

# **NHS Scotland Public Benefit and Privacy Panel for Health and Social Care**

## **Review of Tier 1 Panel Decisions 2017/18: Outcome Report Summary**

The Public Benefit and Privacy Panel for Health and Social Care (PBPP) is a governance structure of NHS Scotland, established with delegated authority from NHS Scotland Chief Executive Officers and the Registrar General. Its remit is to carry out information governance (IG) scrutiny of requests for access to health data for purposes of health care administration, research and other well-defined and bona fide purposes, on behalf of individual data controllers.

The purpose of this review is to look at whether all participants rotating on the Tier 1 Panels are applying a fair and consistent approach to decision making.

The full PBPP committee reviewed ten applications approved at Tier 1 between January 2017 and December 2017 selected at random by the PBPP Manager.

The PBPP Manager identified applications where a discrepancy existed between the Tier 1 decision and the PBPP Committee audit review, or where an application raised an important point of discussion. Results were presented at the PBPP Annual Training Day on 4<sup>th</sup> September 2018.

From the ten applications that were randomly selected, eight were considered to be appropriately approved by Tier 1, while two of the applications each raised 'red' referral points from only one of its Tier 2 reviewers.

Recommendations which aim to strengthen the application review process including minor modifications of the proportionate review guidance have been implemented.

It was encouraging to note that a smaller proportion of applications could have triggered a referral, compared with the audit of applications from 2016, and that the Tier 1 panels and Tier 2 reviews noted similar points. This is a demonstration of the shared learning that occurs across the tiers of PBPP and across the NHS boards. The NHS IG leads have expressed their appreciation of the opportunity for shared learning experienced during the PBPP review processes.