fines
  - Reputational damage
- Cyber attacks, including:
  - Loss of money
  - Loss of care records/
  - Risk to service delivery
- Digital exclusion

# Why is data and cyber security in social care important?

Opportunity

- Business sustainability
- Business continuity in the face of (data) emergencies
- Meet people's and families' expectations
- Improve communications by using NHSMail
- Access local shared health and care records

Data security and protection lead

- A new role for social care
- Takes overall senior responsibility for data security and protection
- Usually incorporated into someone's existing role but has additional skills and knowledge
- Elements of the role can be delegated
- The role must be formally assigned – e.g. in their job description
- The role is not mandatory but is seen as best practice
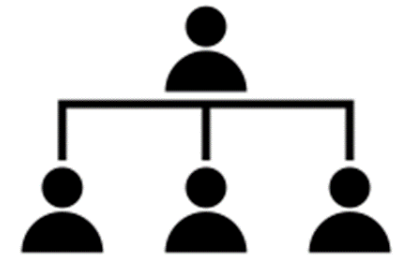
Why should your organisation have a senior lead role?

- A significant and important area of work
- High levels of risk
- Importance of compliance
- Able to see opportunities
- Strategic oversight needed for the whole business or service
- One person to take overall responsibility
- At a senior enough level to set the culture
- Practical tasks can be delegated to others

Other Specialist Roles

Data Protection Officer

- Under legislation (GDPR) certain types of organisations must appoint a Data Protection Officer (DPO)
- For social care providers this is likely to only apply to large multi-site organisations

Caldicott Guardian

- Responsible for protecting the confidentiality of people's health and care information and making sure that it is used properly
- Mandatory for all NHS organisations and local authorities providing social services
- Not mandatory for social care providers

Senior Information Risk Officer

- Responsible for managing information risks in an organisation
- Can be part of the Data Security and Protection Lead role

Further Information and guidance

- Data security and protection responsibilities and specialised roles: https://www.digitalsocialcare.co.uk/resource/data-security-and-protection-responsibilities/

- The role of the Data Protection Officer: https://www.skillsforcare.org.uk/Documents/Topics/Digital-working/The-role-of-the-Data-Protection-Officer.pdf

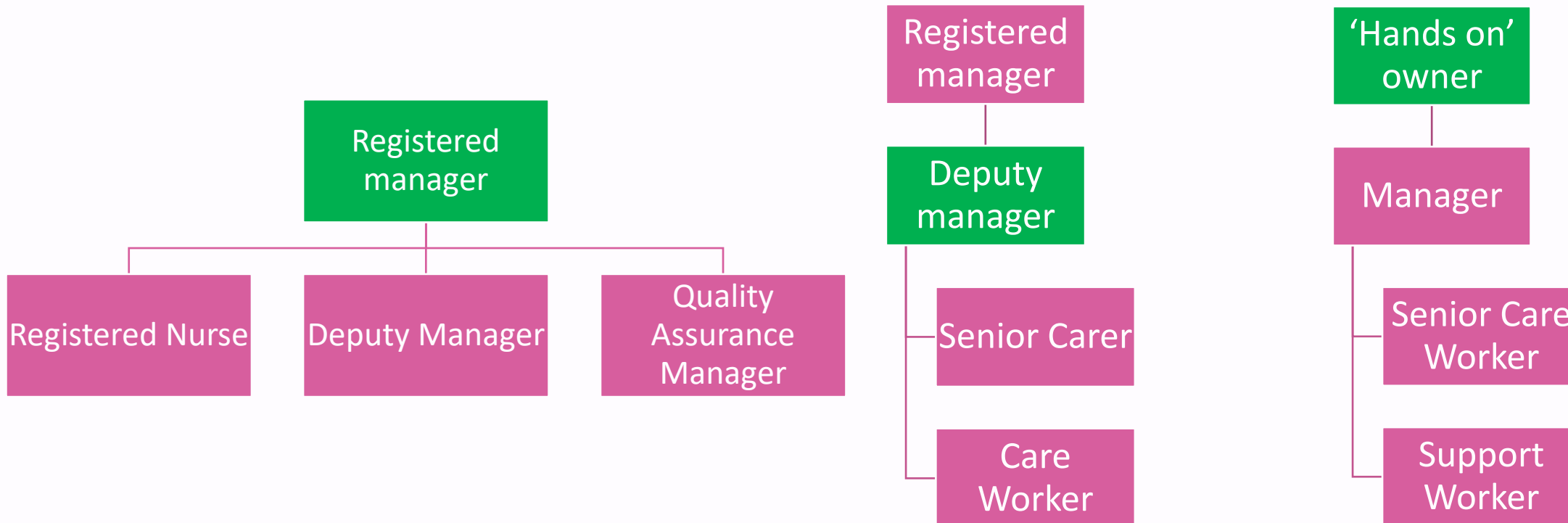- The UK Caldicott Guardian Council: https://www.ukcgc.uk/

