

Management of Records and Information Policy

Version Control Sheet

VERSION	DATE OF REVIEW	IMPLEMENTED AND AUDITED BY	STATUS	COMMENTS
5	01/04/2024	Ann Kelly (Registered Manager)	Active	To be reviewed 01/04/2025

Purpose

To provide a detailed understanding of the various records kept by Clinical24 Staffing Limited relating to the conduct of its business, together with a description of their purpose and the need to establish and maintain strict levels of confidentiality.

Statement

It is imperative that the conduct of business undertaken by Clinical24 Staffing Limited is properly recorded in accordance with established good practice and regulatory requirements. This policy outlines many of the most important subjects where accurate records need to be kept and maintained, whilst at the same time acknowledging the requirements of the General Data Protection Regulation and the Data Protection Act 2018 in relation to the collection, maintenance and disposal of personal and sensitive personal data, and the need to provide privacy notices to both staff and service users in order that they understand what information is being kept about them, and the purposes for which the information is kept. All service users and staff will be given the opportunity to give or withhold consent as they wish.

All personal data obtained and held by Clinical24 Staffing Limited, and relating to both service user and staff will:

- be processed fairly, lawfully and in a transparent manner.
- be collected for specific, explicit, and legitimate purposes.
- be adequate, relevant and limited to what is necessary for the purposes of processing.
- be kept accurate and up to date. Every reasonable effort will be made to ensure that inaccurate data is rectified or erased without delay.
- not be kept for longer than is necessary for its given purpose.
- be processed in a manner that ensures appropriate security of personal data including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical or organisation measures.
- comply with the relevant GDPR procedures for international transferring of personal data, where appropriate and relevant

Procedure and Guidance

The General Data Protection Regulation (GDPR)

Clinical24 Staffing Limited makes a commitment to ensuring that personal data, including special categories of personal data and criminal offence data (where appropriate) is processed in line with the GDPR and domestic laws and all its workers conduct themselves in line with this, and other related, policies.

Where third parties process data on behalf of Clinical24 Staffing Limited, (such as, for example, an “Umbrella Body” in connection with criminal records) Clinical24 Staffing Limited will comply with its obligations in order to ensure that the third party takes such measures to maintain Clinical24 Staffing Limited’s commitment to protecting data.

In line with the GDPR, Clinical24 Staffing Limited understands that it will be accountable for the processing, management and regulation, storage and retention of all personal data held in the form of manual records and on computers, and which relate to both service user and staff, **ensuring that information may only be accessed by those with the clear right to do so.**

Clinical24 Staffing Limited’s policy on Confidentiality states:

Clinical24 Staffing Limited understands and accepts its legal, moral and ethical duty to protect information which is confidential to its service user, workers and all others with whom it comes into contact during the course of its operations. Everyone employed within Clinical24 Staffing Limited is under a strict obligation to adhere to the practices and principles outlined within this policy statement. Any breaches will be dealt with under Clinical24 Staffing Limited’s disciplinary policy.

Clinical24 Staffing Limited’s Data Protection Policies should be read in conjunction with this policy.

Records - Staff

Clinical24 Staffing Limited strives to maintain accurate and comprehensive records which relate to the management of its workers, from recruitment through to termination.

It follows that all records relating to workers fall under the auspices of the GDPR, and as such all workers will be given the opportunity to consent to the processing of such data via **consent forms** developed for:

- a) New workers.
- b) Existing workers (as GDPR places additional obligations which were not contained within the Data Protection Act 2018).
- c) Leavers.
- d) Unsuccessful Job Applicants.

Worker Privacy Notices

Worker Privacy Notices are required under the GDPR so as to advise workers of what personal information is kept about them, and why.

We hold many types of data about workers, including:

- your personal details including your name, address, date of birth, email address, phone numbers.
- your photograph.
- gender.
- marital status.
- dependants, next of kin and their contact numbers.
- medical or health information including whether or not you have a disability.
- information used for equal opportunities monitoring about your sexual orientation, religion or belief and ethnic origin.
- information included on your CV including references, education history and employment history.
- documentation relating to your right to work in the UK.
- driving licence.
- bank details.
- tax codes.
- National Insurance number.
- current and previous job titles, job descriptions, pay grades, pension entitlement, hours of work and other terms and conditions relating to your employment with us.
- letters of concern, formal warnings and other documentation with regard to any disciplinary proceedings.
- internal performance information including measurements against targets, formal warnings and related documentation with regard to capability procedures, appraisal forms.
- leave records including annual leave, family leave, sickness absence etc.
- details of your criminal record.
- training details.
- CCTV footage.
- building entry card records.
- staff rotas.

