



Wales Accord on the Sharing of Personal Information

Quality Assurance Guidance for Information Sharing Protocols

For organisations involved in the
protection, safety, health,
education and social welfare of
people in Wales

(including statutory, private and
third sector organisations)

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Quality Assurance Process

Introduction

- 1.1 This guidance has been prepared to support the quality assurance (QA) of **Information Sharing Protocols (ISPs)** under the national framework provided by the Wales Accord on the Sharing of Personal Information (WASPI). This document specifically relates to the ISP template available on the WASPI website – www.waspi.gov.wales.
- 1.2 This guidance is for those involved in quality assurance including ISPs authors, the WASPI team, members of Regional Quality Assurance Groups and other with an interest in the process. It is intended to be used when a final draft of the ISP has been collaboratively agreed by all partner organisations. For guidance on how to develop an ISP, please see the separate '**Guide on the development of ISP**' available on the WASPI website.
- 1.3 The quality assurance process has been designed to ensure consistency in the ISP development process and the consistent use of the template. This provides organisations with confidence that ISPs have been developed appropriately, in line with the WASPI guidelines and helps ensure the integrity of the WASPI framework. This consistent use of the template will help ensure the production for good quality ISPs that are published on the WASPI website as examples of good practice.
- 1.4 Quality assurance is not restricted to new ISPs and those that have been 'localised' using existing assured ISP should also be subject to the QA process.
- 1.5 ISPs are not legally binding but allow organisations to document how they will address the key considerations involved in sharing personal information. The QA process is not designed to critique the working practices of partner organisations or force partner organisations to work in a particular way. **Responsibility for ensuring that information sharing arrangements are lawful and properly managed rests with the partner organisations involved. The ISP QA process does not constitute legal advice and partner organisations involved in the ISP should seek appropriate advice, if required, before sharing personal information.**

Initial Check by WASPI Team

- 1.6 ISPs must be developed and agreed in consultation with all partner organisations. The final draft of the ISP should have been developed in line with the '**Guide on the development of ISP**' available on the WASPI website.
- 1.7 Once the final draft has been agreed by all partner organisations, the ISP author (the individual from the lead organisation who has managed the development process and drafted the ISP) should forward the draft ISP to the central WASPI Team - waspiservice@wales.nhs.uk.
- 1.8 The central WASPI Team, based within Digital Health and Care Wales, are responsible for providing an initial check of the ISP. The WASPI Team will compare the ISP submitted against the '**ISP Quality Assurance Checklist**'. A copy of this checklist is available on the website as an example. The WASPI team will provide their comments and any issues in the first column of the table and complete the 'WASPI Team Decision' box which has three options:

<p>Proceed:</p> <p>The WASPI team has identified no issues with the proposed ISP.</p>	<p>Action for WASPI team:</p> <p>Forward ISP and checklist to regional quality assurance group for scheduling into next available meeting. Copy in ISP author.</p>
	<p>Action for the regional quality assurance group:</p> <p>Add ISP to agenda for next available meeting. When scheduled, inform ISP author and let them know about the requirement for them / others to attend the meeting to present the ISP.</p>
	<p>Action for ISP author:</p> <p>Identify the relevant person to attend regional quality assurance group meeting.</p>

<p>Minor Issues:</p> <p>The WASPI team has identified minor issues with the proposed ISP but these can be dealt with when the ISP is considered by the Regional Quality Assurance Group.</p>	<p>Action for the WASPI team:</p> <p>As above.</p>
	<p>Action for the regional quality assurance group:</p> <p>As above.</p>
	<p>Action for ISP author:</p> <p>Consider comments from WASPI team. If suggested amendments are accepted, update the ISP and the checklist and provide a copy to the WASPI team and the regional quality assurance group meeting. Identify the relevant person to attend the meeting.</p>

<p>Significant Concerns:</p> <p>The WASPI team has identified major concerns likely to result in the ISP failing to be approved. Examples of significant concerns include, whole sections left incomplete, changes to structure or standard text, where it is clear that an ISP is not required or a different type of agreement is more appropriate.</p>	<p>Action for the WASPI team:</p> <p>Inform the ISP author.</p>
	<p>Action for the regional quality assurance group:</p> <p>None (ISP will not be forwarded).</p>
	<p>Action for ISP author:</p> <p>Consider comments from WASPI team. Discuss with WASPI team and/or take advice from their data protection officer / information governance lead.</p>

Audit Trail

- 1.9 The WASPI team uses the QA checklist and version control to keep an audit trail of comments and changes. ISP authors and regional quality assurance groups are encouraged to do the same. However, it is acknowledged that most regional quality assurance groups use minutes of meetings to record decisions.