The role of the Data Protection Officer
Meeting your legal obligations under GDPR

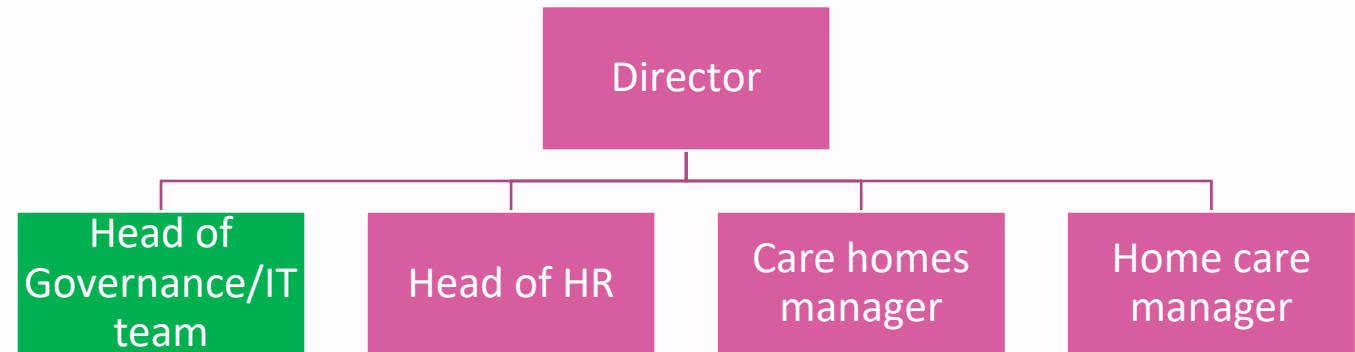# The data security and protection lead – where does this role sit?

The data security and protection lead – where does this role sit?

Left organisational chart:

- Manager
  - Office manager/senior administrator
    - (blank)
    - Deputy Manager
    - (blank)

Right organisational chart:

- Director
  - Head of Governance/IT team
  - Head of HR
  - Care homes manager
  - Home care manager
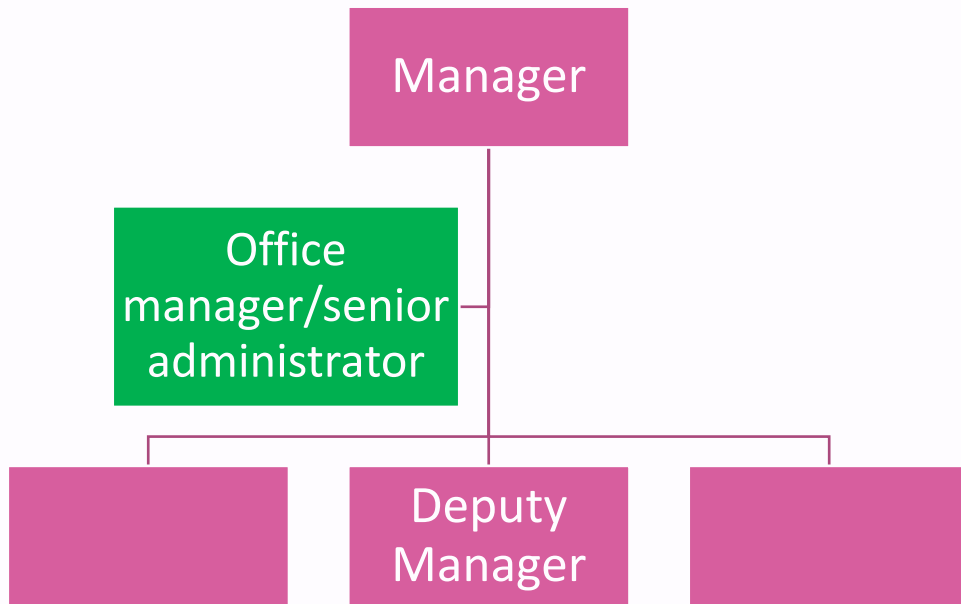
The data security and protection lead role

