



IRISH MEDICAL
ORGANISATION
Ceardchumann Dochtúirí na hÉireann

Irish Medical Organisation Submission to the Health
Information and Quality Authority Consultation on

Draft Information Management Standards for National Health and Social Care Data Collections

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- 1. Do you feel that the order and structure of the standards is logical? Is the layout clear, easy to follow and easy to understand?**

Yes.

- 2. Do you feel that all important topics have been covered, or are there any topics that should be included or excluded? Should additional guidance on any of the concepts be provided?**

As the IMO noted in its submission to HIQA's public consultation on the Draft Information Governance and Management Standards for the Health Identifiers Operator in Ireland, data protection requires continuous and structured reviews of security arrangements, a commitment to use of the latest and most advanced security technologies, an identified person who has overall responsibility for the auditing, improvement, and maintenance of systems utilised in the protection of all data processed by the health identifiers operator, and recruitment strategies that aim to ensure the employment of persons with appropriate experience, qualifications, and skills to guarantee the safeguarding of personal data must be utilised.

While, broadly speaking, there are a number of standards within the Draft Information Management Standards for National Health and Social Care Collections, which broadly deal with the above issues, there are areas where additional measures could be placed within these standards to improve operational efficacy, particularly relating to the areas of arrangements to protect the privacy of data; leadership management, and governance arrangements for the managing organisation of the national health and social care data collection; and legislative and code of practice compliance. Specific feedback on individual standards is detailed below.

- 3. Do you feel that the draft standards will drive improvements in national health and social care data collections to support data quality?**

The standards included are largely appropriate for use, however the amendments and additional guidance specified in the various answers provided in this consultation response would improve the focus on data protection.

Standard 1

Do you feel that the draft standards will drive improvements in national health and social care data collections to support data quality?

Standard 1 lists a number of arrangements designed to protect the privacy of those about whom data is held. However no specific undertakings are given that here the data held will be regularly audited to ensure that a breach has not taken place; that technology used to safeguard data will be regularly reviewed to ensure that it is appropriate for safeguarding personal data; and that policies will be emplaced to provide for action in the event of a data breach.

Additionally, little reference is made to emerging threats in the area of data protection, such as cyber attacks. A 2015 assessment by international auditing firm KPMG found that, in the USA, 81% of healthcare organizations have been compromised by cyber attacks in the previous two years. Accordingly, in response to these threats, the IMO adopted a motion at its AGM this year which calls on the Data Protection Commissioner to work with the Chief Information Officer and with competent authorities for data protection in Europe to ensure that Electronic Health Records and critical IT infrastructure in healthcare are adequately protected from cyber attacks with may come from within or outside the jurisdiction.

Policies developed in the area of privacy and confidentiality, and the operation of the management organisation, must recognise the complexity of the concept of consent. Given that the implications of granting consent for the use of data may be multi-faceted, it is essential that data used in national health and social care data collections are obtained by a staff members sufficiently knowledgeable to facilitate truly informed consent, and in a manner that does not create undue pressure to consent.

In your opinion are the standards and the features that follow each standard clear and easy to understand?

N/A

Standard 2

Do you feel that the draft standards will drive improvements in national health and social care data collections to support data quality?

Standard 2 does not provide for a number of leadership, governance, and management processes that may be required. Perhaps most noticeably, no standard is detailed which provides for employees to highlight their concerns over the protection of data, or the management systems designed to provide for its security. The facilitation of input from employees of the management organisation of the national health and social care data collection is crucial to ensuring improved protection of data, the mitigation of security and operational risks, and the management of the organisation. These standards also lack reference to an identified person who bears responsibility for the recruitment of suitable personnel, and their subsequent training, to ensure that the highest standards of knowledge, skill, and ethical conduct are utilised in the performance of the managing organisation's functions.

In your opinion are the standards and the features that follow each standard clear and easy to understand?

N/A

Standard 3

Do you feel that the draft standards will drive improvements in national health and social care data collections to support data quality?

No indication here is given as to the source of the national health and social care data collection's stated objectives. For example, the Infectious Diseases Regulations 1981 (S.I. No. 390 of 1981), as amended, in particular by the Infectious Diseases (Amendment) (No. 3) Regulations 2003 (S.I. No. 707 of 2003), govern the notification of infectious diseases to the Medical Officer of Health and the Health Protection Surveillance Centre. These draft standards do not set out whether the national health and social care data collection will adhere to the purposes specifically set out in legislative sources.

In your opinion are the standards and the features that follow each standard clear and easy to understand?

N/A

Standard 4

Do you feel that the draft standards will drive improvements in national health and social care data collections to support data quality?

Standard 4 covers the important area of compliance with relevant legislation and codes of practice. This section would be improved, however, by adopting standards which require the management organisation to develop processes designed to monitor legislative or code of practice developments at both national and European level to ensure preparedness for any changes that may affect the operation of the national health and social care data collection.

In your opinion are the standards and the features that follow each standard clear and easy to understand?

N/A

Standard 10

Do you feel that the draft standards will drive improvements in national health and social care data collections to support data quality?

As referred to in feedback to Standard 2, these draft standards also lack reference to an identified person who bears responsibility for the recruitment of suitable personnel, and their subsequent training, to ensure that the highest standards of knowledge, skill, and ethical conduct are utilised in the performance of the managing organisation's functions.

Standard 10.3 omits "data protection or security" as a specific focus for the managing organisation's ongoing training, education, and development. This omission should be corrected to make data protection a focus for the development of all relevant personnel.

In your opinion are the standards and the features that follow each standard clear and easy to understand?

N/A