

Are you happy to proceed?
I am happy to proceed.
1. Do you agree that this guidance clearly sets out what is required of health and care organisations to comply with the data protection transparency principle?
Disagree
<p>Please provide any comments you have: Socitm are aware of a number of existing and new initiatives within the sector around data privacy/transparency. It is unclear where this report sits with those other initiatives – listed below.</p> <p>1 - Draft cross government Information Sharing guidance. This guidance has practitioners as itsintended audience and aims to be a single source of the truth for information sharing. This guidance has been in production for approximately 5 years. Question – does anything in the ICO consultation contradict that draft guidance?</p> <p>2 – Children's Social Care (CSC) Data and Digital Expert Forum. This forum was set up by DFE -concerned with sharing data in and outside of CSC. Question – does this consultation take into account this forum?</p> <p>3 - DPDI (new bill) - Question – does this consultation take into account the new bill?</p> <p>Socitm's view is that any consultation on this area should focus on the following question - What is the standard information that can be shared at core of services?</p> <p>Additionally, any policy or guidance needs to be seen in the context of the financial situation facing Councils and Social Care Providers</p>
2(a). Do you agree that this guidance provides a clear definition of transparency and privacy information?
Disagree
<p>Please provide any comments you have: Socitm are aware of a number of existing and new initiatives within the sector around data privacy/transparency. It is unclear where this report sits with those other initiatives – listed below.</p> <p>1 - Draft cross government Information Sharing guidance. This guidance has practitioners as itsintended audience and aims to be a single source of the truth for information sharing. This guidance has been in production for approximately 5 years. Question – does anything in the ICO consultation contradict that draft guidance?</p> <p>2 – Children's Social Care (CSC) Data and Digital Expert Forum. This forum was set up by DFE -concerned with sharing data in and outside of CSC. Question – does this consultation take into account this forum?</p> <p>3 - DPDI (new bill) - Question – does this consultation take into account the new bill?</p> <p>Socitm's view is that any consultation on this area should focus on the following question - What is the standard information that can be shared at core of services?</p> <p>Additionally, any policy or guidance needs to be seen in the context of the financial situation facing Councils and Social Care Providers</p>

2(b). Does the distinction between transparency information and privacy information make sense to you?
No
<p>Please provide any comments you have: Socitm are aware of a number of existing and new initiatives within the sector around data privacy/transparency. It is unclear where this report sits with those other initiatives – listed below.</p> <p>1 - Draft cross government Information Sharing guidance. This guidance has practitioners as itsintended audience and aims to be a single source of the truth for information sharing. This guidance has been in production for approximately 5 years. Question – does anything in the ICO consultation contradict that draft guidance?</p> <p>2 – Children's Social Care (CSC) Data and Digital Expert Forum. This forum was set up by DFE -concerned with sharing data in and outside of CSC. Question – does this consultation take into account this forum?</p> <p>3 - DPDI (new bill) - Question – does this consultation take into account the new bill?</p> <p>Socitm's view is that any consultation on this area should focus on the following question - What is the standard information that can be shared at core of services?</p> <p>Additionally, any policy or guidance needs to be seen in the context of the financial situation facing Councils and Social Care Providers</p>

3. Do you agree that this guidance provides useful additional information to the Health & Social Care sector that is not part of our existing guidance on the principle of transparency and the right to be informed?

Disagree

Please provide any comments you have:

Socitm are aware of a number of existing and new initiatives within the sector around data privacy/transparency. It is unclear where this report sits with those other initiatives – listed below.

1 - Draft cross government Information Sharing guidance. This guidance has practitioners as its intended audience and aims to be a single source of the truth for information sharing. This guidance has been in production for approximately 5 years. Question – does anything in the ICO consultation contradict that draft guidance?

2 – Children's Social Care (CSC) Data and Digital Expert Forum. This forum was set up by DFE -concerned with sharing data in and outside of CSC. Question – does this consultation take into account this forum?

3 - DPDI (new bill) - Question – does this consultation take into account the new bill?

Socitm's view is that any consultation on this area should focus on the following question - What is the standard information that can be shared at core of services?

Additionally, any policy or guidance needs to be seen in the context of the financial situation facing Councils and Social Care Providers

4. Do you agree that this guidance is balanced between the separate areas of health and social care?

Too focused on health

Please provide any comments you have:

Example from Page 5 of the consultation - "setting up a research programme where researchers can contact patients to invite them to participate in research"

This is the first of 66 uses of the word patient which is not a term used in Social Care.

Person is only used 6 times, children twice and adult not at all. The document needs to consider how it wants to describe an individual for the purposes of the report and its audience – patient is probably not the right one. People does get widely used in the document so perhaps this is the word to use. In addition all the examples listed are very health focused and would not be recognised by Local Gov / social care. Consider something around care commissioning / support planning

5. Do you agree that the use of the terms must, should and could in this guidance clearly defines the ICO's expectations in the legislative requirements section and that the terms are applied consistently throughout the guidance?

Disagree

Please provide any comments you have:

Socitm are aware of a number of existing and new initiatives within the sector around data privacy/transparency. It is unclear where this report sits with those other initiatives – listed below.

