

# Completing the Data Security and Protection Toolkit

## Q&A

Updated 26 October 2022



## Introduction

This Q&A covers how to complete the Data Security and Protection Toolkit (DSPT) and access free support from the Better Security, Better Care programme.

It is based on a series of national webinars for adult social care providers. [Recordings and slides from the webinars can be viewed online.](#)

The questions have been grouped and edited to remove duplication.

There is a separate briefing for [local authorities with inhouse adult social care services.](#)

Full guidance on the DSPT is available on the [Digital Social Care website.](#)

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# Organisations that should complete the DSPT

## 1. Which services need to complete the DSPT? Is it mandatory?

The DSPT is relevant to all CQC-regulated adult social care services – and in fact it is valuable for unregulated services as well. Our strong advice is that all care providers should complete the DSPT as a way of checking your data and cyber security policies, procedures and practices.

It is mandatory to complete the DSPT if you operate under NHS standard contracts. Some local authorities also make this a contractual requirement so it's important to check your contract with the LA (if you have one).

The DSPT is also a prerequisite for using NHS systems for example NHSmail, Proxy Access to Ordering Medication, or shared care records.

## 2. For a new submitting organisation, which is Government, do we need to submit a baseline assessment? We do not provide health or social care but direct policy and strategy and mandate etc.

The DSPT should be completed by any organisation which has access to NHS Patient Data or NHS Systems. If you don't have any direct care provision or use NHS data you may not need to complete the Toolkit. There is more information which covers which organisations need to complete the DSPT here: <https://www.dsptoolkit.nhs.uk/Help/about>

## 3. Our organisation is just trying to register as an approved care provider with the NHS and don't currently have any NHS clients. Do we need to register for the DSPT as part of our registration process?

Yes, if you have NHS contracts, completing the DSPT is a contractual requirement. So you should get the DSPT in place.

## 4. I was told by my franchise that we don't need to complete the DSPT if we only have private clients. Is this true?

All CQC registered services should complete the DSPT and obviously we strongly recommend that you do. It will help improve your arrangements, and provide evidence to inspectors, service users and family. If you access any NHS information – such as NHSmail or proxy medication ordering – you need to have the DSPT in place.

## 5. We understand that it is a requirement to have the right policies in place when it comes to data protection, IT and tech systems and we've taken many steps to comply with legislation and CQC compliance. But is the DSPT a requirement to complete or is it a service to help in complying with data protection and CQC?

The DSPT is a self-assessment tool which asks you to evidence that you have policies and processes in place for data protection and IT. It is a requirement to complete it if you use NHSmail or other NHS systems like shared care records or proxy access for ordering medication.

If you've already done a lot of work on your CQC compliance and Data Protection legislation, then you will find the DSPT very simple. The DSPT helps to provide evidence to CQC and is recognised by them.

## **6. Is the DSPT a requirement for recruitment agencies who supply to the NHS?**

It is likely it will be a requirement. You can check this here:

<https://www.dsptoolkit.nhs.uk/Help/about>

## **7. Are software providers required to complete the DSPT? What if they need NHS login and access to PDS for the software to function? Is a software supplier that is supplying to more than one organisation regarded as a multiple site or single site?**

The Data Security and Protection Toolkit should be completed by any organisation which has access to NHS Patient Data or NHS Systems. If you don't have any direct care provision or use NHS data you may not need to complete the Toolkit. If you use NHS data then you should complete the DSPT. There is more information which covers which organisations need to complete the DSPT here: <https://www.dsptoolkit.nhs.uk/Help/about>

## **8. Is the tool available for use for parties outside of England? Does it apply to Scotland or Wales?**

The DSPT is for care services based in England only.

Wales has the Welsh Information Governance Toolkit.

Scotland has the Scottish Information Sharing (IS) Toolkit.

Northern Ireland has the General Data Protection Toolkit for charities. The Northern Ireland Department of Health also points to other resources to support improvement for Good Management of records.

You can [find links for all of these on the Digital Social Care website.](#)

We do know that some care organisations in the Isle of Man are using the Toolkit.

All of our template resources are available for care providers wherever they are in the UK, but you may need to check them as they often refer to the CQC so you would need to amend references to other regulators.

## **9. I received an email to say that we are due to complete the yearly tool. Are you able to know or tell if that is correct?**

If you have received an email then you have registered previously on the Toolkit. You can log in here: <https://www.dsptoolkit.nhs.uk/Account/Login>

If you cannot remember your log in details, you can contact the DSPT team directly and they can help:

Contact Telephone: 0300 303 4034

Email: [exeter.helpdesk@nhs.net](mailto:exeter.helpdesk@nhs.net)

Please provide your ODS code or address when raising queries via email.

## **10. We have completed a similar toolkit for our InHealthCare system and published it. Do we have to register with DSPT and do the same process?**

If you use the same DSPT for your other service you could look to extend this to cover the rest of your locations. Please see our [multisite guidance](#) on this.

## **Support on the DSPT**

### **11. Where can we get guidance and templates to help with the DSPT?**

The Better Security, Better Care programme provide free, expert support on completing the DSPT. It includes:

- [Detailed guidance](#) to help you to complete the DSPT, including step-by-step guides and films
- [Template policies and resources](#) that you can download and adapt for your organisation
- Tailored support from [28 Local Support Organisations](#) across England.
- The Digital Social Care helpline 0808 196 4848 or email [help@digitalsocialcare.co.uk](mailto:help@digitalsocialcare.co.uk). 9am to 5pm Monday to Friday

The DSPT helpdesk (sometimes called the Exeter helpdesk) is the formal helpdesk for technical issues with the DSPT such as name changes or accessing your account. It is just called the Exeter helpdesk because it is based there. you can contact the Exeter Helpdesk for support with name changes.

Contact Telephone: 0300 303 4034 Email: [exeter.helpdesk@nhs.net](mailto:exeter.helpdesk@nhs.net)

Please provide your ODS code or address when raising queries via email.

### **12. Do we pay for membership?**

All of the support from Digital Social Care and Better Security, Better Care is free.

### **13. Where can we find the webinar recordings about the DSPT?**

All webinar recordings, slides and Q&A from our DSPT webinars are on the [Digital Social Care website](#).

This includes links to all the resources mentioned during the webinars.

[Future national webinars](#) can be booked on online.

[Local Support Organisations](#) also run local sessions.

### **14. Where can I access the animated film about the DSPT?**

You can access it on our website here: <https://www.digitalsocialcare.co.uk/data-security-protecting-my-information/data-security-and-protection-toolkit/>

Or you can download it direct from Vimeo at these links:

High resolution version <https://vimeo.com/664244717>

Lower resolution version <https://vimeo.com/662613362>

Please feel free to use this widely.

## Registration and ODS codes

### 15. How do we know if we have registered for the DSPT?

You can search for your organisation here:

<https://www.dsptoolkit.nhs.uk/OrganisationSearch>

If you haven't registered your organisation will not show up in the search.

See also our [guidance on checking if you are registered](#).

### 16. How do I register?

See our detailed [guide on registering on the DSPT](#).

You can register here: <https://www.dsptoolkit.nhs.uk/Account/Register>

### 17. What is the process to switch the parent HQ code of the DSPT to a new site?

If you contact the DSPT team directly through [exeter.helpdesk@nhs.net](mailto:exeter.helpdesk@nhs.net) they will do this for you. If you would like support with this, contact us at [help@digitalsocialcare.co.uk](mailto:help@digitalsocialcare.co.uk)

### 18. If we are a subsidiary for a company that have an ODS code, do we need to register for a separate ODS code as we have separate policies etc?

You will also have a separate ODS code for your site. If you use different policies and procedures, you should register and complete separately.

### 19. Being a newly registered provider with CQC, at what point should I register for the DSPT? We currently do not service any clients.

Your ODS code is linked to your CQC registration and can take up to 6 weeks to be generated. After you have your code, you can register whenever you like

Contact your [Local Support Organisation](#) who can help you to find your ODS code.

### 20. I used the C code for our organisation rather than the V code. Would I need to re-register?

No, you have 2 choices:

1. Complete on your C code and when you publish make sure that your V code (site) is selected as being covered by the publication. There is a [picture of how to do this here](#).

2. Ask the DSPT team to change your code from your C code to V code. Contact [Exeter.helpdesk@nhs.net](mailto:Exeter.helpdesk@nhs.net) or tel 0300-303-4034.

**21. I am trying to change our organisation name but this message comes up:  
Please specify a different organisation name as another organisation with  
this name already exists.**

Yes, you can contact the Exeter Helpdesk for name changes. Contact Telephone: 0300 303 4034. Email: [exeter.helpdesk@nhs.net](mailto:exeter.helpdesk@nhs.net)

Please provide your ODS code or address when raising queries via email.

**22. Our toolkit appears to be linked to another care home. We raised this  
issue last time we completed it but it is still under another care home.  
Who can we contact to rectify this problem?**

If you contact the DSPT team directly through [exeter.helpdesk@nhs.net](mailto:exeter.helpdesk@nhs.net) or telephone 0300 303 4034. They will help with this.