Make sure the rights of individuals are upheld
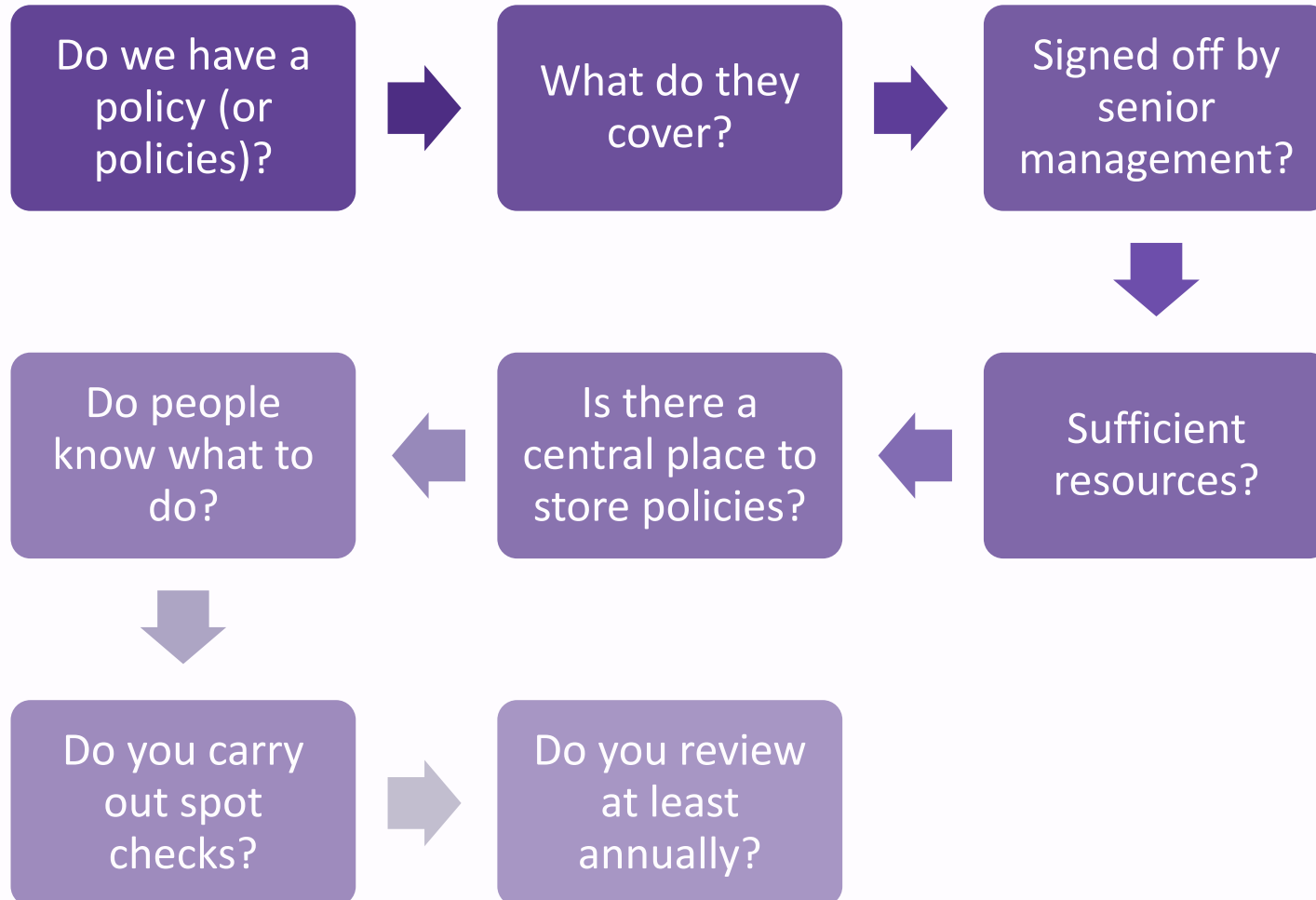

