Completing your Data Security and Protection Toolkit 2022/23 11th June 2023



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Institute of Public Care (Oxford Brookes University)
On behalf of the Better Security, Better Care Programme



Housekeeping



- This is for care providers who almost ready to publish their DSPT but have a few questions that are preventing them from publishing or republishing
- Attendees are on mute and can't be seen
- Please use the Q&A function to ask questions.
- On a phone, tap the screen to see the controls choose More and then Q&A
- Questions that we can't answer: we will come back to you. Add your email to Q&A
- This webinar will last no longer than one hour
- You will get access to the presentation (inc links)



Poll for care providers only



- What level is your organisation currently at on the DSPT?
- Have you personally used the DSPT before?
- Are you a single-site or a multi-site organisation?
- Where did you hear about this DSPT webinar?



Today – our agenda



- Completing/Reviewing your DSPT
- New questions for 2022/23
- Questions which might be holding you back from publishing
- (Re)publishing your DSPT
- Tips
- Support available
- Your questions
- Next steps



DSPT 2022/23



- Need to complete DSPT at least once a year
- Ideally update when you have major changes (e.g. new or changed care services, new IT systems etc)
- 2021/22 DSPTs are now out of date (as of 30 June). You cannot use 2021/22 DSPT as evidence of your arrangements (e.g. to support contracts, CQC inspection, access NHS shared information systems or Transformation Fund)
- You can still complete 2022/23 DSPT as the 2023/24 DSPT is not yet live.



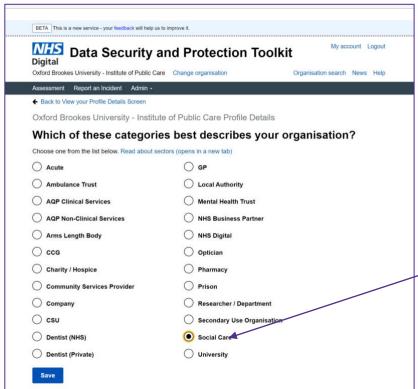
After you login: If you're not seeing the 'Social Care View'





USEFUL LINKS

Guidance on Registering
Contact your Local Support Organisation



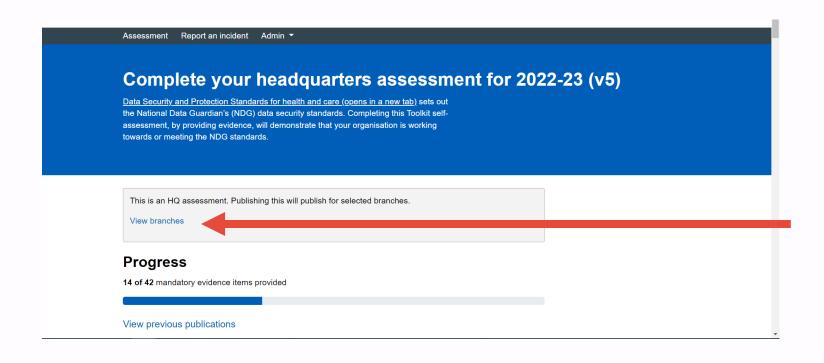
Choose Social Care



Headquarters Assessment view

- for those using an HQ Code





- For those using an HQ code, the screen has a different heading
- You can view your branches here
- When you publish you can choose which of your sites you are publishing for as multisite providers can publish one DSPT that covers all their locations/branches







- If this is your first publication 2 options:
 - Answer the 26 mandatory questions to reach Approaching Standards and submit an action plan
 - Answer all 42 questions to achieve Standards Met
- If you're republishing
 - Your previous answers are still there review and up-date them
 - Answer all 42 mandatory questions
 - If you published at Approaching Standards last year you will have 16 additional questions to answer for the first time. You cannot republish at Approaching Standards.
- ONLY NEED TO ANSWER THE 42 MANDATORY ONES



New in 2022/23







Change to question wording and additional tools

- 3.2.1 Have at least 95% of staff, directors, trustees and volunteers in your organisation completed training on data security and protection, and cyber security, within the last 12 months?
- The tooltip now directs you to a specific page on Digital Social Care from where you can download the managers discussion guide and staff quiz.



Managers' Discussion Tool & Quiz for Staff



Resources to support answering training and skills questions on DSPT

Better Security, Better Care Managers' discussion tool

Version 2 - July 2022



This discussion tool is designed to help you have discussions with your frontline staff to check their knowledge and provide evidence of their competence in data security and protection to meet requirement 3.2.1 of the Data Security and Protection Toolkit.

The tool is broken down into four colour coded sections covering the four learning outcomes for frontline social care staff:

- 1. Understand the importance of data security and protection in the care system and your personal responsibility to handle data safely
- 2. Be able to apply relevant data security and protection legislation and principles
- 3. Be aware of physical and digital threats to data security and know how to avoid them, including:
 - i. being alert to social engineering
 - ii. safe use of digital devices
 - iii. safe keeping of physical records
- 4. Be able to identify data breaches and incidents and know what to do if one happens



Better Security, Better Care Multiple choice quiz for frontline staff



Version 2 - July 2022

This quiz will provide evidence that you have completed data security and protection
training that meets requirement 3.2.1 of the Data Security and Protection Toolkit. Circle or
tick the correct answers.

Managa	Data	Canro
Name:	Date:	Score:

 Understand the importance of data security and protection in the care system and your personal responsibility to handle personal data safely

Question		Answer options	
1a	True or False: We have a legal duty to respect the privacy of the people who use our care services?	True False	
1b	True or False: Sharing information with the right people can be just as important as not disclosing to the wrong person?	True False	
1c	Can someone you support ask to see and have a copy of the personal data that is held about them?	Yes No	
1d	When should information be recorded? Choose the correct answer.	As soon as possible, whilst the event is still fresh in your mind Within a couple of weeks When there is time to do it	

New Question 1.2.4 – Is your organisation compliant with the national data opt-out policy?



- The national data opt-out was introduced on 25 May 2018 in line with the National Data Guardian's recommendations in her review of <u>Data Security</u>, <u>Consent and Opt-Outs</u>. It is supported by the <u>DCB3058 Standard</u>
- All citizens have the opportunity to opt out https://www.nhs.uk/your-nhs-data-matters/
- Deadline was 31st July 2022





When does National Data Opt-Out apply?

- The national data opt-out does not apply to confidential patient information used to provide individual care, or where the data processing is legally required or where the individual has consented to the processing.
- The national data opt-out **applies** when Regulation 5 of the Health Service (Control of Patient Information) Regulations 2002 ("Regulation 5 support") is relied on as a legal basis to process confidential patient information where the processing would otherwise be a breach of confidentiality.







- Check if any data processing is happening under Regulation 5
- If not, add template clause into privacy notice and data protection policy
- If yes, download the <u>Messaging Exchange for Social Care and Health</u> (MESH) so that the organisation can check if any of the people they support have opted-out.
- If yes, contact hello@digitalsocialcare.co.uk for support
- See <u>Digital Social Care guidance and template wording</u>





Specific questions people are finding tricky?



Other Questions people find tricky









- 7.1.2 "Does your organisation have a business continuity plan that covers data and cyber security?"
- 7.2.1 "How does your organisation test the data and cyber security aspects of its business continuity plan?"



Where to start?



- Identify your critical IT systems and paper files
- Identify your critical 'devices' computers, laptops, tablets, smartphones

Digital Social Care guidance:

Creating and Testing a Business Continuity Plan for Data and Cyber Security





An example structure for your plan

Column heading	Example
Key area	Laptop breaks down
What could happen	Cannot access care data Loss of staff records
How likely is it to happen?	
How bad could it be?	RAG
How can we prepare just in case?	Make RAG ir backups are working and can be restored Put in place alternative access to care data and staff records Access cloud systems on a different device
Lead person	
Date last tested	



How to make sure your plans will work



- Make sure staff are aware of the plan and what to do
- Update policies and procedures to match your plan
- Test your draft plan to see if the actions would really work in practice e.g.
 - Mimic a power cut or phone/internet problem
 - 'Hide' a computer or smartphone
 - Lock the office door and 'hide' the key
 - Send a 'pretend' phishing email to staff to see if they open it
- Test your plan again at least annually



Mobile phones and bring your own device – what are the risks?







