Information Governance – Barnardo's Perspective

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Introduction

Information Governance might be defined simply as

> *a framework for handling personal information in a confidential and secure manner to appropriate ethical and quality standards.*

If this was always a matter for management within a single enterprise or agency, then all that would be needed would be a set of standards, some agreed measures of compliance, and appropriate sanctions to operate should those standards be infringed. Technical considerations related to different systems might arise – but under a set of coherent management arrangements, these could be resolved relatively tightly. In this situation the HORUS (**H**eld securely and confidentially, **O**btained fairly and efficiently, **R**ecorded accurately and reliably, **U**sed effectively and ethically, **S**hared appropriately and lawfully) approach, espoused and promoted by the NHS, provides a very acceptable framework for an approach to compliance.

However, as this paper will show, extend this to multi-agency working and throw in a mix of unenlightened thinking, then we have a real challenge on our hands. This is the world that Barnardo's inhabits today.

This paper focuses on a Voluntary and Community Sector (VCS) perspective on information governance, indeed on a single VCS perspective, that of a large voluntary agency operating in the social care sector in a multi-agency context.

Barnardo's

Barnardo's is an independent voluntary organisation (registered as a charity), founded in 1866, today delivering a range of services to over 110,000 children and their families across the four nations of the UK. It delivers services which are designed and tailored to meet local need, and to address Barnardo's purpose which is to help the most vulnerable children and young people transform their lives and fulfil their potential.

Barnardo's works in partnership with the children, young people and their families who use its services, working with them and their issues, rather than doing to them. It works hard to gain their trust and this relationship is key both to the organization and to the individual.

Barnardo's is committed to working in a range of partnerships in order to achieve the best possible outcomes for children and their families. The organisation is involved at local level in multi-agency work across a range of contexts and delivery arrangements across four nations in the UK, delivering a wide range of services often within the context of serious disadvantage.

In addition, Barnardo's is engaged with Department for Children, Schools and Families (DCSF) in England as their first National Partner in the IISaM programme, working first of all with them on arrangements for the implementation of ContactPoint[1] within the organisation and the wider voluntary sector, and latterly also on the continuing development of the national e-CAF programme.

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[1] http://www.everychildmatters.gov.uk/deliveringservices/contactpoint/

The focus through all of this has been on improving arrangements for children and families, in particular by safeguarding the diversity of provision available through the involvement of the voluntary sector. An indication of commitment was the endorsement by Barnardo's in 2006, on its publication, of the National Guidance for Information Sharing. This guidance forms the basis for information sharing practice across the children's workforce and was in turn adopted as the basis for Barnardo's policy on Information Sharing.

Barnardo's Framework for Information Governance

Given the above, as you would expect Barnardo's has a mature 'framework for information governance'. This sets out an overview of the way in which Barnardo's operates its Recording and Information Management policy and systems within the context of work with children and families, including working in open partnerships in local arrangements. It incorporates a Code of Practice, outlining the standards of expected conduct and practice in managing and sharing information.

Barnardo's practitioners operate within the framework of the national guidelines which are restated within organisational policy i.e. the seven "Golden Rules" for information sharing, as published via the ECM website[2] and which have cross government endorsement. They guide staff when working on a case by case basis, with the decisions they need to make. All staff in Children's Services undertake mandatory training and mandatory assessment in respect of information sharing; it is regarded as a key skill.

Barnardo's safeguards its independence as an independent data controller; independent systems and internal compliance enable evidence of performance against the required range of agreed targets through the use of aggregated data. Because Barnardo's works with the four UK nations, with many Local Authorities, and other funders, its information management requirements are complex and multi-layered, requiring considerable infrastructural investment, none of which is eligible for the "transformation" assistance, and thus reliant on voluntary funds.

Multi-Agency Working – Why it is required

The adoption of multi-agency working has been driven by the Government's legislative programme since it came to power in 1997. Recent developments, including the Social Exclusion Unit report 'Reaching Out: An Action Plan on Social Exclusion'[3] and the Cabinet Office 'Transforming Government – Enabled by Technology' strategy[4], have underlined the importance of developing partnership working in the contexts of social inclusion and shared services. The Children Act (2004) also places considerable emphasis on multi-agency working placing "a new duty on agencies to co-operate among themselves and with other local partners", requiring Local Authorities to take the lead, and announcing "an integrated inspection framework to assess how well services work together".

