

General Data Protection Regulation (GDPR)

Confidentiality, Record Keeping and Data Protection.

This policy covers the following items:

1. Access to Employee Data
2. Applications for Access to a Deceased Service User's Care Records
3. Caldicott Principles
4. CCTV in Service User's Homes
5. Confidentiality of Service Users' information
6. Document Tracking
7. Protecting Personal Data under the General Data Protection Regulation
8. Record Keeping
9. Sharing Information with Other Providers
10. Records Kept in Service Users' Homes

Access to Employee Data

Dementia Care TLC Limited aims to fulfil its obligations under the Data Protection Act 1998 to the fullest extent.

Our Procedure

1. Employees are allowed to have access to personal data about them held under the Data Protection Act 1998. This Act requires Dementia Care TLC to respond to requests for access to personal data within 40 days.
2. Details of an employee's personal data are available upon request in accordance with the principles of Data Protection Act 1998 (see number 1 above).
3. Employees are required to read this information carefully and inform Dementia Care TLC's HR Coordinator at the earliest opportunity if they believe that any of the personal data are inaccurate or untrue, or if they are dissatisfied with the information in any way.
4. The Data Protection Act 1998 gives data subjects the right to have access to their personal data on request at reasonable intervals. Dementia Care TLC believes that complying with a request for a copy of the data annually will satisfy this requirement. Should employees wish to request access to their personal data, the request must be address to **Mr Luke Counsell** or via email to dementia.caretlc@gmail.com. The request will be judged in the light of the nature of the personal data and the frequency with which they are updated. The employee will then be informed whether or not the request is to be granted. If it is, the information will be provided within 40 days of the date of the request.

5. In the event of a disagreement between an employee and Dementia Care TLC regarding personal data, the matter should be taken up under the Dementia Care TLC formal grievance procedure.

Additional Clause(s)

1. Where employees make additional requests for access to their personal data which are granted, a fee of £10.00 will be charged which must be paid to Dementia Care TLC before a copy of the personal data will be given.

Applications for Access to a Deceased Service User's Care Records

Guidance

It should be noted that the Data Protection Act 1998 does not cover the records of deceased people, and what guidance there is concerns applications to see medical records rather than care records. However, it is reasonable to think that the same principles governing applications to have access to medical records apply equally to care records (and in fact they might overlap)

These principles are that:

1. The medical/care records of a deceased person should be treated with the same degree of confidentiality as for a person who is alive, and
2. Where someone applies for access, they must have a good reason and their request is dealt with on a 'need to know basis' as if the person were alive.

In respect of medical records, any person with a claim arising from the death of a client has a right of access to information covered by the Data Protection Act 1998, providing it is directly relevant to that claim. No information which is not directly relevant to the claim may be released.

Thus, a personal representative or executor can access information to benefit the deceased estate, as can an individual who was a dependent of the deceased and who has a claim relating to that dependency which has arisen from the death.

There are certain exemptions to this right, and information may be withheld if, for example, it identifies a third party without that person's consent or the person gave the information in the past on the understanding that it would be kept confidential.

Aim of the Policy

From time to time Dementia Care TLC may receive an application from a third party, e.g. a relative or solicitor, to have access to the care records of a service user who has died in the course of receiving a domiciliary care service. Current care regulations require all records kept on a service user to be retained for not less than 3 years from the date of the last entry.



This policy therefore applies primarily to records that have been retained by Dementia Care TLC within this statutory period. The policy determines the actions to be taken in the event of someone requesting access to the deceased person's records during the time that Dementia Care TLC are required to retain them.

Policy Statement

1. Dementia care TLC accepts that under certain circumstances, a third party will apply for and have the right to have access to the care records of a deceased service user.
2. We will carefully consider any such application but, if unsure about the reasonableness and legitimacy of the request, reserve the right to take further advice from the Care Quality Commission or legal advice and to refuse the request altogether. This decision does not prevent the applicant from seeking a court order to disclose the care records.
3. Once we are satisfied that the applicant is entitled to the information, we will provide it within a specified time limit of 21 days.
4. We will give access by allowing the applicant to inspect the records or to extract or to supply a copy if this is requested. In doing so, it is recognised that it will, in line with data protection requirements, need to protect (e.g. by redactions, removal or obtaining consent) information regarding anyone living that is included or referred to in the records.
5. In considering any request, we will consider any information we have on the deceased person's wishes and act upon these.
6. We might seek to recover the costs of supplying the information, e.g. for photocopying, printing and postage.

Caldicott Principles

This policy relates to the sharing or transfer of data within NHS or social care organisations, including hospitals, local authorities and GP surgeries. It should be read in conjunction with our separate policies and procedures on confidentiality.

The Data Protection Act

Dementia Care TLC recognises that it has a legal duty under the Data Protection Act 1998 to ensure the security and proper management of personal data and that this duty applies to its management, processing and storing of records and data, including information, data and notes about service users. Central to the Act is compliance with data protection principles which are designed to protect the rights



of individuals about whom personal data is processed, whether this is via electronic or paper records.