Bring your own device (BYOD) – managing risk





- Introduce a 'BYOD' policy
- Enforce the policy through staff contracts
- Check early on
- Then make regular checks
- Including when staff leave

- <u>Digital Social Care Template BYOD policy</u>
- ICO guidance Bring your own device (BYOD) advice and guidance





Digital Social Care:

- Guide on mobile devices
- Protect mobile devices and tablets
- Advice on Mobile Device Management (MDM)
- NCSC Keeping your smartphones (and tablets) safe







- Find or erase lost Apple devices https://support.apple.com/en-gb/HT210515#markaslost
- Find, lock or erase a lost Android device https://support.google.com/accounts/answer/6160491?hl=en
- Find, lock or erase Samsung smartphone https://www.samsung.com/uk/apps/find-my-mobile/



DSPT questions about holding and sharing information?



- 1.1.2 Does your organisation have an up-to-date list of the ways in which it holds and shares different types of personal and sensitive information?
- 1.2.1 Does your organisation have a privacy notice(s)?
- 1.2.4 Is your organisation compliant with the national data opt-out policy?



How to Document Your Data Processing



It is a requirement of the Data Protection Act (2018) and the General Data Protection Regulation (GDPR) that all personal and sensitive data has a legal basis for being held and being shared.

This means that care providers are legally obliged to keep a record of all the personal data they hold for staff, residents and families/carers, and what data they share with others.

To meet this requirement, it is easiest to have two lists:

- 1. <u>Information Asset Register (IAR)</u> contains what type of information is held, where it is stored and how it is protected
- 2. Record of Processing Activities (ROPA) contains where data is received from, where it is sent to and the legal basis for doing this





Under GDPR you are a 'Data Controller'

 As a social care provider, you are a data "controller" under GDPR. This means that you need to document specific information about your processing.

An Information Asset Register is a list of all the places where information is stored, whether the information in that place is special category information, and how that information is kept safe





Information Asset Register

For <u>each</u> information asset, you must answer each question 1 to 15 in the table.

There are two templates available: in Word and in Excel.

They are available here:

https://www.digitalsocialcare.co.uk/resource/information-asset-register-template/ or from your local lead.

Review each type and decide which format works best for you.



1. Information Asset Name

2a. Supplier Name

2b. Contract location

2c. Contract Start and End Dates

3. What Information is Kept Here and Why?

4. Location - Where is the Information Asset?

4. Does this contain special category data?

6. Who is the Information Asset Owner?

7. Is the Information Shared Externally? i.e. Do you receive it from someone outside your organisation or share it externally.

8. [Only if Yes to 7] is the Process Included on the Record of Processing Activities?

9. What Risks Are There if There is a Breach?

10. What Security Measures Have Been Put in Place?

11. Date Information Asset Issued (If applicable)
[DD/MM/YY]

12. Date Information Asset Returned (If applicable)
[DD/MM/YY]

13. Date of Last Audit [DD/MM/YY].

14. Has There Been a Breach Since the Last Audit? [Drop down list]

15. [Only if Yes to 14] Have All Actions Which Arose Because of the Breach been Taken?

Register of Processing Activity (RoPA)



A Record of Processing Activities (ROPA) is a list of confidential data, where it is received from or where it is sent to and the legal basis for doing this.

All data in the IAR marked as being received from or shared with external organisations needs to be included in your ROPA





For <u>each</u> data item, you must answer each question 1 to 20 in the table.

There are two templates available: in Word and in Excel.

They are available here:

https://www.digitalsocialcare.co.uk/resource/informationasset-register-template/ or from your local lead.

Review each type and decide which format works best for you.



