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Bwrdd Iechyd Prifysgol
Abertawe Bro Morgannwg
University Health Board

Dyddiad/Date: 20th October 2017

D. Moore [request-431435-
422f3afe@whatdotheyknow.com]

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✉ FOIA.Requests@wales.nhs.uk
Ref: 17-I-043

Corporate Administration
ABM Headquarters
1 Talbot Gateway
Baglan
Port Talbot, SA12 7BR

Dear Mr Moore

I refer to your Freedom of Information Act Request acknowledged by ourselves on 29th September 2017. Your request sought information relating the unauthorised access of patient records by rogue staff and individuals.

1. Please provide the name of the computer system you use to flag up details of potential unauthorised accesses.

The National Intelligent Information Auditing System (NIAS) is a software auditing tool available to all Health Boards & Trusts across NHS Wales. It is a national system and is used to detect potentially inappropriate access to electronic clinical records where employees may have accessed and/or viewed data they are not entitled to access.

2. Please provide copies of any minutes or reports written within the past two years related to the unauthorized accessing by individuals or staff of patient records.

IGB briefing papers for February, April, July & September 2017 are attached.

3. Please provide details of any specific contractual terms individuals/staff must abide by concerning the accessing of patient records.

The standard contract of employment contains contractual terms regarding confidentiality. Whilst all job descriptions contain a confidentiality clause which is as follows 'In line with the Data Protection Act 1998, the post holder will be expected to maintain confidentiality in relation to personal and patient information, as outlined in the contract of employment. The post holder may access information only on a need to know basis in the direct discharge of duties and divulge information only in the proper course of duties'.

The General Medical Council (GMC), Nursing & Midwifery Council (NMC) and Health and Care Professions Council (HCPC) have codes of conduct/practice in relation to patient confidentiality.

- 4. Between 1 January 2016 and 30 June 2017, please provide the number of potential unauthorised accesses that were flagged up.**

The NIIS figures reported from 1st January 2016 to 30th June 2017 for 'potential' (i.e. not investigated) unauthorised access of 'own record' and 'family member' records totalled 1698.

- 5. Between 1 January 2016 and 30 June 2017, please provide details of the number of individuals and staff found to have:**

- i. accessed their own record; and**
- ii. those of other patients.**

Please note prior to August 2016, confirmed records were not recorded by the Health Board. Therefore the total number of confirmed breaches (i.e. investigated) between 1st August 2016 to 30th June 2017:

- i. Own record – 292
- ii. Other patients (family member) – 139

- 6. Of those who accessed other patients' records, please provide the number of records each accessed.**

The total number of records accessed between 1st August 2016 to 30th June 2017:

- 1 record – 130
- 2 records - 7
- 3 records - <5
- 4 records - <5

- 7. Where disciplinary action was taken, please provide details of the outcomes - x number received a verbal warning, Y number received a written warning etc.**

The following action was taken:

Verbal Warning – 18

First written Warning – 30

Other outcome (may include dismissal, final warnings etc) – 6

8. Please provide screenshots of a blank electronic patient record. If different categories of staff have access to different patient information, please provide screenshots showing the differences. Also specify the categories of staff to which each screenshot relates."

Screenshots from the Welsh Clinical Portal

The screenshot shows the Welsh Clinical Portal interface for a patient named FELLOWSTEST, SARAHTEST (Mrs.). The patient's NHS number is N200789, and their date of birth is 11-Nov-1911 (105y). The patient is female and resides at One Talbot Gateway, Baglan Energy Park, Baglan, Port Talbot, SA12 7BR. The patient's GP is WILKES HF, W98040, BRITON FERRY HEALTH CENTRE, 01639 825265, BRUNEL WAY, BRITON FERRY, NEATH, SA11 2FP.

The patient's test results are displayed in a table:

Date Received/Scheduled	Time Received	Test(s)	Dept.	Test Number	Requesting Site	Requestor
09/10/2017	15:10	FBC-CP-UMCS (Request)	BSC-MIC	41024844RYM	NPT Infertility Clinic	Mr G Kates
21/09/2017	11:11	Calprotectin (Faeces)[AI]	BSC	800355990925	Mtn Chemical Pathology	Dr Andar Garsieberg

The patient's contact details are also displayed:

Patient Contact Details

Address: One Talbot Gateway, Baglan Energy Park, Baglan, Port Talbot, SA12 7BR

Telephone (Home):
Telephone (Work):
Telephone (Mobile):
Email:
Preferred Language:

GP Details

GP Name: WILKES HF
Practice Code: W98040
Practice Name: BRITON FERRY HEALTH CENTRE
Practice Telephone: 01639 825265
Practice Address: BRUNEL WAY, BRITON FERRY, NEATH, SA11 2FP

Key Contact

Surname:
Forename:
<http://abm.nhs.uk/MyMessages/MyMessages>

Next Of Kin

Surname:
Forename:
Relationship:

I hope this information is helpful. If you require anything further please contact us at FOIA.Requests@wales.nhs.uk.

Under the terms of the Health Board's Freedom of Information policy, individuals seeking access to recorded information held by the Health Board are entitled to request internal review of the handling of their requests. If you would like to complain about the Health Board's handling of your request please contact me directly at the address below or register your complaint via FOIA.Requests@wales.nhs.uk.

If after Internal Review you remain dissatisfied you are also entitled to refer the matter to the information commissioner at the Information Commissioner's Office (Wales), 2nd Floor, Churchill House, Churchill Way, Cardiff, CF10 2HH. Telephone Number: 029 2067 8400.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Steve Combe', with a stylized, cursive script.

Steve Combe
Director of Corporate Governance