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality (security)
- Accountability

Define policies

Further information and guidance
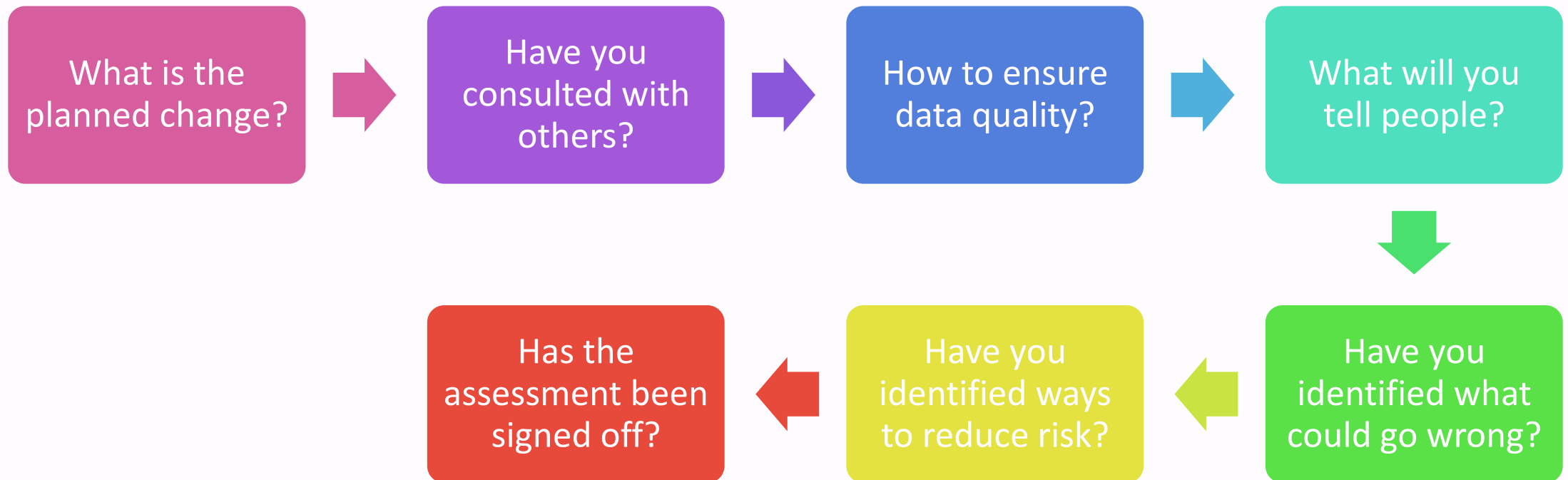
- GDPR principles: https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/principles/

- Free, editable template policies for data protection and for data and cyber security are available from Digital Social Care, including Data security audit checklist https://www.digitalsocialcare.co.uk/latest-guidance/template-policies/

Own the risk assessment process

What is the planned change? → Have you consulted with others? → How to ensure data quality? → What will you tell people? → Have you identified what could go wrong? → Have you identified ways to reduce risk? → Has the assessment been signed off?