- 1. Data Item
- 2. Personal Data Category
- 3. Data Subject
- 4. Data Format
- 5. Is the information being transferred into or out of the organisation?
- 6. Where is the data received from (in) or transferred to (out)?
- 7. Is the data transferred outside of the EEA?
- 8. (Only if YES for 7) Detail measures taken to protect data.
- 9. How is the data transferred into or out of the organisation?
- 10. Description of why the data is being processed.
- 11. Lawful Basis for Processing (Article 6 Provision)
- 12. Is the Data Special Category? (
- 13. Legal Basis for Processing Special Category (Article 9) or Criminal Records Data (DPA 2018)
- 14. Link to/Location of Consent Form (only if consent is the legal basis for sharing)
- 15. What Procedure(s) Has Been Put in Place to Ensure Data Security?
- 16. How Long is the Data Retained For?
- 17. Date of Last Review of Processing Activity (at least annually)
- 17a. Date of Last Change to Legal Basis for Processing
- 18. Who is responsible for the data item [Information Asset Owner]?
- 19. Has a Data Protection Impact Assessment been completed?
- 20. Is this an active or inactive process? (mark as inactive if the data process is no longer happening)





- Templates for listing your information https://www.digitalsocialcare.co.uk/latest-guidance/how-to-document-your-data-processing/
- The Information Commissioner's Office (ICO) has a template privacy notice https://ico.org.uk/for-organisations/make-your-own-privacy-notice/
- Digital Social Care has one as well
 https://www.digitalsocialcare.co.uk/resource/privacy-notice-template/
- Data Protection Impact Assessments Data protection impact assessments | ICO



Problems with ODS codes?



- Find your ODS code https://odsportal.digital.nhs.uk/Organisation/Search
- Or, search for 'ODS Portal' and choose Organisation/Practitioner search, search using your postcode.
- If you cannot find your code, aren't sure which one/s to use or having technical issues contact the DSPT Exeter helpdesk on 0300 303 4034, or email exeter.helpdesk@nhs.net



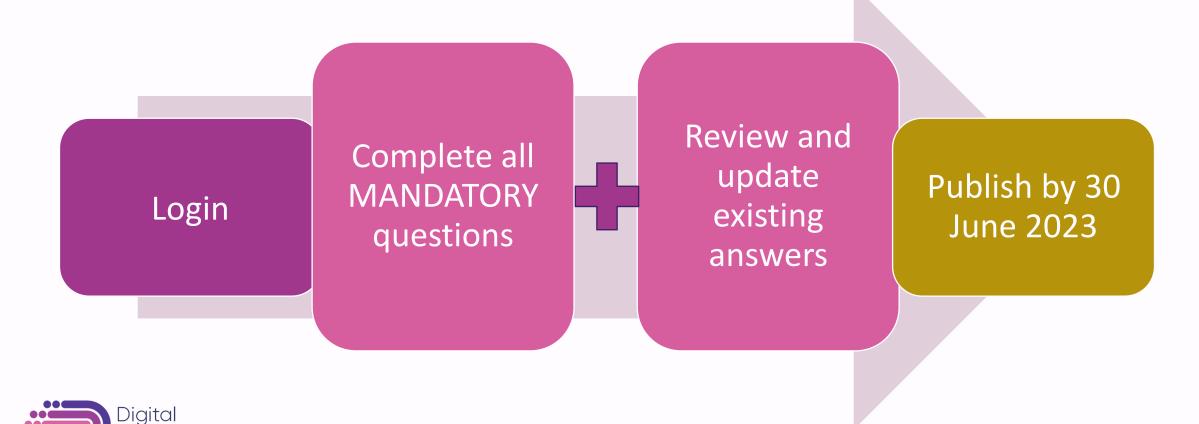
(Re)publishing your DSPT





Review, update and complete MANDATORY QUESTIONS





Social Care





- If you're republishing only answer questions marked MANDATORY
- You may leave all other questions blank
- Click on an evidence item (in blue) to answer the question and see the tool tip
- Review and update existing answers