The eight Data Protection principles state that we should make sure that personal information about people is:

- Used fairly and lawfully
- Used for limited, specifically stated purposes
- Used in a way that is adequate, relevant and not excessive
- Accurate
- Kept for no longer than absolutely necessary
- Handled according to peoples data protection rights
- Kept safe and secure
- Not transferred outside the UK without adequate protection.

Dementia Care TLC data protection policies and procedures are designed to comply fully with the Act and these principles. However, we also recognise that a further set of additional data protection principles apply to the NHS and social care, the Caldicott Principles.

The Caldicott Report

In 1997, the original Caldicott Report provided guidance to the NHD on the use and protection of personal confidential data and, due to the sensitive and personal nature of medical information in particular, emphasised the need for additional controls over the availability of such information and access to it. The report recognised the importance in a medical and care context of sharing relevant health-related information and made a series of recommendations to ensure that such sharing took place in a way that protected the rights of patients. This led to the requirement for all NHS organisations to appoint a Caldicott Guardian who is responsible for the compliance with the principles.

In 2002, the government decided that these standards should be extended to 'councils with social service responsibilities' in order to provide a foundation for joint working between health and social services. ;HSC 2002/003: LAC(2002)2 Implementing the Caldicott Standard into Social Care was subsequently published.

A further review of the Caldicott Principles took place during 2012 and *The Information Governance Review - To share or not to share* was published.

The revised Caldicott Principles are as follows:

- Principle 1 - Justify the purpose(s) for using confidential information.
- Principle 2 - Only use confidential information when absolutely necessary.
- Principle 3 - Use the minimum information that is required.
- Principle 4 - Access to confidential information should be on a strict need-to-know basis.
- Principle 5 - Everyone must understand their responsibilities.
- Principle 6 - Understand and comply with the Law.

- Principle 7 - The duty to share personal information can be as important as the duty to have regard for patient confidentiality.

Dementia Care TLC understand that health and social care professionals should have the confidence to share information in the best interests of their patients and service users with the framework set out by these principles.

Person Identifiable Information

With reference to both the Data Protection Act 1998 and the Caldicott guidelines, this we recognise personal-identifiable confidential information as including:

- A service users name and address, full postcode and date of birth
- A service users NHS number and any notes, records or information about their care or treatment
- Any pictures, photographs, videos, audio recordings or other images of service users
- Anything that may be used to identify a service user directly or indirectly, such as rare diseases, drug treatments or statistical analyses using small sample sizes that may allow individuals to be identified.

Importantly, we recognise that person identifiable information does not only relate to medical information and can take many forms. It can be stored on computers, transmitted across networks, printed or stored on paper, spoken or recorded.

We understand that overall there should be a balance between agencies to improve care.

Policy

Dementia Care TLC recognises that:

- We are required to have a data controller or manager who has overall responsibility for managing and effectively implementing all activities necessary to achieve compliance with the Data Protection Act 1998. The Data Controller for Dementia Care TLC is **Mr Luke Counsell**
- NHS organisations and local authorities will have an allocated Caldicott Guardian who is responsible for agreeing and reviewing protocols for governing the transfer and disclosure of personal confidential data about patients and service users.
- A Caldicott Guardian is a senior health or social care person responsible for protecting the confidentiality of patient and service user information and enabling appropriate information sharing.
- The Guardian plays a key role in ensuring that the NHS, Councils with Social Services Responsibilities and partner organisations satisfy the highest practical standards for handling patient identifiable information.

- NHS and Social Care Caldicott Guardians are required to be registered and there is a UIK Council of Caldicott Guardians made up of guardians from health and social Care

Within Dementia Care TLC:

- Managers and staff will comply fully not only with the eight principles of the Data Protection Act 1998, but also with the seven Caldicott Principles and with the common law duty of confidentiality. This means that any personal information given or received in confidence or for one purpose may not be used for a different purpose or passed onto anyone else without the consent of the individual concerned. This duty can only be overridden if there is a statutory requirement, a court order, or if there is a robust public interest justification.
- Service users will be told exactly what their personal information will be used for and how it will be stored and shared. This means fully describing how the data will be used and talking into consideration any language requirements or barriers to understanding such as requirements under the Mental Capacity Act 2005
- Dementia Care TLC and it's staff have a legal and ethical duty to safeguard the integrity, confidentiality and availability of sensitive person identifiable information. Every use of person identifiable information must be lawful. Individual service users have a right to believe and expect that private and personal information given in confidence will be kept securely and used only for the purposes for which it was originally given and consented to.
- Staff and managers must be aware of the Caldicott Principles that will apply to any data exchange - they should be aware that the NHS organisations and local authorities will have a Caldicott Guardian who will be required to agree to the exchange of person identifiable information.
- Staff and manager must ensure that, to comply with the Caldicott guidelines:
 - A) Every proposed use or transfer of person identifiable information within or from this organisation should be clearly defined and justified
 - B) Personal identifiable information should not be used unless it is absolutely necessary and there is no alternative.
 - C) Where use of person identifiable information is considered to be essential, the minimum necessary personal identifiable information should be used and each individual item of personal information should be justified with the aim of reducing identity.
 - D) