

## The Information Governance Statement of Compliance (IGSoC) for practices – important advice

This is our second important briefing on IGSoC. Our first briefing, published in October 2008, can be read [here](#).

### Background

Information Governance is to do with the way that information about patients and employees is handled. It is particularly concerned with personal and sensitive information, but it also incorporates information about the practice.

The Information Governance Statement of Compliance (IGSoC) was developed by NHS Connecting for Health (NHS CFH) as a governance tool to support its own responsibility as a data controller of the National Programme for IT (NPfIT) and steward of N3, the NHS network, used across the Health Service.

### What is IGSoC?

All GPs have to register with the Information Commissioner's Office as Data Controllers. Information governance is taken very seriously and GPs are liable to fines if they knowingly put information at risk or fail to take action to mitigate a known risk.

**The Information Commissioner can issue fines of £5,000 for any one off non-compliance. Fines of up to £500,000 either as an individual or corporate body, if found not to have mitigated a known risk, are possible through the Criminal Justice Act.**

In addition to the Data Protection Act, there are more than 44 Acts of Parliament related to governance for managing all information, both paper and electronic.

IGSoC is for all organisations that work in, and that supply, the NHS. It has a supporting toolkit which brings together all the relevant governance requirements, along with other small business responsibilities that need assurance, into one set of requirements. This equates to 14 requirements for GPs, of which 8 are considered as "key".

### What is in the toolkit?

The toolkit has two stages:

**Stage 1** – Is a self assessment process which gives an indication of where you are on the path to full IGSoC compliance. This is not about getting the best score, but about providing a baseline from which to identify areas that may need addressing.

**Stage 2** – This is completing the IGSoC; completion and submission can now all be done on line. Level 2 or above is the level to which practices should aim in order to ensure compliance, as data controllers, with the Data Protection Act, Human Rights Act, Freedom of Information Act, and the other linked legislation.

### **Why have PCTs in London recently raised the profile of IGSoC?**

Because this is a PCT “must do” and they have a target to deliver 100% completion of the on line IGSoC by **31 March 2009**.

### **Why this tight deadline?**

The current IGSoC GP toolkit is version 4, and on line completion will close at midnight on 31 March 2009, aligning with the end of the IM&T DES.

### **Why does this matter to me or my practice?**

Although there is nothing in either GMS or PMS contractual regulations, practices do have separate responsibilities, as small businesses, with regard to the 44 Acts of Parliament mentioned earlier.

A significant number of practices (approximately 60% in London) have already undertaken this process and know their level of compliance.

After 31 March 2009, the next version of the toolkit will not be available until 1 July 2009 and this is likely to include some additions and amendments. Several versions have been issued for other bodies so the next GP toolkit may incorporate these, as well as new ones, when the next version is released.

### **The new version may contain as many as 25 components, of which 20 may be “key”.**

In addition, whereas up to 31 March 2009 practices can complete and provide an action plan to reach the required level, **from April 2009 practices must reach Level 2 by the deadline of March 2010**.

### **What happens if I do nothing?**

PCTs have statutory responsibilities under these Acts of Parliament, and their compliance is monitored through their own toolkit by the National Information Governance Board (NIGB), who in turn report their findings to the Care Quality Commission and other monitoring bodies. If practices do not engage or comply, demonstrated by the IGSoC, this presents a risk to the PCT, as the commissioning body, and as such they would need to demonstrate they had taken necessary actions to mitigate the risk.

An extreme outcome, **after March 2010**, could result in the PCT deeming the risk great enough to decommission the non-compliant contractor.

### **Where can you find out more?**

- Go to [Londonwide LMCs' website](#) for the summarised advice, with relevant links to all supporting documents
- Contact your Information Governance lead at your PCT, who should be able to offer any advice and support you require
- If you continue to have difficulties, Contact David Stone, at NHS London SHA  
Email: [david.stone@nhs.net](mailto:david.stone@nhs.net)