



Report to:	Integrated Care Board
Date of Meeting:	9 th November 2022
Subject:	ICB Governance Documents and Policies
Director Sponsor:	Executive Director of Corporate Affairs
Author:	Corporate Affairs Team

STATUS OF THE REPORT: *(Please click on the appropriate box)*

Approve Discuss Assurance Information A Regulatory Requirement

SUMMARY OF REPORT: *(A short summary of the key points set out within the report)*

The report presents two mandated policies as an essential part of the safe and effective operation of the Integrated Care Board as a statutory NHS body. Each of the policies supplements the ICB Constitution and supports the ICB’s accountability as a public body.

RECOMMENDATIONS:

Members are asked to approve the following:

- i) Freedom of Information and Environmental Regulations Policy
- ii) Subject Access Review Policy

ICB STRATEGIC OBJECTIVE *(please click on the boxes of the relevant strategic objective(s))*

Realising our vision	<input type="checkbox"/>
Improving outcomes in population health and healthcare	<input type="checkbox"/>
Supporting broader social and economic development	<input type="checkbox"/>
Tackling inequalities in outcomes experience and access	<input type="checkbox"/>
Delivering our operational plan 2022/23	<input checked="" type="checkbox"/>
Developing our ICS	<input checked="" type="checkbox"/>

IMPLICATIONS (Please state N/A against any domain where none are identified)	
Finance	There are no significant financial implications in relation to these policies.
Quality	Adoption of the policies and standards support the maintenance of effective quality governance.
HR	Failure to adhere to the requirements set out within the policies could result in formal action against an employee or other.
Legal / Regulatory	Adoption of the policies supports the maintenance of a robust governance regime that meets the statutory and regulatory requirements of the ICB in relation to the handling of requests for information.
Data Protection / IG	As above.
Health inequality / equality	As a result of performing an integrated impact analysis, the policies do not appear to have any adverse effects on people who share Protected Characteristics, and no further actions are recommended at this stage.
Conflict of Interest Aspects	There are no identified conflicts of interest in relation to this decision.
Sustainability	N/A

ASSESSED RISK:

Risk

The failure to adopt and apply the policies by ICB staff and those associated with the work of the ICB could result in the risk of unsafe, ineffective and inefficient handling of information. This, in turn, could render the ICB vulnerable to legal, regulatory or reputational challenge.

Mitigation

Developed in accordance with NHS England requirements and built upon on existing national guidance with which most ICB staff will be familiar, the policies are subject to a planned programme of promotion and awareness raising.

MONITORING AND ASSURANCE:

The effective operation of the governance policies and procedures will be monitored through the business of the relevant committee.

The ICB internal audit programme will provide regular assurance with respect to the effective operation of the ICB governance regime.

ENGAGEMENT:

The suite of documents has been subject to comprehensive engagement with subject matter experts and senior executive leads and directors within the ICB. They have been updated in the light of their comments and to reflect the emerging thinking of the ICB as its systems and processes have developed.

REPORT EXEMPT FROM PUBLIC DISCLOSURE

No Yes

If yes, please detail the specific grounds for exemption

ICB GOVERNANCE POLICIES

1. INTRODUCTION

- 1.1. NHS Humber and North Yorkshire Integrated Care Board (the ICB) is required to maintain a safe and effective governance regime as a statutory and publicly accountable NHS body. This is achieved, in part, through the development and maintenance of a comprehensive set of governance policies, processes and procedures.
- 1.2. The two policy documents set out within this report supplement the ICB Constitution and represents part of the board-level establishment of a robust governance and compliance regime for the ICB.

2. BACKGROUND

- 2.1. In conjunction with the predecessor Clinical Commissioning Group Accountable Officers, the ICB Chief Executive (Designate at the time) established a transition programme to support the establishment of the ICB which included the establishment of a governance task and finish group as one of the core work programmes for the planning and preparation. This group has led on the co-ordination and development of the draft suite of governance policies, procedures, and processes in accordance with NHS England guidance.
- 2.2. Whilst drawing on the collective experience long-established systems maintained by the predecessor Clinical Commissioning Groups, the documents have equal regard to the purpose and new requirements of the Health and Care Act 2021.

3. ASSESSMENT

- 3.1. The documents presented for Members' approval are as follows:
 - 3.1.1. *Freedom of Information and Environmental Regulations Policy - appendix 1*
The Freedom of Information and Environmental Regulations Policy provides the framework for handling requests for information held by or deemed to be held by the ICB under the Freedom of Information Act 2000 and Environmental Information Regulations 2004.
 - 3.1.2. *Subject Access Review Policy - appendix 2*
This Policy outlines the requirements, systems, and processes by which an individual can make requests for their own personal data held by or deemed to be held by the ICB in line with the Data Protection Legislation.
- 3.2. These documents will be reviewed periodically and in the light of staff and partner feedback. Such reviews will also have due regard to any recommendations from the ICB internal audit programme.

4. CONCLUSION

- 4.1. The adoption and application of the policy documents represent an important and initial phase of the maintenance of a robust information governance regime. The documents have been prepared with due regard to the advice of NHS England and the Information Commissioners Office.

5. RECOMMENDATIONS

- 5.1. It is recommended that Members approve the following:
 - i. Freedom of Information and Environmental Regulations Policy
 - ii. Subject Access Review Policy