

Title: **Records Management Strategy 2011 – 2013**

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Owner: Director of Standards

Author: Records Manager

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Consultation Process: Information Governance Steering Group

Policy Sponsor: Information Governance Steering Group

Ratified and Approved by: Governance Committee

Distribution: All staff

Compliance: Mandatory for all permanent & temporary employees, contractors, sub-contractors of and those who work jointly with North Yorkshire and York PCT

Equality and Diversity Statement: This policy has been subject to a full equality & diversity impact assessment

CHANGE RECORD			
DATE	AUTHOR	NATURE OF CHANGE	VERSION No
24 Nov 08	IG Manager	New strategy draft: Model Connecting for Health Records Management Roadmap Records Management Strategy (document 02B). Formatted in compliance with NYY PCT Policy on Policies (PoP) and additional paragraphs added as follows in compliance with PoP: Preface 6.0 Review and Retention 7.0 Equality & diversity statement Annex B References	0.001
March 2011	Records Manager	Revised to reflect progress against original action plan and to set out updated	2.000



		objectives, reflecting in particular the transfer from the PCT of provider services from 1 April 2011.	
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## **Document Objectives**

This strategy sets out how the PCT's Records Management Policy will be delivered.

## **Preface**

This Strategy is made between North Yorkshire and York Primary Care Trust (NYY PCT; "the PCT") and the recognised staff side organisations, using the mechanism of the Joint Negotiation and Consultative Committee (JNCC) and Local Negotiating Committee (LNC). It will remain in force until superseded by a replacement Strategy, or until terminated by either management or staff side, giving no less than six months notice. The purpose of the notice to terminate the Strategy is to provide the opportunity for both parties to renegotiate a replacement Strategy. Withdrawal by one party, giving no less than six months notice, will not of itself invalidate the agreement. If agreement cannot be reached on a revised policy, then the matter will be dealt with through the PCT's Grievance Procedure.

## **Equality and Diversity**

The PCT recognises the diversity of the local community and those in its employ. Our aim is therefore to provide a safe environment free from discrimination and a place where all individuals are treated fairly, with dignity and appropriately to their need, regardless of age, disability, race, nationality, ethnic or national origin, gender, religion, beliefs, sexual orientation, gender reassignment or employment status. The PCT recognises that equality impacts on all aspects of its day to day operations and has produced an Equality and Human Rights Strategy and Equal Opportunities Policy to reflect this. All strategies, policies and procedures are assessed in accordance with the Equality & Diversity Assessment Toolkit, the results for which are monitored centrally.

## **Archiving Arrangements**

On review of this strategy, archived copies of previous versions will be held by the Directorate Policy Coordinator on behalf of the Policy owner. The Directorate Policy Coordinator will keep an up to date list of archived policies and strategies and their location (this can either be electronically or as a paper copy). The Strategy will be available as an archived document as soon as the latest version has been made available on the PCT Intranet/Internet.

## **Process for Retrieving Archived Documents**

To retrieve a former version of this strategy, contact the relevant Directorate Policy Coordinator. The Designated Lead for Policy Management will maintain an up to date list of Directors and Directorate Policy Coordinators.

## **1.0 Introduction**

- 1.1 This document sets out an overarching framework for integrating current records management initiatives, as well as recommending new ones. It defines a strategy for improving the quality, availability and effective use of records in the Trust and provides a strategic framework for all records management activities. This will enable overall coordination of all records management activities and ensure alignment with the Trust's business strategies.
- 1.2 The records management strategy should be read in conjunction with the Trust's Records Management Policy.
- 1.3 The formal adoption of this strategy is to be agreed by the Information Governance Steering Group who will be responsible for monitoring its implementation within the structure of the Information Governance Strategy.

## **2.0 Scope**

2.1 This strategy relates to all clinical and non-clinical operational records held in any format by the Trust as detailed in the Department of Health's publication *Records Management: NHS Code of Practice*©, i.e:

- all administrative records (e.g. personnel, estates, financial and accounting records, notes associated with complaints, etc); and
- all patient health records for all specialties and including records for private patients treated on NHS premises.

2.2 These include records held in all formats, for example:

- paper records, reports, diaries and registers etc;
- electronic records;
- x-rays and other images;
- microform (ie microfiche and microfilm); and
- audio and video tapes.

## **3.0 Aims**

3.1 The aims of the Trust's records management strategy are to ensure:

- a systematic and planned approach to records management covering records from creation to disposal;
- efficiency and best value through improvements in the quality and flow of information, and greater coordination of records and storage systems;
- compliance with statutory requirements;

- awareness of the importance of records management and the need for responsibility and accountability at all levels;
- appropriate archiving of the Trust's important records; and
- that all the above, and all other relevant aspects of records management at the Trust, are effected and controlled sufficiently well to meet statutory and professional requirements.

## **4.0 Key Elements**

4.1 The records management strategy comprises the following key elements:

### 4.1.1 Responsibility and Accountability

*To provide a clear system of accountability and responsibility for record keeping and use.*

It is important that all individuals in the Trust appreciate the need for responsibility and accountability in the creation, amendment, management, storage of and access to all Trust records. A major target is therefore to have a clear chain of managerial responsibility and accountability for all records created by the Trust. This is the prerequisite for an effectively coordinated records management strategy.

### 4.1.2 Record Quality

*To create and keep records which are adequate, consistent, and necessary for statutory, legal and business requirements.*

Trust records should be accurate and complete, in order to facilitate audit, fulfil the Trust's responsibilities, and protect its legal and other rights. Records should show proof of their validity and authenticity so that any evidence derived from them is clearly credible and authoritative.

### 4.1.3 Management

*To achieve systematic, orderly and consistent creation, retention, appraisal and disposal procedures for records throughout their life cycle.*

Record-keeping systems should be easy to understand, clear, and efficient in terms of minimising staff time and optimising the use of space for storage.

### 4.1.4 Security

*To provide systems which maintain appropriate confidentiality, security and integrity for records in their storage and use.*

Records must be kept securely to protect the confidentiality and authenticity of their contents, and to provide further evidence of their validity in the event of a legal challenge.

#### 4.1.5 Access

*To provide clear and efficient access for employees and others who have a legitimate right of access to Trust records, and ensure compliance with Access to Health Records, Data Protection and Freedom of Information legislation.*

Access is a key part of any records management strategy. Fast, efficient access to records unlocks the information and knowledge they contain.

#### 4.1.6 Audit

*To audit and measure the implementation of the records management strategy against agreed standards.*

The PCT's *Records Management Policy* sets out a framework for records management and commits the organisation to the annual audit of records management practices against this framework. The PCT's *Clinical Record Keeping Standards Policy* commits each directorate to annual audits of clinical record keeping standards.

#### 4.1.7 Training

*To provide training and guidance on legal and ethical responsibilities and operational good practice for all staff involved in records management.*

Effective records management involves staff at all levels. Training and guidance enables staff to understand and implement policies, and facilitates the efficient implementation of good record keeping practices.

## 5.0 **Implementation**

5.1 The action points, in Annex A, have been developed from the Trust's Records Management Policy which requires the following fundamentals to be present:

- existence of an overall policy statement on how records (including electronic records) are to be managed;
- endorsement of policy by senior management;
- dissemination of policy to staff at all levels;
- provision of corporate mandate for the performance of all records and information functions;
- organisational commitment to create, keep and manage records which document activities;
- definition of roles and responsibilities;

- definition of responsibility of personnel to document actions and decisions in the records and to dispose of obsolete records;
- provision of framework for supporting appropriate standards, procedures and guidelines;
- provision of monitoring mechanisms to ascertain compliance with appropriate standards, procedures and guidelines; and
- review of policy at regular intervals (at least once every two years).

## **Annexes**

- A. Implementation Plan
- B. References

## IMPLEMENTATION PLAN 2011 – 2013

This replaces the implementation plan included in the previous version of the strategy issued in 2009. It reflects the progress made since then in establishing an effective records management function across the organisation. It also reflects that the PCT becomes a smaller, commissioning-only body from the start of 2011/12, without a records manager post, and scheduled to be wholly abolished in 2013.

The main aims over this period will be to maintain the improvements to and effectiveness of the records management function and to deliver compliance each year with regulatory requirements. There are only a limited number of specific improvements that need to be made, and these have been given target dates in the table below.

Strategic Goal	Objective	Action	Responsibility	Target Date
<b>1. Responsibility and Accountability</b>	To provide a clear system of accountability and responsibility for records	Maintain a records management strategy with processes for ongoing monitoring and review.	Director of Standards	Ongoing
		Secure senior management 'buy-in' to improving records management.	Director of Standards	Ongoing
		Maintain a Records Management function (to manage all PCT records), with clearly defined terms of reference and links to other Information Governance functions e.g. Freedom of Information, Data Protection, Risk Management etc.	Director of Standards, and Director of Nursing and Patient Care	Ongoing
		Manage implementation of the records management strategy, including provision of advice on records management, establishment of good practice guidelines and of compliance with relevant legislation and NHS guidance	Records Manager	Ongoing
		Aid and support departments, and provide better co-ordination of record keeping across the PCT. Individual Departments to nominate local records managers	Records Manager	31 Dec 2011
		Ensure that job descriptions across the PCT include relevant references to record keeping responsibilities	Records Manager and Assistant Director of	Ongoing