Records which help maintain a professional relationship with staff

The following records help to encourage and maintain a professional working relationship with staff, and underpin Clinical24 Staffing Limited's efforts towards excellence in the delivery of its services:

Qualifications, skills, competence and experience

Every worker has a personnel file which houses the documentation which provides evidence as to the qualifications, skills, competence and experience **relevant to the role** that they undertake within Clinical24 Staffing Limited. These records are secure and may only be accessed by those with a specifically identified need.

Criminal Records

Clinical24 Staffing Limited is under a legal obligation to ensure that all workers in qualifying positions are suitable for the role, and critically, are not barred from undertaking the relevant employment with Clinical24 Staffing Limited. As such Clinical24 Staffing Limited obtains information on criminal records, and barred lists and workers are informed when such information is obtained. Clinical24 Staffing Limited has detailed policies in relation to the disclosure process and the handling, storage and retention of the information obtained.

Training Records

Clinical24 Staffing Limited maintains records relating to the induction, education and training of staff.

To support these objectives Clinical24 Staffing Limited will, for each worker, maintain:

- a) A record of training needs/opportunities gathered as part of the regular supervisory activities and the performance improvement programme.
- b) Learning and Development plans.
- c) Learning and development undertaken.

Discipline and Grievance

Clinical24 Staffing Limited will keep records relating to all matters considered under Clinical24 Staffing Limited's Disciplinary and Grievance Policies.

The views of staff

Clinical24 Staffing Limited is regularly engaged in identifying areas where the service can be improved. As far as staff are concerned, their views may be obtained informally, through discussion, or formally through the supervisory/appraisal. The views of staff are also sought through questionnaires related to the Quality Assurance process we undertake.

Appraisals

Staff appraisals will be conducted in the first 6 months and then annually thereafter, and will involve:

- a) A written record (self-assessment) from the worker's perspective.
- b) A formal discussion.
- c) A written record (review) from the Registered Manager.
- d) A written Action/Training and Development Plan.

Supervision

Formal and informal notes will be kept on a worker's personal file as they relate to information obtained via the informal and formal supervisory sessions. Clinical supervision will be conducted annually.

Records – Service user

Good Governance – Duty of Candour

Where a notifiable incident occurs, then Clinical24 Staffing Limited will record all information which is obtained about the incident, the investigation, the findings and the actions which result, as well as all correspondence with the individual who was subject to the incident and how the matter was resolved.

Handling Complaints

Clinical24 Staffing Limited's has a commitment to:

- always take complaints seriously and investigate them fairly.
- deal with complaints according to this procedure, unless they are relatively minor.
- treat complaints confidentially.
- never discriminate against a patient or service user for making a complaint.
- ensuring that a patient or service user know of the existence of this policy, and how to make a complaint if they wish to do so.

Complaints may be made directly by patient or service user, or they may be made on their behalf if the patient or service user is unable or unwilling to undertake the process alone.

All complaints will be recorded alongside a record of how the complaint was dealt with, what action was taken as a result (if any) and any new measures adopted so as to reduce or eliminate the potential for recurrence.

Quality Audits

Clinical24 Staffing Limited's Mission includes the desire:

To be recognised within the local community as the provider of choice.

Quality of service is paramount to this objective and as such regular focused questionnaires will be provided to service users, clients, other stakeholders and staff. These questionnaires seek to establish areas where Clinical24 Staffing Limited excels (do more of), and areas of weakness (identifying areas for improvement). Feedback is to be given to all participants, and appropriate action plan developed. Records will be kept for as long as deemed necessary and must be available for inspection.

Health and Safety

Clinical24 Staffing Limited has robust procedures which aim to identify and record any risks to the health, safety and welfare of its service users and staff.

In line with this legal requirement Clinical24 Staffing Limited workers will record all risk assessments and maintain an ongoing review. Clinical24 Staffing Limited undertakes and records a detailed risk assessment prior to the commencement of service. All staff are required to raise any safety concerns, **to record safety incidents**, concerns and near misses, and to report them internally and externally where appropriate. Where investigations take place, then these will be recorded, along with outcomes, any modifications to risk assessments, safety procedures etc.

Mental Capacity Act

Where patients or service users are assessed as lacking in capacity to make certain decisions in respect of their care, then where Clinical24 Staffing Limited workers are involved, all information relevant to the situation, such as the reason for the concern, what action was taken etc, will be accurately recorded in line with guidance and regulation, and according to the Mental Capacity Act (Northern Ireland) 2016.