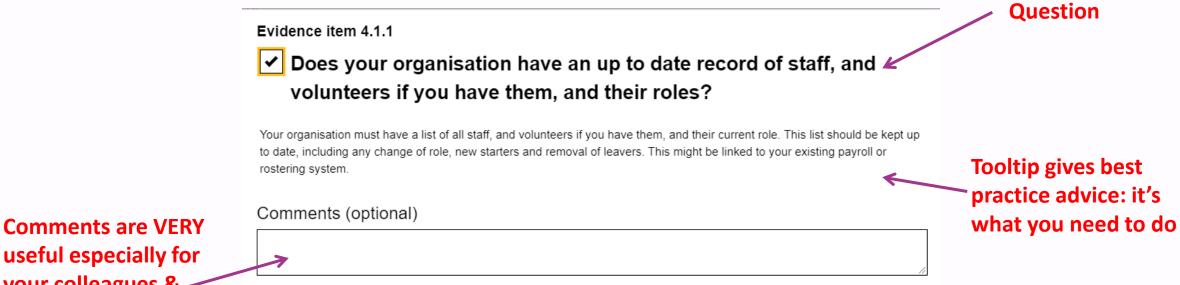
2.2.1	Do all employment contracts, and volunteer agreements, contain data security requirements?	Mandatory	COMPLETED	
3,1,1	Has a training needs analysis covering data security and protection, and cyber security, been completed in the last twelve montes?	Mandatory	COMPLETED	
3.2.1	Have at least 95% of staff, directors, trustees and volunteers in your organisation completed training on data security and protection, and cyber security, in the last twelve months?	Mandatory	COMPLETED	
3.3.1	Provide details of any specialist data security and p. tection training undertaken.			
3.4.1	Have the people with responsibility for data security and protection received training suitable for their role?	Mandatory	COMPLETED	
4.1.1	Does your organisation have an up to date record of staff, and volunteers if you have them, and their roles?	Mandatory	COMPLETED	



Example question 4.1.1

or Cancel







your colleagues &-

future publication

Example Response to Question 4.1.1



4.1.1

Does your organisation have an up to date record of staff, and volunteers if you have them, and their roles?

Yes

Comments:

Staff and volunteer registered are contained in HR files, both hard copies and electronic versions which are saved on both the Google Drive and portable D drive in the Operations Director's office. The hard copies are kept in a locked drawer.







- When you have reviewed/updated and answered all 42 questions, and ticked to confirm your answers, click on publish assessment
- Remember: your DSPT status will be published.
 NOT your full report

10.2.1	Do your organisation's IT system suppliers have cyber security certification?	Mandatory	COMPLETED
9.5.3	You closely and effectively manage changes in your environment, ensuring that network and system configurations are secure and documented.		
9.5.2	Are all laptops and tablets or removable devices that hold or allow access to personal data, encrypted?	Mandatory	COMPLETED
9.5.1	All devices in your organisation have technical controls that manage the installation of software on the device		
9.4.4	Security deficiencies uncovered by assurance activities are assessed, prioritised and remedied when necessary in a timely and effective way.		
9.3.8	The organisation maintains a register of medical devices connected to its network.		
9.3.6	The organisation protects its data in transit (including email) using appropriate technical controls, such as encryption.		
9.3.5	The organisation understands and records all IP ranges in use across the organisation.		



Publish Assessment



Headquarters Assessment Publish for all sites

Complete your headquarters assessment for 2022-23 (v5) Data Security and Protection Standards for health and care (opens in a new tab) sets out e National Data Guardian's (NDG) data security standards. Completing this Toolkit selfessment, by providing evidence, will demonstrate that your organisation is working wards or meeting the NDG standards. This is an HQ assessment. Publishing this will publish for selected branches View branches **Progress** 42 of 42 mandatory evidence items provided View previous publications Download assessment Staffing and roles COMPLETED 1.1.5 Who has responsibility for data security and protection and how Mandatory has this responsibility been formally assigned? Does your organisation have an induction process that covers Mandatory COMPLETED data security and protection, and cyber security? 2.2.1 Do all employment contracts, and volunteer agreements, contain COMPLETED data security requirements?

COMPLETED

COMPLETED.

- For those using an HQ code, you can view your branches here
- Do they have the same policies & procedures, IT systems and data security arrangements?
- If yes, publish one DSPT for all sites



3.1.1 Has a training needs analysis covering data security and

protection, and cyber security, been completed in the last twelve months?

3.2.1 Have at least 05% of staff disenting tripless and unknowns in





Social Care Assessment

Key data security requirements for social care organisations are listed below. Please respond to the following requirements and publish your assessment.