Strategic Goal	Objective	Action	Responsibility	Target Date
			Human Resources	
		Undertake regular reviews and analysis of records management training needs	Records Manager	Ongoing
		Ensure inclusion of records management and information issues and practices in induction training programmes for all new staff	Records Manager and Head of Workforce Resourcing & Development	Ongoing
		Allocate appropriate resources across the PCT to enable the maintenance of the records management function	Director of Standards	Ongoing
<b>2. Record Quality</b>	To create and keep records which are adequate, consistent, and necessary for statutory, legal and business requirements	Maintain guidance on good practice aimed at common and consistent standards of record creation and record keeping within the PCT, taking into account current Data Protection and Freedom of Information legislation	Records Manager	Ongoing
		Identify all records vital to the continuing functioning of the activities of the PCT in the event of disaster and ensure there is provision for their protection (including cross-reference in the PCT Risk Management Strategy) and their inclusion in a full and tested contingency or business recovery plan.	Records Manager/ Emergency Planning Unit/ Directorate of Standards Business Continuity Lead	31 Dec 2011
<b>3. Management</b>	To achieve systematic, orderly and consistent creation, appraisal, retention and disposal procedures for records during their lifecycle	Maintain an inventory of all PCT records, both health and corporate, held in either hard copy or electronic formats. (This is to ensure that all record collections/information sets are identified along with the volume of records held, the type of media on which they are held, their physical condition, their location, the environmental conditions in which they are stored and the responsible manager. See <i>'Records Management Roadmap: Records Inventory Guidance'</i> )	Records Manager	
		Establish procedures for the continuous monitoring of the records management process to ensure that legal and statutory requirements are met and that and new types of records have a	Records Manager	

Strategic Goal	Objective	Action	Responsibility	Target Date
		lifecycle determined at the point of creation		
		Develop a selection policy to identify which records are likely to be suitable for permanent preservation. Establish contact with an approved archival institution with appropriate storage and public access facilities	Records Manager	
		Maintain procedures for, and provide advice upon, the closure of records when no longer current, secure storage of archived records, and effective disposal, as soon as appropriate	Records Manager	
		Maintain a log of records which have been destroyed showing their reference, description and date of destruction	Records Manager/ Departmental managers.	
		Assess the risks associated with the destruction of records or any delay in appraising them	Records Manager	
<b>4. Security</b>	To provide systems which maintain appropriate confidentiality, security and integrity for records in their storage and use	Maintain policies and procedures to protect records from unauthorised alteration or erasure, to ensure that access to records is properly controlled, and to maintain adequate audit trails to track the use and location of records held	Records Manager	
		Provide advice and support on the secure storage of current and archived paper records to ensure they are dealt with in line with the Records Management Policy.	Departmental managers.	
		Develop and maintain appropriate Information Sharing Protocols and Subject Specific Information Sharing Agreements for the exchange of confidential and personal information	Caldicott Guardian / Records Manager	
		Maintain and ensure that standards for the safe and secure transportation of records are strictly applied.	Information Governance Manager	
<b>5. Access</b>	To provide clear and efficient access for employees and others who have a legitimate right of access to PCT records, and ensure compliance with	Work with departments to ensure effective tracking systems and audit trails, ensuring that information can be retrieved effectively and speedily when required.	Records Manager/ IM&T Managers / Departmental Managers	

Strategic Goal	Objective	Action	Responsibility	Target Date
	current Data Protection and Freedom of Information legislation			
		Maintain policies and procedures to address the particular requirements of Freedom of Information in relation to agreed publication schemes and meeting requests for information by the public that follow the procedures established by the PCT's Freedom of Information Policy	FOI Officer	
<b>6. Audit</b>	To audit and measure the implementation of the records management strategy against agreed standards.	Establish standards for key aspects of records management performance (e.g. response to subject access and Freedom of Information requests, record keeping, availability, etc) and monitor the performance of the function.	Records Manager	
		Provide advice and support for records departments in meeting agreed standards	Records Manager	
<b>7. Training</b>	To provide training and guidance on responsibilities and good practice for all staff involved with records.	Provide (for all staff, departmental managers, and in particular for local record managers) procedure manuals and instructions, guidance on good practice, and advice on procedural issues and requirements. These instructions should cover all records management systems within the PCT, information quality and security, data protection, information handling, and legislative and statutory requirements	Records Manager	
		Raise the profile of records management within the PCT through publicity about the issues involved and the staff responsible	Director of Standards / Assistant Director of IM&T / Information Governance Manager / Records Manager	
		Maintain training programmes and materials, including instruction on the concepts and basics of records management to be targeted at new and existing staff who need a basic awareness of the issues and procedures and those who need more detailed instruction on records management policies and	Records Manager and IT Training Manager / Workforce Development Manager.	

