

# NORTH CENTRAL LONDON DATA ACCESS GROUP (NCL DAGR)

## Terms of Reference

**Chair(s):** TBC  
**Deputy Chair:** TBC

**Function:** The North Central London Data Access Group, abbreviated to NCL DAGr (pronounced “Dagger”) is established to provide advice, guidance and decision-making on uses of data held jointly by the North Central London ICS members. It will ensure that uses of health and care data have a legal basis, are for the purposes of improving the health and wellbeing of persons in the area, match the ambitions of the partners, are not to the detriment of any partner and are fully documented and informed to the partners following decisions.

### 1. Introduction

A key element of integrated working between Health and Care organisations is to enable health and care professionals to share information to make the best informed decisions about individuals and populations in their care, and at the core of any information sharing there needs to be a robust mechanism for ensuring only relevant information is shared between the relevant parties, for the right purposes, at the right time and in a manner which ensures confidentiality and security of the information at all times.

The majority of purposes for which data is used is direct care. This has clear legal basis and has generally been reviewed by the NCL IG Working Group. However, that body is only advisory, and as more data use, both for direct care and secondary use, is needed to manage future health needs, a body with decision-making powers is required; this was also a body recommended by the Confidentiality Advisory Group to ensure proper control of data use.

### 2. Purpose

- To consider new or revised “Use Case Applications” that require access and/or new processing of identifiable data in the NCL ICS direct care and PHM system (HealthIntent); to determine if these do or do not fall within the scope of the Joint Controllers agreement and contractual governance between controllers and in relation to the Terms of Reference of the DAGr.
- Review and challenge data uses to ensure that they are appropriate, legal, correctly documented and acceptable to the controllers and the data subjects.
- Facilitate a consistent approach to information sharing across NCL ICS and the wider health and care system.
- Facilitate the use of identifiable patient data to deliver direct care.
- Facilitate sharing and analysis of data for planning, measurement and analysis of health deliveries at population levels e.g. borough, ICS, etc.
- Act as the contracted authority decision-maker on behalf of the joint controllers for the “Use Cases”.
- Set standards for the use and management of health data across the ICS.
- Implement and respect controller veto on any data use when exercised.

### 3. Key Responsibilities

- Ensure that all stakeholders – data controllers, data subjects and other relevant parties – are able to express their views on data use, and take these into account in decision making.
- Develop, review and maintain the data use and access to ensure that it reflects any legal and statutory obligations.
- Ensure that all data use follows current best practice, and review / revise previous decisions when practice changes.
- Review and approve / reject data uses on behalf of data controllers.
- Communicate new or changed data uses to data controllers.

### 4. Programme Membership and Reporting Structure

The NCL DAGr forms part of a collaborative between key stakeholders across the ICS. It will provide input and/or inform other associated Groups operating locally and regionally, as deemed appropriate.

It is a requirement that all data processors provide suitable participants, and delegate the ability to make decisions to their participants.

The Chair, or Deputy Chair, of the DAGr will report decisions to the NCL Digital Board. Individual representatives will report decisions to the data controllers they represent.

### 5. Membership

All North Central London ICS members including GPs, PCNs, GP Federations, Community Health, Patient Focus Group (health watch), the Local Medical Committees (LMCs), NHS Trusts and Local Authorities will be invited to have representation on the NCL DAGr.

Each body is entitled to TWO members; these may both attend or may share the attendance.

For smaller bodies (e.g. GPs) it is expected that the bodies will choose a representative for groupings (e.g. at PCN or GP Federation level) to represent them.

A maximum of FOUR lay members (Resident Volunteers) will be included; these will be invited from local patient groups (including health watch).

All other attendees must be agreed with the Chair(s) prior to the meeting. Invitations may be used flexibly to ensure key staff aligned with agenda items are present/represented as required.

### 6. Quorum

No business shall be transacted at a meeting unless at least 15 members are present. This must include the named Chair of the Group or a nominated deputy, and a lay member.

It is expected that for consistency and ownership that the agreed participants attend regularly and that absence be managed to avoid lack of representation.

In the event of representatives being unavailable, others may deputise. The deputy needs to be formally identified to the Chair one week prior to the meeting taking place. The deputy needs the authority and decision making powers which the member would have if they were in attendance. If the deputy does not have these powers or has not been identified one week prior to the meeting taking place, they will be classed as being in attendance rather than members of the group.

## **7. Authority & Accountability**

The lay members are not expected to have decision-making powers, but to bring the viewpoint of the public and challenge any “group think” from the health and care partners.

The individual members have decision-making powers for the data controllers they represent; as such, decisions of the group are binding on all parties.

## **8. Working Together**

The DAGr will aim to seek unanimous agreement. Where there is a difference of opinion members will act in good faith and with all reasonable endeavours find a solution that is acceptable to the majority.

Members will ensure they follow their own local governance processes for providing feedback and approval and actioning any tasks they are assigned.

All decisions are subject to veto at the meeting by a single vote of a data controller. Reasons for veto must be provided to the Chair, and review will take place to see if the reasons for objection can be satisfied.

Where a vote is tied, but there is no veto on the matter, the Chair will have a casting vote. The Chair is guided to cast the vote in favour of the status quo if the matter is one of change.

## **9. Meetings Schedule**

The NCL DAGr will meet regularly on a monthly basis. Additional meetings will be arranged on an ad hoc basis, as required. It is expected that the frequency will reduce after an initial period.

Meetings will normally be held on the third Wednesday of the month.

## **10. Agenda and Papers**

The secretariat will prepare agendas with the Chair and will collate and circulate papers accordingly to members of the NCL DAGr. The agenda and all papers will normally be distributed via email to members and those in attendance at least 4 working days in advance of the meeting.

## **11. Minutes & Escalation**

Minutes will be taken by a nominated member of the Group and will be circulated to the Group members after each meeting. The minutes will contain brief notes of salient points raised, and a register of open actions and their owner.

The NCL DAGr will provide regular reports and updates to the NCL Digital Board.

## **12. Code of Conduct & Confidentiality for Attendees**

Members of the Group or their representatives have a responsibility to:

- Attend most meetings and ensure adequate representation at them all.
- Be well prepared for the meetings.
- Identify agenda items for consideration by the Chair to the secretariat at least 10 days before the meeting.
- Prepare and submit papers for a meeting at least 7 days prior to the meeting date.
- If unable to attend, send their apologies to the Chair prior to the meeting and, if appropriate, seek the approval of the Chair to send a deputy to attend on their behalf.
- All members will maintain transparency on matters discussed unless otherwise directed by the Chair.
- Declare any conflicts of interest / potential conflicts of interest.
- At the start of the meeting, declare any conflicts of interest / potential conflicts of interest in respect of specific agenda items.

### **Declaration of Interest:**

If any member has an interest, pecuniary or otherwise, in any matter and is present at the meeting at which the matter is under discussion, he/she will declare that interest as early as possible and shall not participate in the discussions. The Chair will have the power to request that member to withdraw until the group's consideration has been completed. All declarations of interest will be minuted.

## **13. Period of Review**

The Terms of Reference, including the meeting schedule, format and Group membership, will be reviewed on an annual basis.