There is a problem

Please complete mandatory requirement 4.1.1 in the Staffing and roles section

Please complete mandatory requirement 1.1.1 in the Policies and procedures section

Please complete mandatory requirement 1.1.2 in the Policies and procedures section

Please complete mandatory requirement 1.2.1 in the Policies and procedures section

Please complete mandatory requirement 1.3.1 in the Policies and procedures section

 ✓ Show more errors



Publication Notification



08/11/2021, 11:08

Liverpool Social Care Partnership Mail - Confirmation of the publication of your assessment



Confirmation of the publication of your assessment

donotreply.dspt@nhs.net <donotreply.dspt@nhs.net>

8 November 2021 at 11:03

Thank you for publishing your 21/22 Standards Met Data Security and Protection Toolkit assessment for LIVERPOOL SOCIAL CARE PARTNERSHIP on 08/11/2021 11:03.

Everyone who uses health and care services should be able to trust that their personal confidential data is protected. Publishing your Data Security and Protection Toolkit provides assurance that your organisation is practising good data security and that personal information is handled correctly.

Your DSP Toolkit status of Standards Met is publicly available for your service users, commissioners, partner organisations and the public at https://www.dsptoolkit.nhs.uk/ OrganisationSearch/J1V0S

Thanks

DSPT Toolkit team.

Please do not reply to this email as it has been generated automatically by the Data Security and Protection Toolkit.

Free, expert support from Better Security, Better care





Full programme of support



Better Security,
Better Care National support
and resources

>

Better Security, Better Care -Local support

Template Policies and Resources for DSPT

>

Check your DSPT status

>

Use the DSPT for the First Time

>

Published Before: Review and Republish your DSPT

>

- ✓ Free and official
- ✓ Online guidance, step by step films
- ✓ Webinars
- ✓ FAQs
- ✓ Template policies
- ✓ Helpline
- ✓ Tailored support from 28 Local Support Partners across England

www.digitalsocialcare.co.uk/betters ecuritybettercare







- Completing to Standards Met
- Publishing for the second time (or more)
- Video guides: step by step through each set of questions
- What has changed webinar recording from 2021/22







Approaching Standards: required policies

- How to document your data processing, including template information asset register (IAR) and Record of Processing Activities (ROPA)
- Privacy Notice Template
- <u>Data Protection Policy</u>
- Data Quality Policy Template
- Record Keeping Policy Template (Also known as a Data or Document Retention Policy)
- <u>Data Security Policy Template</u>
- Network Security Policy Template
- Smart Phone Policy Template BYOD
- Contracts: what contracts you must have in place

Standards Met: Additional required policies

- Training Needs Analysis
- Data Security Audit Checklist
- Creating and Testing a Business Continuity Plan for Data and Cyber Security
- National Data Opt Out

Recommended documentation

- <u>Data Security Breach Incident Reporting Form Template</u>
- Mobile Devices Assignment Form Template
- Smart Phone Policy Template Organisation Provided Phones
- <u>Template Suppliers List</u>



Find template policies to download and reuse on Digital Social Care website





Staff and workforce

- Data Security and Protection Responsibilities
- Staff Guidance
- Digital Skills and Training

IT and software suppliers

 Guidance on managing software suppliers who process personal data

Document retention and disposal

- Guidance on document retention
- Advice on contracts with third parties for secure disposal of personal data

Improving security

- Guidance on strong passwords
- Guidance on antivirus software
- Guidance on back ups
- Guidance on software updates

Mobile devices

Protecting Mobile Phones and Tablets

National Data Opt-Out

Guidance on the National Data Opt-Out

Actions

- Contact your <u>Better Security</u>, <u>Better</u> Care Local Support Partner
- Visit Digital Social Care website view guidance, register for free updates







28 Local Support Partners across the country:

- 1-2-1 and small group support
- Help you answer your questions
- Help you to publish
- Connected to LA and NHS digital leads

Find your Local Support Partner

www.digitalsocialcare.co.uk/bettersecur itybettercare

Large Care Provider Groups

- Contact Digital Social Care helpline for advice and support
- 0808 196 4848 (Mon-Fri 9-5)
- help@digitalsocialcare.co.uk

DSPT technical issues:

DSPT Exeter Helpline 0300 303 4034









Useful tips





Tip: Set up other users









Assessment Report an incident Admin 🔻

Complete your assessment for 2022-23 (v5)

<u>Data Security and Protection Standards for health and care (opens in a new tab)</u> sets out the National Data Guardian's (NDG) data security standards. Completing this Toolkit self-assessment, by providing evidence, will demonstrate that your organisation is working towards or meeting the NDG standards.

