Topics > Business Procedures > Confidentiality: Model Policies

# Record Keeping (England) Policy

## Policy Statement

Every care service is required to have systems and methods for keeping records that comply with its registration conditions as set out in Regulation 17: Good Governance of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, and from May 2018, the Data Protection Act 2018 with the General Data Protection Regulation (GDPR), which applies to all business and organisations that process personal data.

This policy sets out the values, principles and policies underpinning this care service’s approach to record keeping, data protection and access to records.

The policy should be read and used in relation to policies on:

* [Applications for Access to a Deceased Service User’s Care Records](https://app.croneri.co.uk/topics/confidentiality-record-keeping/applications-access-deceased-service-user-s-care-records?topic=3958&section=3550#DCAM-5015363)
* [Confidentiality of Service Users’ Information (England)](https://app.croneri.co.uk/topics/confidentiality/confidentiality-service-users-information-england-policy?topic=3958&section=3550#DCAM-1343649)
* [Information Governance under the General Data Protection Regulation (England)](https://app.croneri.co.uk/topics/effective-communication-record-keeping/information-governance-under-general-data-protection?topic=3958&section=3550#WKID-201705080632000604-05773589)
* [Data Protection and Compliance with the General Data Protection Regulation](https://app.croneri.co.uk/topics/data-protection-confidentiality-record-keeping/data-protection-and-compliance-general-data?topic=3958&section=3550#DCAM-4966100)
* [Access to Records — Service Users (England)](https://app.croneri.co.uk/topics/confidentiality-record-keeping/access-records-service-users-england-policy?topic=3958&section=3550#DCAM-4899324)
* [Records Kept in Domiciliary Care Service Users’ Homes](https://app.croneri.co.uk/topics/record-keeping/records-kept-service-users-homes-domiciliary-care-england-policy?topic=3958&section=3550#DCAM-5124174) (for home care services).

This care service works to the following principles of good record keeping.

1. Records required for the protection of service users and for the effective and efficient running of the care service are maintained, are up to date and are accurate.
2. Service users have access to their records and information about them held by the care service, as well as opportunities to help maintain their personal records.
3. Individuals’ records and other records that contain private, confidential personal data are kept securely, are up to date and in good order, and are constructed, maintained and used in line with the applicable regulations and related policies (see above).

## Data Protection

See the [Data Protection and Compliance with the General Data Protection Regulation Policy](https://app.croneri.co.uk/topics/data-protection-confidentiality-record-keeping/data-protection-and-compliance-general-data?topic=3958&section=3550#DCAM-4966100).

## Access to Records

The care service considers that access to information and security and privacy of data is an absolute right of every service user and that service users are entitled to see a copy of all personal information held about them and to correct any error or omission in it.

See the [Access to Records (England) Policy](https://app.croneri.co.uk/topics/confidentiality-record-keeping/access-records-service-users-england-policy?topic=3958&section=3550#DCAM-4899324).

## Record-keeping Procedures

Staff must do the following.

1. Ensure that all files or written information of a confidential nature are stored securely (in a locked filing cabinet if a care home) or are kept in a safe place (in a person’s own home). Files should only be accessed by people who have a need and a right to them.

* **Note:**
* Where a domiciliary care service user keeps their own records at home, the manner of safe storage is discussed with the person concerned and/or where appropriate, their relatives. Confidentiality aspects are discussed as part of the process. (See separate policy on [Records Kept in Domiciliary Care Service Users’ Homes](https://app.croneri.co.uk/topics/record-keeping/records-kept-service-users-homes-domiciliary-care-england-policy?topic=3958&section=3550#DCAM-5124174).)

1. Be aware that the relatives of a service user do not have any automatic right of access to that service user’s files and need to have the service user’s permission to see any information on that person.
2. If the service user lacks the mental capacity to give their permission, a “best interests” procedure would then need to be followed in line with the Mental Capacity Act 2005. (See also related record-keeping policies.)
3. Ensure that all files or written information of a confidential nature are not left where they can be read by unauthorised people.
4. Wherever practical or reasonable, fill in all care records and service users’ notes in the presence of and with the co-operation of the person concerned.
5. Ensure that all care records and service users’ notes, including care plans, are signed and dated.
6. Check regularly on the accuracy of data being entered into computers.
7. Always use the passwords provided to access the computer system or devices and not abuse them by passing them on to people who should not have them.
8. Use screen blanking to ensure that personal data is not left on screen when not in use.

Personal data relating to service users or staff should not be kept or transported on laptops, USB sticks or similar devices, unless authorised by the care service manager. Where personal data is recorded on any such device, it should be protected by:

1. ensuring that data is recorded on such devices only where absolutely necessary
2. using an encrypted system — a folder should be created to store the files that need extra protection and all files created or moved to this folder should be automatically encrypted
3. ensuring that laptops or USB drives are not left lying around where they can be stolen.

## Retention of Records

All records are kept in line with the requirements of the current legislation and guidance. Service users’ personal records that have been kept independently by the service are always kept for a minimum of three years from the date of the last entry after they leave the service or after their death.

## Training

All new staff receive training on the care service’s approach to record keeping as part of their induction and Care Certificate training.

All staff receive up-to-date training on data protection principles, access to records procedures, confidentiality and good practice in entering information on service users’ records.

The nominated data controller and staff responsible for data protection and information governance receive appropriate specialised training to equip them for their respective roles and responsibilities.

All staff who use the care service’s computers receive training to develop the required skills and to know how to keep electronic data safe and secure.

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