**23. If you move offices after completing the DSPT what do you have to do in  
relation to the DSPT?**

If you have moved and this has changed your CQC registration, your current ODS code will have been closed and you will have a new ODS code. Please find out your new code and then contact [Exeter.helpdesk@nhs.net](mailto:Exeter.helpdesk@nhs.net) or telephone 0300 303 4034 and ask them to move your DSPT submission to your new code.

**24. I realised that I have inadvertently registered as both a single and multi  
site. How do I change that?**

On the DSPT, you can register with either your site code or your head office code, even if you are a single site. It won't affect which questions you see. If you need help, your [local support partner](#) can walk you through this.

**25. We have a subsidiary in Wales that generally use the same policies but  
may need a few Wales-specific ones (not data security ones). Can we  
include them in the one submission?**

The DSPT only covers adult social care providers in England. Wales has the Welsh Information Governance Toolkit <https://dhcw.nhs.wales/ig/information-governance/welsh-information-governance-toolkit/>

We don't have visibility of the other versions so cannot confirm that the questions or issues are the same.

**26. Is the email the usual company email account or the NHS email one?**

You can choose to use either. We recommend using the email that you use most frequently when registering for the DSPT.

## DSPT administrators

### **27. I am registered in the previous manager's name. How do I change the name to reflect my name?**

If you contact the DSPT team directly they will be able to add you as an administrator and remove the previous manager

Contact Telephone: 0300 303 4034

Email: [exeter.helpdesk@nhs.net](mailto:exeter.helpdesk@nhs.net)

Please provide your ODS code or address when raising queries via email.

### **28. I need to find out who our administrators are. Can I find that via the search function for our organisation?**

Administrator names aren't publicly searchable. The DSPT team can help you with finding the correct names and making sure you are set up an administrator.

Contact Telephone: 0300 303 4034

Email: [exeter.helpdesk@nhs.net](mailto:exeter.helpdesk@nhs.net)

Please provide your ODS code or address when raising queries via email.

### **29. We want to have a position where I am the only administrator. Can the helpline delete the previous administrators?**

The NHS Digital Helpdesk will be able to support you with this if you give them a call or send them an email. Contact Telephone: 0300 303 4034 [exeter.helpdesk@nhs.net](mailto:exeter.helpdesk@nhs.net).

Please provide your ODS code or address when raising queries via email.

### **30. In our small organisation should we/can we all use the same login email and password?**

We wouldn't recommend sharing passwords between multiple members of staff. You can add staff as DSPT users and that will also mean you can see who has made changes. [Our guidance](#) includes information on how to do this.

### **31. Can you add more than one administrator to HQ?**

Yes you can.

### **32. We are a single site organisation. Would you suggest the registered manager should be the Administrator or would it be acceptable for a responsible person taking the lead?**

It is acceptable to have either the Registered Manager or an allocated responsible person taking the lead. You can also have multiple users on the Data Security and Protection Toolkit if this works for your organisation.



### **33. When administrator leaves without handing over the details can you still access the DSPT?**

Yes. You should contact the DSPT helpdesk to enable you to do this. Telephone: 0300 303 4034 [exeter.helpdesk@nhs.net](mailto:exeter.helpdesk@nhs.net). Please provide your ODS code or address when raising queries via email.

## **Multi-site organisations**

### **34. If you are a multiple site and register with the parent ODS code, how do you then make sure you are doing the DSPT as the headquarters for all sites, rather than individually?**

You can access our [guidance about registering](#).

If you can't see all the services listed on the DSPT, you can ask the DSPT Exeter Helpdesk to add these - [Exeter.helpdesk@nhs.net](mailto:Exeter.helpdesk@nhs.net) or tel 0300-303-4034.

If you need further help with completing our publishing as a large multi site organisation contact Digital Social Care helpline [help@digitalsocialcare.co.uk](mailto:help@digitalsocialcare.co.uk) 0808 196 4848 (Mon-Fri 9-5).

### **35. We are a franchise with multiple offices, how do I check for registration? I could not see my local office when I checked**

See our [guidance on how to check if you're registered](#) and what your DSPT status is. If you cannot see your local office when you search, your organisation hasn't registered.

### **36. When you are registering a multi-site can you select more than one type of organisation i.e. social care provider and "xyz" if your multi site company does more than 1?**

You can't register as more than one service type as it's unlikely that you will use the same policies and procedures across all service types. The DSPT also has different questions depending on the sector you are in. If you contact our main helpdesk (rather than the LSO) on [help@digitalsocialcare.co.uk](mailto:help@digitalsocialcare.co.uk) we can advise on how best to register and publish in more detail.

### **37. If we were to convert a multisite into a head office so we only need to submit one DSPT, would we lose our shared mailboxes in each location?**

No, you wouldn't lose your shared mailboxes. When you complete a Head Office toolkit, there is a checklist for all of your locations which you select to say the submission covers your services.

**38.If you are previously registered as a one site and now you have say multiple supported living accommodation what change do you have to implement?**

If you have the same policies and procedures in both services, you can extend your submission to cover both sites by contacting the DSPT team directly. This would be the same as with multisite organisations. [See our guidance for multi-site organisations.](#)

**39.We are a multi-site social care provider. Some of our locations have registered individually. We now want to complete the DSPT once nationally for all our locations. How can we deregister individual locations and then re-register?**

You can register under your HQ code and then complete a multisite publication which covers all of your sites. Once you have completed this, you can contact [exeter.helpdesk@nhs.net](mailto:exeter.helpdesk@nhs.net) and they can make sure all of your sites are covered by a single submission and remove individual registrations. [Our guidance on this is here.](#)

If you want some help with this or to talk it through please contact our national team directly on [hello@digitalsocialcare.co.uk](mailto:hello@digitalsocialcare.co.uk) and we can help.

## Single sites

**40.As single site user, should I register with a V code?**

Yes, that's correct

**41.I am a single site but the owners have more than one business. Do we complete a head office or a site toolkit?**

It depends, if you have the same policies and procedures across all sites then they can complete a head office submission. If each location is run differently, we would recommend doing separate toolkits. You should speak to the owners about what would be best to do.

**42.We are a single site, but our assessment comes up with headquarter details which shows the care home but also the registered manager as an individual is this correct, as the info just given makes me think this is wrong?**

Single sites still have a head quarters code as well as a site code.

Your HQ code will start with A/C and your site code will start with a V.

Make sure that you tick the box for your site code under the "view branches" section of the DSPT when you publish.

If you have any concerns, send a screenshot of what you can see to [help@digitalsocialcare.co.uk](mailto:help@digitalsocialcare.co.uk) and we will take a look and confirm for you.

# Completing the DSPT

## Answering DSPT questions

**43.How long does it take to complete the DSPT roughly? Just so I can diary time in to complete, We have completed before so I am aware all questions have been answered previously but this is the first time that I will have completed.**

It can really depend on the organisation. If all staff have been trained and policies audited over the last year then it can take just a couple of hours to complete the questions.

However, if you need to implement new policies and get staff trained then it can take quite a bit longer. Sorry that we can't provide a definitive time but it changes from organisation to organisation.

**44.Do you click 'assertion confirmed' on sections you haven't completed which are marked as non-mandatory?**

Yes - you will need to do this if you are in the standard view in order to publish.

**45.Are their additional question depending on the size of your organisation i.e. more than 50 sites?**

No, it's the same number of questions for all social care organisations. It does change between sectors or sizes.

**46.Is it right that if you have a standard such as ISO27001 then you can register this and then many fields are auto completed?**

For the social care view, an ISO27001 accreditation doesn't remove any questions. However, you can answer nearly all of the IT questions with a link to your accreditation certificate. If you have completed Cyber Essentials Plus, certain questions will be removed.

**47.Can I confirm if you only answer the 42 mandatory questions you will reach Standards Met?**

Yes - that is correct.

**48.Does it matter if you answer additional questions non-mandatory questions?**

No, it doesn't matter. This means you are going above and beyond! If you also have Cyber Essentials Plus in place you will be awarded "Standards Exceeded".

**49.Why are there different numbers of mandatory questions?**

When you login to the Toolkit for the first time (never published before) you will see a reduced view of the Toolkit where only 26 Approaching Standards questions are marked as mandatory. If you only complete these and then publish, you will need to complete an

action plan.

When you log in the next time, you will see a different view of the Toolkit. In this view, 42 questions will be marked mandatory which is enough for Standards Met. You will not be required to complete an action plan.

### **50.What do I need to do to get to Standards Exceeded?**

To achieve Standards Exceeded you must have reached Standards Met and have Cyber Essentials Plus in place. Even if you answer all the non-mandatory questions, you still need to have Cyber Essentials Plus in place.

## **Updating and saving changes to DSPT**

### **51.Can you exit and re-enter once you have started answering a question? Is your progress automatically saved?**

Yes - the toolkit autosaves and you can go in and out as many times as you like.

### **52.When you update the toolkit are your previous answers and comments still visible?**

They will be visible when you log into the Toolkit again. These will then change as you update them. You can see previous publications which detail your previous answers.

### **53.If you keep the DSPT updated throughout the year, do you republish each time you change something?**

You can choose to do that - great thing is it keeps it up to date.

### **54.I can't find a progress link on the view on my DSPT. Where is it?**

You will only be able to see the progress link after you have published for the first time.

### **55.We plan to improve our security and IT systems in July-August this year. Do we complete the DSPT before June 30 with how our current systems work and update again after we upgrade our systems? Or could we complete before 30th June with how are IT systems will work in the future?**

You can do both. We strongly recommend you do publish by 30 June otherwise you won't have a valid DSPT. When you change systems, then update your DSPT again. You can log in and update your DSPT as often as you like, when you make updates just make sure you publish again when you have finished.

**56.If we have submitted our DSPT for this year but want to update/rewrite our answers to questions can we amend and resubmit the toolkit again before the 30th June deadline?**

Yes, you can re-enter the DSPT, make changes and then republish at any time and as many times as you like. We strongly recommend that care providers use the DSPT as a live tool and that you keep it up to date throughout the year.

## **Changes to the DSPT**

**57.I am a new user who inherited the DSPT from my predecessor. Are the parameters very similar this year? What should my approach be to understand the new requirements?**

There are very few changes to the requirements compared to last year. The main new item since July 2022 is the requirement to answer a question about the National Data Opt Out. Plus there have been some improvements to language and tips.

See our guidance on [Reviewing and Republishing](#).

And contact your [Local Support Organisation](#) who can help you through each step.

[See our webinar recording on DSPT 2022-23: What's Changed? Held on 31 August 2022.](#)

**58.Does the system alert you on new questions which may have been added since last year? This is my first time using this portal and I can see the answers already populated. I understand that I need to review the existing information entered by my predecessor last year, but how would I know if there are new questions for which I would need to create supporting info prior hand?**

You will need to review all the questions marked Mandatory - regardless of whether they were answered before or not. They will be marked as Incomplete on your assessment view.

The most recent changes include a new question on the National Data Opt Out, plus some changes to language. [See our webinar recording on DSPT 2022-23: What's Changed? Held on 31 August 2022.](#)

## **Mobile devices**

**59.Section 1.3.14 talked about mobile phones. Does this include lap tops if they are used for work purposes or only mobile phone?**

Yes, this includes all mobile devices such as phones, laptops, and tablets if they are being used for work purposes.

## Data cleansing and disposal

### 60. Is there any information on data cleansing as I have been told by HR we need to periodically do this?

We recommend that organisations follow the [Record Management Code of Practice](#) guidance as this is what the CQC signpost to.

### 61. Can you be more specific on using external confidential waste removers: it states having to have a contract - what does that relate to? Is it a case of having the terms and conditions and how they will remove the information?

We have [guidance on the disposal of personal data](#).

In short, yes, there are specific standards which dictate how confidential information should be destroyed and your contract should state that in the T&Cs

## NHSmile and shared NHS information systems

### 62. Does this help with NHSmile to be set up?

Yes. You must have published your DSPT in order to access NHSmile for the first time. This also gives you access to MS Teams and 365.

### 63. Could I ask what a digital red bag is?

The Digital Red Bag is a method of sending care home information digitally to hospitals (the same information as was included in the physical red bag if you use those?). [We have more information about this here](#). You need to have the DSPT if you are accessing information via systems such as the digital red bag.

## Action Plans

### 64. We are looking at quotes and implementation of a mandatory unit - can we publish before this is completed if it's included in the Action Plan?

If this is mandatory for Approaching Standards - you won't be able to publish your DSPT without asserting that you have completed that requirement. I would recommend holding off until you have actually finished the work. If you would like to discuss in more detail, please contact [hello@digitalsocialcare.co.uk](mailto:hello@digitalsocialcare.co.uk)

### 65. If you publish and an action plan is required, does this also need to be finalised by 30th June?

Yes – the Action Plan needs to be published by 30 June. The deadline is the same.

## Cyber insurance

### 66. Apart from training do you think cyber security insurance is necessary?

It isn't required, but you may find it very beneficial. Successful cyber attacks can have a huge impact on your business - including a financial impact.

## Policies and forms

### 67. Do the policies have to be changed?

You should review your policies at least once every three years - but we would recommend doing this more frequently. If they are still relevant, then they don't need to be changed.

[See our list of required policies and templates](#) for different DSPT levels on our website. Our template policies are reviewed and quality assured annually, or if requirements change:

### 68. Do you have a sample e.g privacy notice?

Policies that you need to have in place are [listed on our website](#) – this includes templates that you can download and tailor for your organisation. Make sure staff know about your policies.

### 69. Where can I get help with the information asset form?

Contact your [local support organisation](#).