Strategic Goal	Objective	Action	Responsibility	Target Date
		procedures, in particular the local records managers		
		Provide specific training and instruction on Data Protection and Freedom of Information legislation	Information Governance Manager/ FOI Officer/ Workforce Development Manager	
		Implement an NHS Number retrieval and verification strategy to assure implementation of data migration to NCRS by providing access to NSTS, user training and account management. Transfer of NHS Number retrieval and verification facility to CSA application.	Data Quality / GP Lead	

## References

Connecting for Health Records Management Roadmap *Model Records Management Policy* (document 02A). [Online] [27.08.08]. Available from World Wide Web [www.connectingforhealth.nhs.uk/systemsandservices/infogov/records/manstrategy.doc](http://www.connectingforhealth.nhs.uk/systemsandservices/infogov/records/manstrategy.doc)

Department of Health (2006). *Records Management: NHS Code of Practice: Parts 1 & 2*. [Online] [27.08.08]. Available from World Wide Web [www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/Browsable/DH\\_4133200](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/Browsable/DH_4133200)

North Yorkshire & York PCT *Records Management Policy*.

## Legislation, Standards, Guidelines, Regulations, Codes of Practice

### **Legal and Professional Obligations**

The Access to Health Records Act 1990  
 The Access to Medical Reports Act 1988  
 Administrative Law  
 The Census (Confidentiality) Act 1991  
 The Civil Evidence Act 1995  
 The Common Law Duty of Confidentiality  
 – Confidentiality: NHS Code of Practice  
 The Computer Misuse Act 1990  
 The Consumer Protection Act (CPA) 1987  
 The Control of Substances Hazardous to Health Regulations 2002  
 The Copyright, Designs and Patents Acts 1990  
 The Crime and Disorder Act 1998  
 The Data Protection Act (DPA) 1998  
 – The Data Protection (Processing of Sensitive Personal Data) Order 2000  
 – Information Security Management: NHS Code of Practice  
 The Disclosure of Adoption Information (Post-Commencement Adoptions) Regulations 2005  
 The Electronic Communications Act 2000  
 The Environmental Information Regulations 2004  
 The Freedom of Information Act (FOIA) 2000  
 – Lord Chancellor's Code of Practice on the Management of Records under Section 46 of the FOIA 2000  
 – Lord Chancellor's Code Of Practice On The Discharge Of Public Authorities' Functions under Part I of The FOIA 2000 Under Section 45 Of The Act  
 – Records Management: NHS Code of Practice  
 - A Clinicians guide to Records Standards Parts 1 & 2  
 The Gender Recognition Act 2004  
 – The Gender Recognition (Disclosure of Information) (England, Wales and Northern Ireland) (No. 2) Order 2005  
 The Health Act 2006  
 The Health and Safety at Work Act 1974  
 The Health and Social Care Act 2001  
 The Human Rights Act 1998

The Police and Criminal Evidence (PACE) Act 1984  
 The Privacy and Electronic Communications (EC Directive) Regulations 2003  
 Public Health (Control of Diseases) Act 1984 and Public Health (Infectious Diseases) Regulations 1988  
 The Public Interest Disclosure Act 1998  
 The Public Records Act 1958  
 The Re-use of Public Sector Information Regulations 2005  
 The Sexual Offences (Amendment) Act 1976  
 Subsection 4(1) as Amended by the Criminal Justice Act 1988

### **Relevant Standards and Guidelines**

Department of Constitutional Affairs Data Sharing Model  
 The NHS Information Governance Toolkit  
 Information Quality Assurance Programme  
 NHS Guidance on Consent to Treatment  
 BS ISO/IEC 17799:2005 BS ISO/IEC 27001:2005  
 BS 7799-2:2005  
 BSI BIP 0008 86  
 BSI PD 5000 86  
 BS 4743 86  
 BS 5454:2000 86  
 ISO 15489 87  
 ISO 19005 87

### **Wider NHS & National Regulations elements**

Core Standards for Better Health  
 NHS LA Risk Management Standard for PCTs  
 Health Care Commission  
 Connecting for Health: The NHS Care Record Guarantee  
 Connecting for Health: IG Statement of Compliance.

### **Professional Codes of Conduct**

The General Medical Council  
 The Nursing and Midwifery Council Code of Professional Conduct

The Chartered Society of Physiotherapy: Rules of Professional Conduct  
General Social Care Council: Codes of Practice for Social Care Workers and Employers  
Information on Ethical Practice  
Nursing and Midwifery Council Guidance on Record Keeping 01.05 89  
Midwives' Rules and Standards – NMC Standards 05.04 89