1 - Draft cross government Information Sharing guidance. This guidance has practitioners as its intended audience and aims to be a single source of the truth for information sharing. This guidance has been in production for approximately 5 years. Question – does anything in the ICO consultation contradict that draft guidance?

2 – Children's Social Care (CSC) Data and Digital Expert Forum. This forum was set up by DFE -concerned with sharing data in and outside of CSC. Question – does this consultation take into account this forum?

3 - DPDI (new bill) - Question – does this consultation take into account the new bill?

Socitm's view is that any consultation on this area should focus on the following question - What is the standard information that can be shared at core of services?


Additionally, any policy or guidance needs to be seen in the context of the financial situation facing Councils and Social Care Providers

6. Do you agree with the definitions we have provided on openness and honesty? Are the examples of how you can demonstrate that you are being open and honest useful and accurate in the context of health and care?

Neither agree nor disagree

7. Do you agree with that the section on harms is useful for organisations when considering the risks of failing to provide sufficient transparency material?

Disagree
Please provide any comments you have: Whilst useful this section and in particular the example given is too focused on setting up something new - and no consideration is given to what happens in BAU situations.
8. Do you agree that the section on patient engagement provides useful information to help organisations develop transparency information that responds to people's needs and priorities?
Neither agree nor disagree
9. Do you agree that the section on providing transparency information sets out clearly how organisations should approach the delivery of transparency and privacy information?
Disagree
Please provide any comments you have: All examples are health related – there is nothing on Local Government
10. Do you agree that the transparency checklist provides a useful summary of the guidance and a mechanism to assess an organisation's transparency level?
Neither agree nor disagree

11. Have you identified any aspects of the guidance that you feel are inaccurate or any areas we have missed or not covered sufficiently? If so, please provide further details.
<p>From Page 13 of the consultation "Damage to public health – if people choose not to share their personal information, this could lead to a general lack of availability of health and care information. Also, if people in a particular demographic group choose not to share, this could result in medical findings through research or service planning not being appropriate to that part of society. Both of these may result in adverse health outcomes for society or societal groups."</p> <p>We have the following question - Where do UPRNs fit – now mandated for NHS systems going forward. They give a precise geographical location – different from an NHS number. Is this understood as a risk in anonymised and pseudonymised data sets?</p>
12. We have provided placeholders for case studies and examples in the guidance to further illustrate certain issues relating to: Public trust in use or sharing of health and social care information; Harms associated with transparency and the impacts on patients and service users; Providing easily understandable information to patients and service users on complex forms of data processing; and Organisations working together to develop a 'joined-up' approach to the delivery of transparency information. Do you have any examples of good practice relating to these topics? Would you like to provide these to the ICO to be summarised and included in the guidance? If so, please provide your name and email address below and we may contact you to discuss further.

13. To what extent do you agree that the impact assessment summary table adequately scopes the main affected groups and associated impacts of the guidance?
Neither agree nor disagree
14. Can you provide us with any further evidence for us to consider in our impact assessment?
No
16. Are you acting on behalf of an organisation?
Yes

17. Are you answering as: (tick all that apply)
Other (please specify): Socitm - Socitm is the professional network for 2000+ digital leaders involved in the transformation of local, regional and national public services. Nearly 70% of UK local authorities are members of Socitm. Members within these councils account for more than 80% of our overall membership. The remaining membership come from central government, NHS, higher education, blue light, housing and third sector.
18. Please specify the name of your organisation (optional):
Socitm
19. How would you describe your organisation's size?
10 to 249 members of staff
20. If you work in a health or social care providing organisation, how many patients or care users is your organisation responsible for (approximately)?
N/A

21. Who in your organisation needs to read the guidance? Please provide job titles or roles, rather than names.
We have reviewed the guidance on behalf our members (local authorities). No one within our organisation needs to read the guidance
22. To what extent (if at all) do data protection issues affect strategic or business decisions within your organisation?
Data protection is a relatively minor feature in decision making
23. Do you think the guidance set out in this document presents additional:
neither
26. Please provide any further comments or suggestions you may have about how the guidance might impact your organisation?
<p>This report has been reviewed by colleagues from the Socitm Institute, Socitm Advisory and a NonExecutive member of the Socitm Board of Trustees.</p> <p>In terms of background and context, Socitm are aware of a number of existing and new initiatives within the sector around data privacy/transparency. It is unclear where this report sits with those other initiatives – listed below.</p> <p>1 - Draft cross government Information Sharing guidance. This guidance has practitioners as itsintended audience and aims to be a single source of the truth for information sharing. This guidance has been in production for approximately 5 years. Question – does anything in the ICO consultation contradict that draft guidance?</p> <p>2 – Children's Social Care (CSC) Data and Digital Expert Forum. This forum was set up by DFE -concerned with sharing data in and outside of CSC. Question – does this consultation take into account this forum?</p> <p>3 - DPDI (new bill) - Question – does this consultation take into account the new bill?</p> <p>Socitm's view is that any consultation on this area should focus on the following question - What is the standard information that can be shared at core of services?</p> <p>Additionally, any policy or guidance needs to be seen in the context of the financial situation facing Councils and Social Care Providers</p>