## Roles and responsibilities

### 70. You indicate it wouldn't necessarily be the manager's job to complete the DSPT, but we don't have any IT staff.

A lot of small organisations don't have an IT lead. Complete the DSPT questions yourself – and get support from your [Local Support Organisation](#). The questions are about your organisation – you don't have to be IT savvy. It is about helping you to think about the things you need to have in place in order to be a more effective organisation in relation to data and cyber security.

### 71. Who can qualify to take the responsibility of DSPT officer?

We have [guidance on roles and responsibilities here](#).

### 72. Does every submitting organisation require a Caldicott Guardian?

It is not currently mandatory for social care provider organisations to have a Caldicott Guardian. It is only mandatory for the public sector (e.g. NHS and local authorities). Social Care organisations can skip that question when registering.

### **73.Can you advise on the roles of Data Protection Lead and Data Protection Officer? We are trying to ensure the right person with right skills is involved in each role.**

We have a [detailed guide on both roles here](#).

In general, small providers don't require a DPO but should have a data protection lead.

## **Information Commissioner's Office (ICO) licence**

### **74.We are not registered with the ICO as we are an NFP and the ICO have advised we are exempt. Will this impact the level we can achieve?**

If you are exempt, you can still complete the Toolkit. You can just make a comment against this evidence item that you are exempt from ICO registration.

### **75.Do we need to register each individual service with the ICO, or is it per organisation?**

ICO registration is per company – not per individual service.

### **76.Can we renew the ICO Licence before the due date?**

The ICO say they will contact all organisations 6 weeks before their fee expires. And if you have a direct debit set up, payment will be taken automatically. ICO guidance is [available on the ICO website](#).

## **Cyber Essentials**

### **77.If we have Cyber Essentials certification, do we still need to complete the DSPT?**

Yes. The DSPT covers more than cyber security – so for example it covers data protection and paper records as well. However, completing Cyber Essentials **Plus** removes a number of questions from the DSPT. When you register for the DSPT you can tick a box to say you have Cyber Essentials Plus and this will automatically remove questions. If you are using the standard Cyber Essentials, not the Plus version, this will not remove questions from the DSPT.

If you want to discuss how this works in more detail, you can contact us on [hello@digitalsocialcare.co.uk](mailto:hello@digitalsocialcare.co.uk).

### **78.Is Cyber Essentials mandatory for DSPT?**

No, Cyber Essentials is not mandatory for the DSPT. But if you have it, it can help. Have a look and see if would be valuable to you as an organisation. Find out more here <https://www.ncsc.gov.uk/cyberessentials/overview>

If you have Cyber Essentials Plus you can indicate this on your DSPT entry and it will enable you to skip some questions. If you reach Standards Met on the DSPT and you also have Cyber Essentials Plus, you can get to Standards Exceeded on the DSPT.



**79. We achieved Cyber Essentials Plus in the past which took a great deal of work. We haven't been able to achieve this year as they have expanded the scope to include BYOD and external software providers - does anyone have a work around please?**

We don't have a work around, but Data Security and Protection Toolkit is a simpler standard to meet than Cyber Essentials Plus.

We also have [guidance on BYOD](#) and [guidance on external software providers](#).

**80. Can the LSP advise on organisations who can assist with finding partners to assist with achieving Cyber Essentials Plus? And is there any funding available to Social Care orgs for getting Cyber Essentials Plus?**

There is not currently any funding available to help with Cyber Essentials Plus as far as we are aware. IASME recommends contacting a local certification body who can help with achieving Cyber Essentials Plus <https://iasme.co.uk/certification-bodies/>

You can also get help from your local [Cyber Resilience Centre](#) – there is one in each region and these are run by the police. They can help organisations with IT and Cyber Security at no or reasonable cost dependent on what is required.

You can also more information about [sources of funding to use more technology](#).

## **National Data Opt-Out**

**81. What is an Opt-Out Policy?**

The National Data Opt Out it is about enabling people using services to opt out of having confidential data shared for purposes other than for their care.

CQC registered providers are required to have the NDOP in place by 31 July 2022. It also become a mandatory question on the DSPT from that data.

We have [guidance here](#) and will update it if anything changes.

**82. Would it be possible to receive more guidance around the 'National data opt-out requirement'? What steps can organisations take to ensure they have this in place please?**

Our [social care specific guidance on the NDOP](#) includes some template clauses to insert into your policies. If you have specific questions further to this, please contact [help@digitalsocialcare.co.uk](mailto:help@digitalsocialcare.co.uk) and we can provide more service specific answers.

