

POLICY ON Data Protection and RECORD KEEPING

Policy Statement

Records in the home are maintained accurately, fully and kept up to date in order to protect residents and staff and to run and manage the home in an efficient and effective manner. Residents and staff have full access to their own records and information held about them. All records, whether individual personal records or those relating to the running of the home are kept safe and secure and are maintained in accordance with the Data Protection Act 1998. The general data protection regulations are effective from May 2018.

Aim

This policy aims to state the home's approach to record keeping, data protection and access to records.

Data Protection Policy

The home recognises and understands that it should be registered under the Data Protection Act 1998 and GDPR 2018 and that all storage and processing of personal data held in manual records and on computers in the home must comply with the Regulations of the Act. The Data Protection Act requires public bodies specifies that there are limits on confidentiality and these apply where there is risk of harm. All personal data should be:

- Obtained fairly and held for specified and lawful purposes.
- Held only with consent
- Held securely
- Shared on a need to know basis
- Kept accurate, up to date and for no longer than is necessary.
- Processed in accordance with the persons rights and be adequate, relevant and not excessive.
- Subject to appropriate safeguards against unauthorised use, loss or damage.

The home believes that each resident and staff member is entitled to see a copy of all personal information held about them and to correct any error or omission in it.

Procedure

All staff should undertake the following:

- Ensure that all files or written information of a confidential nature are not left out where they can be read by unauthorised people but are stored in a secure manner in a locked cabinet and are only accessed by staff who have a need or right to do so. Confidentiality is key to maintaining dignity for those using health and social care services.
- Ensure that all care notes, records and care plans are signed and dated.
- Regularly check on the accuracy of any data being entered in to a computer and when using computers always observe strict security and confidentiality.

Principles of storage of information under the Data Protection Act 1998 and gdpr 2018

Personal data refers to information relating to an individual which is processed manually or automatically as part of a filing system or record.

- Information to be obtained and processed fairly and lawfully.
- Data held for specified and lawful purposes.
- Data not used or disclosed in an incompatible manner with purposes.
- Data to be:
 - Adequate
 - Relevant
 - Not excessive for the purpose
- Data to be accurate and kept up to date.
- Only kept as long as necessary.
- Individual entitlement to know if data is kept. To have access to such data at reasonable intervals and without undue delay or expense to have data corrected or erased.
- Security of data held.
- Four categories of SENSITIVE DATA:
 - Racial origin
 - Political opinion, religion or other beliefs
 - Physical or mental health or sexual life
 - Criminal convictions

Access to personal files

The rights of individuals:

TO KNOW IF	Information is held
TO KNOW WHAT	Information is held
TO HAVE A COPY OF	Information held
TO SEE	Any information
TO HAVE CORRECTED	Any mistakes in the information
TO HAVE THEIR VERSION ENTERED	Into the record if there is a dispute

Responsibilities

- To make sure that facts are accurate.
- To separate fact and opinion.
- To have evidence for any opinions recorded.
- To include the views of the service user.
- Only record information that is necessary and relevant.
- Allow people access to the information that you record about them.
- To record information in words and language that the individual can understand.

Entitlements of Individual - withheld information

- If it is thought there is risk of SERIOUS HARM to the person (this is only expected to be used rarely).
- To prevent a crime being committed.
- Regarding adoption records (this is covered by separate legislation).
- Under Professional Legal Privilege (where a legal case is proceeding).

The freedom of information Act 2000 provides statutory rights for members of the public requesting information. Under the act members of the public are able to apply for access to information held by a range of public bodies.

Both staff and residents have signed a disclaimer to say that they are happy for us to keep their data.

Relatives and friends have been notified about GDPR and we have asked them if they are happy for us to continue with our policies and procedures.

We are registered with the ICO (information Commissioner's Office)

Reg ref: A8239331

Signed.....

Date

review