Further information and guidance
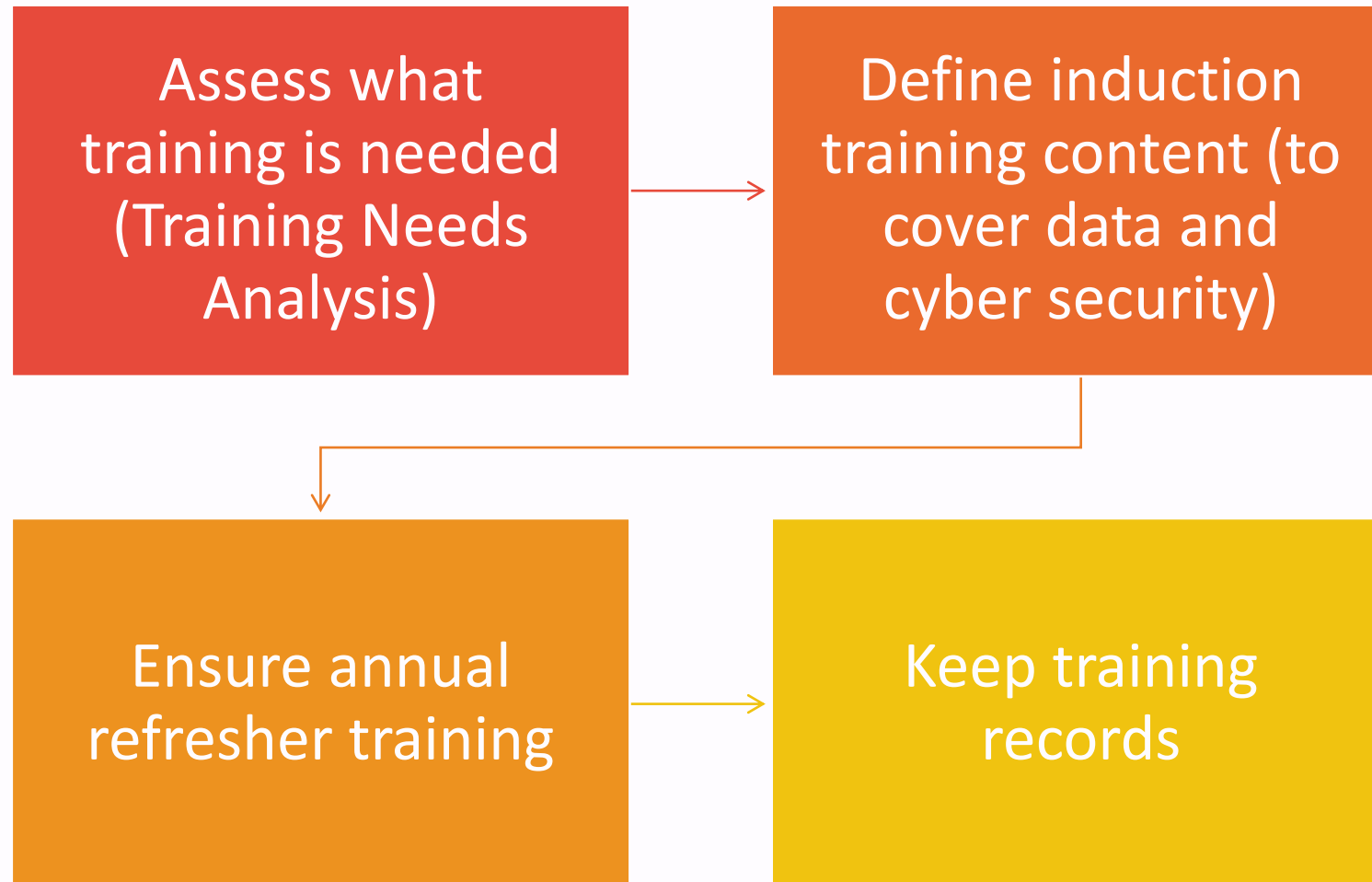
- Guidance about Data Protection Impact Assessments from the Information Commissioner's Office (ICO) https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/accountability-and-governance/data-protection-impact-assessments/

Make sure the right staff training is available

Assess what training is needed (Training Needs Analysis)	**Define induction training content (to cover data and cyber security)**
Ensure annual refresher training	**Keep training records**

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Champion and support

- The champion role: confident and competent
- Understand the good practice
- Offer advice and assistance
- Throughout your organisation

So, where do we go next?