Restraint

Where patients or service users are restrained, then records will be kept in accordance with Clinical24 Staffing Limited's policy – Challenging Behaviour and Restraint - which states:

It (the restraint) must be recorded, with details including:

- The names of all persons involved.
- Date and time of the restraint.
- Description of what happened.
- Why restraint was necessary.
- What other options were considered.
- A description of the restraint used.
- How it ended.
- Information about any injuries, how and to whom, and any medical attention received.
- What may have been learned from the incident.
- Recommendations as to future care needs and solutions.

Safeguarding

Clinical24 Staffing Limited will ensure that all allegations and incidents (related to safeguarding, and including alerts, investigations, outcomes and notifications) are recorded and kept confidential.

Business Continuity

Clinical24 Staffing Limited's policy on Business Continuity and Disaster Recovery states:

There will be occasions when the conduct of business is severely disrupted by events which are outside of the control of Clinical24 Staffing Limited, yet can be foreseen, to some degree. The most common events which are likely to impact Clinical24 Staffing Limited include extreme adverse weather conditions (e.g. severe snowfall, flooding, heatwave), serious medical events such as a flu pandemic, terrorist incidents, and significant power failures. All of these events are possible, yet the likelihood of any particular event will be different, not only in respect of the event itself (severe snowfall is more likely than a terrorist incident, for example), but also in respect of local climatic conditions. In order to ensure continuity, even in extreme adverse circumstances, Clinical24 Staffing Limited will plan for the most likely events and consider, in advance what actions need to be taken to minimise disruption.

These plans will be recorded and available as required.

Personal records relating to patients or service users.

Clinical24 Staffing Limited workers are required to maintain securely an accurate, complete and contemporaneous record in respect of each service user, including a record of their care and treatment and of decisions taken in relation to the care and treatment provided. These records will generally relate to the following subject areas:

- a) Advance decisions in relation to future care arrangements.
- b) Advocacy records.
- c) Assessments prior to service delivery.
- d) Communication needs.
- e) Concerns or worries expressed in relation to aspects of the service user's health and care.
- f) Consent records.
- g) Correspondence in relation to the service user.
- h) Feedback on service quality and delivery.
- i) Financial transaction.
- j) Health and Safety risk assessments for service users, and reviews.
- k) Medicine administration records.
- l) Personal Care Plans, including details of any reviews.
- m) Records of care delivered (activity logs).
- n) Records of discussions with service users, their Carers and those lawfully acting on their behalf.
- o) Register of significant decisions made in respect of a service user's best interests.

The list is indicative, and not exhaustive.

Clinical Records

The Public Record Office of Northern Ireland (PRONI) has acknowledged records which they want to retain, and these include the retention of clinical records, and they produced the Northern Ireland Record Management Standard (NIRMS) in 2002 (updated in 2007).

According to the Public Records Act (NI) 1923 the standard point of transfer is at 20 years but can vary depending in the clinical area.

In regard to the retention of Clinical Records the following will apply:

- GP Records – 10 years
- Maternity Records - 25 years after the birth of the last child.
- Children and Young People - until the service user's 25th birthday or 26th if young person was 17 at conclusion of treatment, or 8 years after death.
- Mental Health Records - 20 years or 8 years after the service user has died.
- All other hospital records - 8 years after the conclusion of treatment or death.

Records Retention

Case records held by Clinical24 Staffing Limited will be retained for a period of 8 years from the date of the last entry. This retention period ensures compliance with legal and regulatory requirements and allows for availability of records if needed for continuity of care, audits, or legal purposes.

Destruction

Clinical24 Staffing Limited will create and maintain a records destruction schedule as a means of keeping track of the timescale for the destruction of records that no longer need to be retained.

Data processing, storage and destruction of records can be undertaken internally by Clinical24 Staffing Limited. It can also be undertaken by third parties contracted for those purposes, provided that it is compliant with UK GDPR and Data Protection Act 2018.

In the event of third parties being contracted for the destruction of records, a clear written agreement for the transfer and destruction of the records by the contractor must be established before any records are transferred into the care of that third party.


All paper records must be destroyed either by secure cross-cut shredding or by incineration.

All electronic records must be destroyed either a) by deleting all files on the relevant electronic storage device and then formatting the disk and/or performing a full factory reset (as appropriate), and where necessary b) destroying the device itself if there is any remaining risk of it being compromised or prone to unlawful access despite the actions taken in step a).

Review and Compliance

This Management of Records and Information Policy will be reviewed annually to ensure compliance with the Data Protection Act 2018, GDPR, and other relevant legislation. Non-compliance with this policy may result in disciplinary action, up to and including termination of employment or contractual obligations.

Next Review

Reviewed by:	Ann Kelly
Title:	Registered Manager
Signed:	
Last Review Date:	01/04/2024
Actions:	Address Updated

Next Review Date: April 2025