**83. I saw the NHS opt-out. What type of evidence is needed for social care?**

National Data Opt Out came into force on 31 July 2022. It only applies to confidential patient information where processing relies upon Regulation 5 of the Health Service (Control of Patient Information Regulations 2002. If the information has been anonymised in line with the Information Commissioner's Office's Anonymisation Code of Practice, the national data opt-out does not apply. You can share anonymised data, and people do not have the power to opt out of this.

The guidance contains template clauses social care organisations can insert into privacy policies and notices. Guidance here <https://www.digitalsocialcare.co.uk/data-security-protecting-my-information/national-data-opt-out/>

#### **84.Can I just contact on Opt Out even if not using for research, etc?**

Yes - contact us directly to discuss on [hello@digitalsocialcare.co.uk](mailto:hello@digitalsocialcare.co.uk)

### **Standards on the DSPT**

#### **85.Do I have to publish at Approaching Standards before I move on to Standards Met, or can I go straight to Standards Met without producing an Action Plan requirement for Approaching Standards?**

You can go straight to standards met by completing all questions (mandatory and not) in the social care view. There should be 42 questions in total.

#### **86.If I am at Entry Level - can I just confirm what I already have in place?**

No. Entry Level no longer exists and has been amended to Approaching standards. All of your work from Entry Level will remain so you can check this and then answer the additional questions required for Approaching Standards – or better still move on to Standards Met.

#### **87.We are published at Approaching Standards. Can I reassert those answers and republish at Approaching Standards again?**

No. Approaching Standards is a one-off stepping stone. You cannot republish at Approaching Standards. You must reach Standards Met in order to republish.

### **Training**

#### **88.In relation to staff training, if we have a rolling programme of training on information governance and security for all staff and visitors, is that enough to meet the mandatory standard as there may be times more than 5% of staff are on leave, sickness, etc?**

Yes, that sounds like it will meet the requirement.

#### **89.Are there any free online cyber security training courses that are mandatory to the care staff and are recognised? If there are, could please share the link.**

There aren't any mandatory ones but there are lots of free options. [Our recommendations are here](#)

We have also developed a discussion tool to help managers to raise awareness of data protection and cyber security issues with their staff, and a corresponding quiz for frontline staff to use to assess their levels of knowledge. You can use these resources to answer the questions about training and awareness.

[See all our training and resources here.](#)

[See our discussion tool and quiz here.](#)

### **90. Reaching 95% training completed feels like the hardest target to reach in light of other pressures. Will this be reduced at all?**

The timescale for training staff has been changed for 2022/23. You now need to be able to say that 95% have been trained **in the last 12 months** (not since 1 July).

Generally the difficulty lies in 2 areas:

- a) finding appropriate training for staff
- b) managing to get 95% of staff trained within a year - particularly around bank staff, volunteers or staff on long term sick

If 95% of staff hasn't been met, you can either delay publishing your toolkit or can assess which staff require training. Happy to discuss in more detail if you contact us on [hello@digitalsocialcare.co.uk](mailto:hello@digitalsocialcare.co.uk)

We have published [information about training, including a list of courses](#) here.

### **91. We have a rolling programme of training and a very large staff team. The 95% is difficult to achieve due to different expiry dates etc and keeping on top. We have decided to run a report and a set date and those staff that are out of date will be sent a print out summarising the training to their home address - is this sufficient to meet the standard?**

Yes, that sounds like it will meet the requirement.

## **Using the DSPT as evidence (eg CQC)**

### **92. Would an unannounced visitor not accept a "published" DSPT page if I showed it to them on the desktop, instead of a pdf? Can't we just show the inspector or LA the DSPT site and log in? Why keep a hard copy?**

Yes - you are very welcome to prove that you have published in any way that you like. Some people prefer to keep a hard copy or PDF but it's very much up to you.

## **Publishing your DSPT**

### **93. Where can I find guidance on how to publish?**

We have detailed guidance on how to [publish for the first time](#), and [publishing for the second time \(or more\)](#).

### **94. Where is my status published?**

It is published on the DSPT website. This is publicly searchable here:

<https://www.dsptoolkit.nhs.uk/OrganisationSearch> And we also recommend that you

publish the status you have reached on your own website. A certificate is also being developed which will indicate your DSPT status and date.

## 95.What happens to the documents that are uploaded?

These are saved in the Toolkit and remain there until you review and republish the following year. No one can access these except users on your submission. When you publish these are not made public. They are just for your own records as evidence.

## Printing and sharing your DSPT responses

### 96.Can I print or share my DSPT responses with other people?

Yes you can. There are several ways you can do this.

As an administrator, you can add more users and assign their access level.

Sign in to the DSPT and click on the “*Admin*” option.

This will reveal a drop-down list: Select “*Manage Users*”.

This page will list all the people that have access to the DSPT. You can add a new user or edit the permissions for an existing user.