Progress

14 of 42 mandatory evidence items provided

View previous publications

Download assessment

Staffing and roles

1.1.5	Who has responsibility for data security and protection and how has this responsibility been formally assigned?	Mandatory	COMPLETED
2.1.1	Does your organisation have an induction process that covers data security and protection, and cyber security?	Mandatory	
2.2.1	Do all employment contracts, and volunteer agreements, contain data security requirements?	Mandatory	
3.1.1	Has a training needs analysis covering data security and protection, and cyber security, been completed in the last twelve months?	Mandatory	
001			

Click on download

The Excel file will download into your device straight away







Complete your assessment for 2022-23 (v5)

<u>Data Security and Protection Standards for health and care (opens in a new tab)</u> sets out the National Data Guardian's (NDG) data security standards. Completing this Toolkit self-assessment, by providing evidence, will demonstrate that your organisation is working towards or meeting the NDG standards.

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14 of 42 mandatory evidence items provided

View previous publications

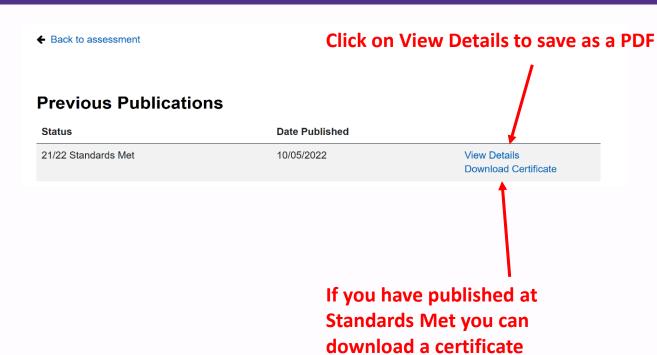
Download assessment

Go to View previous publications

Staffing and roles

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2.2.1	Do all employment contracts, and volunteer agreements, contain data security requirements?	Mandatory	
3.1.1	Has a training needs analysis covering data security and	Mandatory	









Assessment

Data Security and Protection Standards for health and care (opens in a new tab) sets out the National Data Guardian's (NDG) data security standards. Completing this Toolkit selfassessment, by providing evidence and judging whether you meet the assertions, will demonstrate that your organisation is working towards or meeting the NDG standards.

NDG Standards

- 1 Personal confidential data
- 2 Staff responsibilities
- 3 Training
- 4 Managing data access
- 5 Process reviews
- 6 Responding to incidents
- 7 Continuity planning
- 8 Unsupported systems
- 9 IT protection
- 10 Accountable suppliers

Progress Go to progress dashboard and reports 12 of 42 mandatory evidence items provided 0 of 36 assertions confirmed **Publish Assessment** View previous publications **Go to View previous publications**

← Back to assessment

Previous Publications

Status	Date Published	/
21/22 Standards Exceeded	09/06/2022	View Details Download Certificate
21/22 Standards Exceeded	19/05/2022	View Details
20/21 Approaching Standards	25/03/2021	View Details
19/20 Entry Level	29/08/2019	View Details
19/20 Entry Level	29/08/2019	View Details



Tip: Share your DSPT status



- Multi-sites: tell your branches
- Tell your registered managers
- Download a certificate to prove your DSPT status
- Add your DSPT status to your website (e.g. your privacy statement). Consider adding a link directly to the DSPT status. Include in all your bids
- Tell your commissioners including ICSs
- Tell your NHS partners
- Tell your IT suppliers



Tip: Making it real



- Keep your DSPT up to date throughout the year easier to republish
- Ensure managers and staff understand what is expected of them
- Enable managers to access the information consider having a print out of the documents and related policies and procedures in a manual. Useful for CQC.



Next steps



Check out the guidance on Digital Social Care

Contact your Local Support Partner

www.digitalsocialcare.co.uk/bettersecuritybettercare

Twitter @DigiSocialCare













- What impact has it had on your confidence with reviewing and republishing your DSPT?
- How likely is it that you will complete your DSPT in the next three months?
- How likely is it that you will contact your Local Support Partner?
- Would you recommend this webinar to a colleague?

