

13 August 2014

Una O'Brien CB  
Permanent Secretary  
Department of Health  
Richmond House  
79 Whitehall  
LONDON  
SW1A 2NS

Dear Una

## **Statutory Obligations**

As you will know the Health and Social Care Act placed a number of statutory obligations on the HSCIC primarily around the collection, analysis, dissemination and publication of data and information to enable care professionals and commissioners develop better care services, and for the users of these services to have confidence that their personal information is managed securely and with full regard to confidentiality.

Establishing appropriate arrangements for the discharge of each statutory obligation is also a requirement of the Framework Agreement between the HSCIC and the Department.

Over the course of the last year our focus has been to bring together the various functions of the new organisation to ensure services used to provide patient support continue unaffected and at the same time undertake a thorough review of our procedures to fully understand the extent to which we already comply with the Act and identify those areas where there may be short comings. We have also paid particular regard to the issues and concerns arising from the Partridge review.

I am therefore very pleased to share with you the progress we have made to date and which was reported at the public session of the HSCIC Board on 2 July 2014. With the exception of publishing a Code of Practice for the collection and dissemination of confidential information which we expect to do in September, we now have procedures in place to ensure we comply with all our statutory obligations.

Although some of these have been there for some time, recent major milestone achievements of publishing the HSCIC Annual Report & Accounts and the publication of an over-arching process for the collection, analysis dissemination and publishing of requests for

information have been major steps forward; the publication of the Code of Practice in the autumn will complete the picture and deliver compliance across all our statutory obligations.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kingsley Manning', with a stylized flourish at the end.

Kingsley Manning  
Chair

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	<b>Statutory Obligation (summary)</b>	<b>Progress</b>
1	HSCIC must publish its procedures for considering S255 requests and how decisions are reviewed should the request be refused; publish details of all mandatory requests and any other requests under S255 to which it must comply; publish information obtained by complying with a Direction under S254 or a request under S255 and publish a register containing a description of the information it has obtained via S255 requests or S254 Directions. From time to time, the HSCIC must assess the quality of the information collected under S255 and S254 against information standards and publish a record of the assessment; it may give advice or guidance to any person on collection/analysis/publication/dissemination of information and must do if requested by the Secretary of State.	<b>An overarching process for recording, managing, assuring the quality and publishing information obtained by complying with a Direction under S254 or a request under S255 has been developed and published on the HSCIC website.</b>
2	HSCIC must publish a Code of Practice for collection, analysis and dissemination of confidential information.	<b>A draft of the Code is currently out for public comment. The target for publication is September 2014.</b>
3	HSCIC must maintain and publish a database of quality indicators	<b>A process is in place to publish and assure indicators for the NHS Outcomes Framework and CCG Outcomes Indicator</b>
4	HSCIC must issue GPs with doctor index numbers	<b>A process is in place to issue GPs with doctor index numbers.</b>
5	HSCIC must seek to minimise burden and deliver its functions efficiently/economically; it must provide advice to the Secretary of State on ways in which burden has been reduced re collection of data.	<b>Advice on ways to reduce burden is being provided by the newly formed Burden Assessment &amp; Advisory Service. The HSCIC will undertake three-year rolling reviews to ensure action being taken.</b>
6	HSCIC must exercise its functions as economically as possible; it may charge a fee in certain circumstances for complying with a Direction or S255 request. It must publish an annual report and lay it before Parliament	<b>Processes are in place to ensure HSCIC functions are delivered economically; performance is monitored by the executive management team and the HSCIC Board. A Costing &amp; Pricing policy has been developed. The HSCIC's Annual Report &amp; 2013/14 Accounts was published on 16 July 2014.</b>