

J/601/8142

Handle information  
in health and social  
care settings

Standards

## *Understand the need for secure handling of information in health and social care settings*

### **Identify the legislation that relates to the recording, storage and sharing of information in health and social care**



In the second half of the 20th century, because of the progressive computerisation of industries and organisations, personal information about clients, service users and staff began to be stored in databases. So laws were created to regulate the use of this personal data, which are supposed to strike the balance between the individual's right to confidentiality and the industry's need to use personal data to inform their business.

The Data Protection Act 1984 introduced rules on how to store information and the rights of individuals to access data related to them. As technology advanced the act was revised. The act relates to people living within the United Kingdom and provides a way in which individuals can be in control of the information about themselves. It covers any data which can be used to identify a living person, including names, birthday and anniversary dates, addresses, telephone numbers, fax numbers and email addresses. Overall, you have a responsibility as a health or social care worker to safeguard an individual's personal information. You should also treat personal information about other

workers that you have access to in the same way. Your employer must have systems in place to meet the legal requirements about storing information and you must act within your employer's agreed ways of working. Ask your employer to talk you through the system in use in your workplace to protect information.

There are **8** main principles in the act that anyone handling personal data has to adhere to. Personal details:

- **must be processed in a fair and lawful way**
- **can only be processed for a limited purpose, e.g. in a way previously specified that you have consented to**
- **have to be relevant, adequate to their intended use and kept to a minimum**
- **have to be accurate and up to date**
- **should not be kept for longer than necessary**
- **should be processed in accordance with your rights**
- **should be stored securely**
- **should not be transferred to other countries where there is no adequate protection in place**

The Data Protection Act was amended in 2003 to bring it in line with EU directives. This broadened the term 'data' to include organised paper-filing systems. You can find more information about the Data Protection Act here:  
**[www.gov.uk/data-protection/the-data-protection-act](http://www.gov.uk/data-protection/the-data-protection-act)**

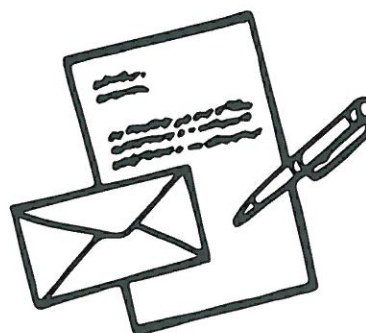
### The Freedom of Information Act 2000

There is a right under the Freedom of Information Act (the act) and the Environmental Information Regulations (EIR) to request information held by public authorities. This came into force in January 2005 and is known as 'the right to know'. It allows you to access recorded information (such as emails, meeting minutes, research or reports) held by public authorities in England, Northern Ireland and Wales. Under the act, a public authority includes central government and government departments, local authorities, hospitals, doctors' surgeries, dentists, pharmacists and opticians, state schools, colleges and universities, and police forces and prison services. If you work within an organisation where this applies, please note that the individual has a right to view anything written about them. This may include documents, reports and even emails between 2 co-workers. This means that if you add to any of these records you need to remember that what you write must be accurate and suitable to be viewed by those it concerns. If a public authority believes that the information is covered by a qualified exemption or exception, it must apply the public interest test. This means it has to identify the reason why it is not in the public interest for that information to be shared.

You can find more information here: **[www.gov.uk/make-a-freedom-of-information-request/the-freedom-of-information-act](http://www.gov.uk/make-a-freedom-of-information-request/the-freedom-of-information-act)**

### Explain why it is important to have secure systems for recording and storing information in a health and social care setting

Confidentiality is a very important right of individuals who receive care and support. It is part of the relationship of trust that individuals have with healthcare support workers and adult social care workers. Information should always be shared on a need-to-know basis only, for example, with other workers involved in the individual's care. You should not share information with anybody else, even the person's family or friends, without the individual's permission. For example, an individual may not want a friend to know about their health or if they have been unhappy. It is also essential to protect private information from accidental viewing or hearing. For example, if you met another worker and chatted about your work you should consider whether others would be able to hear or if a personal letter to an individual was left in a public place, consider whether other people could read it.



Today there are ways of keeping in touch with people, for example, 'Facebook' and other social media such as 'Twitter' where information is shared instantly. As a health or social care worker you should be careful to use this responsibly and be mindful of the confidentiality rights of all individuals including other workers. Many workers have mobile technology with them at work which means it is possible to share information about their day or individuals without enough thought and so there are increased risks of breaching confidentiality. This is just as much a breach as leaving a record out of the filing system or remaining logged in to a computer when you are not present. Breaching confidentiality through the use of social media, including taking or sharing photos or videos, may be a disciplinary offence, and in some cases may even be a criminal offence depending on what is shared.

Your employer will have agreed ways of working in place to protect information. Those in relation to electronic information will include having a computer firewall and password protection.

Passwords should only be shared with those who have permission to access the information concerned. If you have a personal password to access information at work, you should not share it with anyone else. There will also be practices related to paper-based systems, such as where they are kept and the procedure for access. Even when providing care and support in someone's own home it is important to know what records there are and where they are kept. Ask your manager to explain your agreed ways of working about handling information and to answer any questions you may have. Digital working, digital learning and digital information sharing are becoming everyday practice in health and social care. There is increased understanding of the benefits of improved communication and access to a wide range of knowledge. It is now an aspiration that everyone involved in delivering care and support will have the confidence to work digitally and the opportunity to develop their digital skills, whether with computers, smart phones or assistive technology.

### *Know how to access support for handling information*

#### **Describe how to access guidance, information and advice about handling information**

Especially when starting a new job in adult social care, you want to make sure that you are respecting an individual's rights to privacy and confidentiality by handling their personal information in a correct and professional manner. At times you might feel unsure about whether you are doing the right thing and then it is important

that you know how to access guidance, information and advice about this topic.

Usually, when starting a new job, you will be given an induction into the fundamental policies and procedures of your organisation. How to deal with sensitive information would be one of the issues discussed as it forms part of the Care Certificate standards that all care workers must complete within the first 12 weeks of starting work.

Some workplaces might even offer specific training on the storing, sharing and handling of information, if the information they are dealing with is highly sensitive.

Working in adult social care usually means working as part of a team. Your colleagues or senior members of staff are always sources of advice and guidance if you feel unsure about how to proceed with information you have gathered. They will have the experience and be well acquainted with the organisation's ethos on confidentiality so they can help you out when you get stuck.

The Information Commissioner's Office (ICO) offers independent advice about data protection and freedom of information. Their guidance can be accessed in languages other than English, such as Welsh, French and Spanish, or translated into another of 140 languages on demand to make their information available to all sections of a diverse community.

The last source to mention is the internet. If you type 'data protection' into a search machine it will come up with millions of pages of advice and guidance and the more you narrow your knowledge needs down, the more specific information you can gather.

### **Explain what actions to take when there are concerns over the recording, storing or sharing of information**

There might be times when you have concerns over the recording, storing or sharing of information. These could either be to do with bad practice relating to confidentiality, for example, if files containing sensitive information have been

left lying around or the key for the office has gone missing. Or it could be to do with how to handle disclosed information about risks to the wellbeing of an individual. In either case your manager would be your first port of call. They must be told immediately about any concerns over breach of confidentiality so they can take action. For example, if files have been left lying around for any unauthorised person to see, the manager has to speak to the worker who took them out, remind all staff of the agreed ways of working, inform the person to whom the record relates and take any action possible to limit the damage caused. If a key has gone missing, locks need to be changed.



Health and social care workers have a duty to report unsafe or incompetent practice to their organisation's regulatory body, for example, the CQC. If the manager doesn't take your concerns seriously it is your responsibility to make the report under the whistleblowing procedure. If your concerns are based on an individual's information you will need to obtain their permission before making a complaint. Whenever you have major concerns about the recording, storing or sharing of information, you should make a written record, stating your concerns and whom you have reported to. You should sign and date it as it might be used as evidence, at a later stage, that you reported your concerns.

*Be able to handle information in accordance with agreed ways of working*

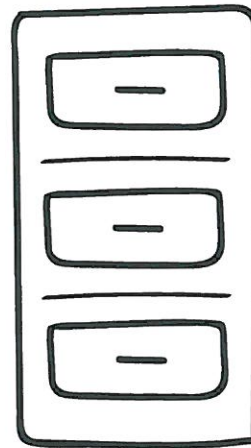
### **Keep records that are up to date, complete, accurate and legible**

Care plans are a key record about an individual's needs and choices and include an assessment of risks. They are an important tool in good communication between those who are involved in providing care and support. Ask your employer to share examples of care plans with you, talking you through how they are completed and what information should be included. They must always be kept up to date, complete, accurate and legible to ensure quality and consistency of care. They may become legal documents of evidence if at any point there is cause for concern or an enquiry. It is therefore vital you include all details of the agreed care, as well as writing tidily and in a way that is clearly understood, avoiding jargon, and ensuring that the information is factual and not based on opinion. Someone in your workplace will have the responsibility for checking care plans regularly to ensure they are fit for purpose.

Of course, care plans are not the only records that you will need to keep as a health and social care worker. You may be responsible for completing other records such as daily records, incident and accident reports. It is equally important for all records to follow the same basic principles as when you are updating care plans.

### **Follow agreed ways of working for:**

- **recording information**
- **storing information**
- **sharing information**



Your employer will have workplace policies and procedures in place that will inform you how to record, store and share information. These will follow the principles as laid down in the Data Protection Act as discussed in the section on legislation above. As a health and social care worker you have a responsibility to follow your workplace procedures to ensure that individual personal information is protected. Your employer will ensure that you are informed about the procedures in place relating to handling information and confidentiality. You may also need to attend a training session to further increase your knowledge and to ensure that you can put what you have learnt into practice in your day-to-day support of individuals.