Within the childcare sector, services are delivered by a range of agencies, and voluntary sector players are well used to working in complex partnerships. In general, voluntary sector partners have a key role in engaging those who would otherwise not access service - those people who are wary of the statutory sector, and whose trust is more easily won by an independent agency where they feel the relationship is more confidential and where their trust is less likely to be breached. It is this outreach of services to those who are experiencing a complex range of needs that is currently at risk.

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[2] http://www.everychildmatters.gov.uk/_files/983B14537FB904C95CA470DAB6928F19.pdf
[3] http://www.cabinetoffice.gov.uk/social_exclusion_task_force/publications/reaching_out/reaching_out.aspx
[4] http://www.cio.gov.uk/documents/pdf/transgov/transgov-strategy.pdf

Multi-Agency Working – Work on Frameworks

FAME[5] is a framework for multi agency working, developed and tested by a range of Local Authorities and agencies, latterly in the North East of England, in the context of shared services. It provides Local Authorities and their partners in both the public and voluntary/community sectors with the tools they can use to begin to implement this partnership based multi-agency working.

The FAME framework highlights Information Governance as one of the key areas to be considered when establishing a multi agency partnership, commenting that:

> "Within the modernisation agenda, there is an emphasis on 'joining-up' and 'multi-agency' working between primarily the NHS and local authorities, but also more widely to include agencies ranging from the voluntary sector to the police. This 'joining-up' agenda is said to reduce delays and inefficiencies and deliver timely, more efficient and effective services for the user. The drive for multi-agency working consequently has implications for 'Information Sharing' – if agencies are to join up to deliver more seamless care and services (and reduce the need for users to repeat their stories to several different agencies), information sharing becomes a pre-requisite.
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> It is important that agencies establish consistent processes to ensure that disclosure or exchange of information is managed effectively."

Information Governance & Multi-Agency Working – The Nature of the Challenge

Investment by government in the "transformation" agenda has provided the statutory sector, in particular local authorities, with the resource, as well as the imperative, for investment in robust technical infrastructure and related skills to "modernise" approaches to the delivery of service to citizens.

Unfortunately, there is increasing anecdotal evidence that the capability of voluntary sector organisations to act in a multi-agency way with appropriate Information Governance is being undermined, eroded, or compromised. And ironically this is as a result of government's investment in transformation where it is translated in an unenlightened way. It is compounded by the increasing gap in informational skills and capability between the VCS and the public sector, which has come about as a result of the "transformation" investment.

Local authorities and other public bodies, as they seek to commission services, need to be assured that money is being spent as they intend and that outcomes are been achieved. They also seek to develop services in accordance with their overall strategies including adoption of the 'transformation' agenda. The "unenlightened" way of doing this is to require that all information – including the service user's personal information – be entered into the systems of the commissioner (e.g. the local authority), rather than into those of the delivery agency (e.g. Barnardo's). In short, in their implementation of the transformation agenda and their drive for efficiencies, they have left the appropriate provision of information governance in a multi-agency context way behind.

This has the following effects:
1. It undermines the independence of the voluntary sector agency involved, in its role as data controller; who is responsible for the record and for the consent?

2. It undermines the agency's capability to manage an independent evidence base related to its own performance/effectiveness.

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[5] http://www.fame-uk.org/

3. It creates a situation where agency staff often have to record in multiple systems – a local authority system and their own agency system - thus creating inefficiency at best and unsafety at worst.

4. It undermines security; an agency cannot guarantee against data leakage when its information is stored within the systems of another organisation over whose processes and standards it has no control.

5. It undermines the confidential relationship of the practitioner with the service user, in the context of the service delivered.

This 'unenlightened' approach is further compounded when there is an increasing disconnect between those responsible for procurement – focused on price and service level agreements - and those who understand delivery of service, appreciating the significance of an individual's rights under the Data Protection Act, as well as the need to protect the independence of the VCS.

What is lacking is the willingness to discriminate between personal data - the information about the service user, case notes, outcomes and so forth - and aggregated data which can be used to monitor performance of a contract. It is all too easy for a local authority, wishing to engage with a multitude of different agencies, to adopt the seemingly easier option of requiring all to 'do it my way', regardless of the consequences.

Recommendations

Resolution lies in a number of actions

- Recognition by public authorities of the consequences (planned and accidental) of the transformational government programme on the delivery of information governance in a multi-agency context.

- Recognition that action needs to be taken to **enable** partnership working, or integrated delivery of service. This action requires change – and investment - at the infrastructural level, as well as recognition that partnership is about peer to peer work, not takeover. Governance itself is predicated on agreement and subsequent regulation, not on an invasion of privacy.