- **Auditor** - View only access to the evidence items.
- **Member** - Can edit evidence items but cannot create new users or publish the toolkit.
- **Administrator** – full access to the toolkit.

The invite link expires in 24 hrs and only administrators can ‘publish’ the toolkit or add new users. When you add a new user they must respond the email within 24 hours (let them know about it and check spam folder if not received).

Once you have published your DSPT, you can also export your responses to an Excel spreadsheet, or save responses as a PDF. This may be particularly valuable for sharing with a wide group of managers, staff or with external contacts. (Note it won’t include any of the files you have uploaded as evidence – just the responses you have given.)

#### To export as an Excel file:

- Open your assessment and click on *Go to Dashboard and Reports*
- You will be given the option to export your assessment as a spreadsheet.

#### To download as a PDF:

- Once you have submitted your DSPT, go to your main *Assessment page*.
- Click on *View Previous Publications* (note this does mean you can only download your DSPT as a PDF if it has already been published)
- Select the DSPT publication that you want – it will probably be the latest one.
- This will open all of your answers on one long page.
- Click *Control and P* on your keyboard. This will open up your Print options on your computer. Select *Save as PDF* (or print if you wish to print)

## DSPT deadline and ‘failing’ the DSPT

### 97. Will we receive reminders annually to update the portal?

Yes, you will receive reminders from the DSPT Team about three months from the deadline. It will be sent to the email that you have used to register on the DSPT. If you have changed staff, you should update details of who has registered as the DSPT administrator.

### 98. What happens if we haven't completed the DSPT by 30th June?

The deadline for completing your DSPT for 2022/23 is 30 June 2023 and it's an annual process.

If you are publishing for the first time, you can complete to Approaching Standards and then provide an action plan for the rest of the year. If you're republishing, you just need to review your previous answers, update, reconfirm and republish. You will also need to answer the new question about the National Data Opt Out.

Completing the DSPT is a contractual agreement for NHS contracts and for some LAs - so it's worth checking if you have any contract need to complete. Unless you have a specific contract requirement to complete, there are not any financial or audit implications on organisations who don't complete.

In addition, completing the DSPT is a prerequisite for access to NHS systems and data so this might impact your ability to take part in local pilots of things like GP connect or proxy access if these happen in your area. And you need it to you are registering for NHSmail.

If your DSPT is not up to date you cannot use it as evidence of current data protection and cyber security arrangements.

Get help from your [local support organisation](#) or contact us at [hello@digitalsocialcare.co.uk](mailto:hello@digitalsocialcare.co.uk)

### 99. What happens if providers miss the deadline. Are there any enforcement or financial penalties?

Only if you have a contract in place which requires you to have completed by this deadline. Alternatively, if any of your services are taking part in shared care records pilots you might not be allowed to continue until you complete but that is a local decision. There isn't a financial penalty or enforcement for the DSPT. Completing the DSPT annually is best practice.

### 100. Can we just submit work that we have completed, and then continue to add information after 30 June deadline?

You can continue to complete after the deadline but in order to publish for 2022/23 you need to complete to at least Approaching Standards by 30 June 2023 if publishing for the first time – or to Standards Met if republishing. Also, it's intended to be a self-assessment which is completed annually so we would recommend making updates as you go along as best practice.

## 101. What happens if you fail the DSPT?

There is no 'fail' status on the DSPT as such. But you will not be able to publish your DSPT assessment or use it as evidence of your data security and protection arrangements if you have been unable to answer all the mandatory questions for either Approaching Standards or Standards Met. There is a lot of help to get you through so do contact your Local Support Organisation in your area. Find your [Local Support Partner](#).

## 102. What happens if I am submitting data to NHS Digital systems via an API and my DSPT says not meeting standards?

You would only be able to do this if NHS Digital have approved - please speak to your contact at NHS Digital and they can advise.

## Contacts

Direct support with completing your DSPT. [Contact your Local Support Partner](#).

Technical issues with finding your ODS code or technical problems with the DSPT: 0300-303-4034 Email [Exeter.helpdesk@nhs.net](mailto:Exeter.helpdesk@nhs.net)

Large, multi-site providers: contact Digital Social Care Helpline [help@digitalsocialcare.co.uk](mailto:help@digitalsocialcare.co.uk)  
0808 196 4848 (Mon-Fri 9-5)

Other issues contact Digital Social Care Helpline [help@digitalsocialcare.co.uk](mailto:help@digitalsocialcare.co.uk)

[Register for Digital Social Care newsletter](#)

Find out more about the [Better Security, Better Care support programme](#)

[Access guidance and information on the DSPT](#)