Regional Quality Assurance Groups

Purpose and membership

- 1.10 Regional quality assurance groups are responsible for the final decision regarding approval of ISPs developed in their area/region. The groups maintain the integrity of the WASPI framework, ensure that ISPs are suitable for sharing as examples of good practice and to confirm that the risks and opportunities associated with information sharing have been appropriately assessed and mitigated.
- 1.11 The regional quality assurance groups are made up of representatives from a range of organisations. Members have information governance / data protection backgrounds and have experience of using the WASPI framework. An outline of membership along with the contact details of the chairs of the groups can be found on the WASPI website.
- 1.12 There are five regional quality assurance groups: South East Wales Partnership, South Wales, Mid and West Wales, Cwm Taf and North Wales. Each group holds several meetings throughout the year.

Meetings

- 1.13 The regional quality assurance groups have their own terms of reference.
- 1.14 Most regional quality assurance groups require a representative from the service supported by the ISP to attend the meeting to support the assurance process. This does not need to be the ISP author but should be someone with appropriate knowledge of the ISP developed and the service detailed in the ISP. Groups should give appropriate notice to the author to allow them to arrange attendance.
- 1.15 At the meeting, members of the group will discuss the ISP and ask the representative questions. Feedback will be provided to the ISP author verbally (if they attend the meeting), and followed up in writing (using the checklist or meeting minutes) The group will decide whether the ISP has been:
- **Approved** – The group considered the ISP to be an example of good practice and no changes were required. The regional quality assurance group will forward this decision to the author and the WASPI team, who will then publish the ISP on the Register of ISPs and Agreements available on the WASPI Website.
 - **Approved subject to amendments** – The group considered amendments are required. The ISP and comments will be passed back to the ISP author. Amendments should be made in a timely manner and the ISP sent to either the regional quality assurance group or the WASPI team, as agreed. When changes have been made, the ISP will be published on the Register of ISPs and Agreements available on the WASPI Website.
 - **Not approved, major amendments required** – The group considered that the ISP was not ready for approval and required major changes. The group will forward

comments to the ISP author who should consider the feedback, consult with partner organisations and information governance / data protection leads before making amendments. Once amended, to the ISP should be forwarded to the WASPI team. Further consideration by the regional quality assurance group will be required.

- **Not approved** – The group determined that the ISP should not be pursued any further. The group will provide its reasoning to the ISP author. Common reasons for ISPs not being approved are because a different type of agreement is required (e.g. a Data Processing contract) or information sharing is supporting by an existing contract or agreement. Early engagement with data protection officers / information governance leads can help avoid this scenario.

1.16 It is the responsibility of the regional quality assurance group to inform the WASPI team of the results of ISPs considered at meetings to enable the WASPI team to update the Register of ISPs and Agreements.

Approved ISPs

1.17 Once assured by a regional quality assurance group, the ISP author should arrange for all Partner Organisations to sign at Appendix C of the ISP.

1.18 The signatory should have authority to sign the ISP on behalf of the organisation. For example, this could be the Data Protection Officer, SIRO or Head of Service. For smaller organisations, it might be the CEO.

1.19 The signed ISP does not need to be forwarded to the WASPI team. However, the ISP author should inform the WASPI team when all signatories have signed the ISP so they can update their records.

Reviewing ISPs

1.20 It is important that ISPs are kept up to date and reflect the information sharing practices they support. The lead organisation for an ISP should ensure a mechanism is in place to review it

1.21 The '**Guide on the development of ISPs**', available on the WASPI website includes scenarios that should generate a review. Reviews should be undertaken by the lead organisation in consultation with all partner organisations. Please note the scenarios listed in the guidance are examples, it is ultimately up to the lead organisation to decide when a review is required.

1.22 A reviewed ISP will follow the same process as a new ISP.

Appendix A - Quality Assurance Diagram