Further information and guidance

- Guidance on training, including sources of free online data and cyber security training: https://www.digitalsocialcare.co.uk/data-security-protecting-my-information/cyber-security/train-staff-to-be-cyber-aware/
- Staff training videos available via the link above:
  - Keeping your care service cyber-secure
  - Data protection – care services training
  - Data and cyber security – care services training
- Core digital skills in social care: https://www.skillsforcare.org.uk/Documents/Topics/Digital-working/Core-digital-skills-in-social-care.pdf
- Recommended training for the Data Security and Protection Lead: https://www.e-lfh.org.uk/programmes/data-security-awareness/
- Digital social care newsletter: https://www.digitalsocialcare.co.uk/newsletter-signup/

Further information and guidance

- National Cyber Security Centre cyber security training for staff available via: https://www.ncsc.gov.uk/blog-post/ncsc-cyber-security-training-for-staff-now-available

- Learning Resources for Managers and Front Line Staff- Cyber Security and GDPR available from Skills for Care: https://www.skillsforcare.org.uk/Leadership-management/managing-a-service/Digital-technology-and-social-care/Learning-resource-Cyber-security.aspx

- An 'Introduction to Information Sharing for Staff' available from Digital Social Care: https://www.digitalsocialcare.co.uk/wp-content/uploads/2019/06/An-Introduction-to-Information-Sharing-for-Staff-v.3.pdf

- National Care Forum has 'crib sheets' on email and messaging etc: https://www.nationalcareforum.org.uk/projects/resources-to-help-digital-enabling/

Monitor information handling

- Know your organisation
- Audits
- Spot checks
- Use a variety of methods
- Report and act on findings
- Keep a record

Further information and guidance

- Data security audit checklist https://www.digitalsocialcare.co.uk/latest-guidance/template-policies/

Communicate and engage with others

Complete the Data Security and Protection Toolkit (DSPT) annually

- The DSPT is a really helpful guide and self-assessment tool for data security in social care
- Helps you keep people's confidential information safe
- Helps protect your business from the risk of being fined for a data breach and from the disruption of a cyberattack
- The DSPT will demonstrate compliance with CQC requirements
- It's what local councils and CCGs will expect you to have
- The DSPT will be your passport to shared care records with health services

Further information and guidance

- 10 Data security standards https://www.digitalsocialcare.co.uk/data-security-protecting-my-information/national-policy/

- Better Security, Better Care programme: https://www.digitalsocialcare.co.uk/data-security-protecting-my-information/better-security-better-care/

- How to register for the Data Security and Protection Toolkit: https://www.digitalsocialcare.co.uk/latest-guidance/registering-for-the-data-security-and-protection-toolkit/

- 'Start here' webinars on the Data Security and Protection Toolkit: https://www.digitalsocialcare.co.uk/data-security-protecting-my-information/data-security-and-protection-toolkit/getting-started-with-the-data-security-protection-toolkit-webinars/

Data Security Protection Lead Role Guide

The role of the
Data Security and Protection Lead
Good practice for meeting your GDPR obligations

https://www.skillsforcare.org.uk/Leadership-management/managing-a-service/Digital-technology-and-social-care/Cyber-security-and-data-protection.aspx

Further information and guidance

- Information on the role of the Data Security and Protection Lead from Digital Social Care: https://www.digitalsocialcare.co.uk/resource/data-security-and-protection-responsibilities/

- Information on the role of the Data Security and Protection Lead from Skills for Care: https://www.skillsforcare.org.uk/Documents/Topics/Digital-working/The-role-of-the-Data-Security-and-Protection-Lead.pdf

Questions?

Thank you for joining the webinar

- A recording of this webinar will be made available on the Skills for Care website

- A copy of these slides is available at: https://ipc.brookes.ac.uk/events/protect-your-it-systems-and-devices-from-cyber-attacks

- Email your comments or questions to digital@skillsforcare.org.uk FAO Claire Smout / Jackie Daru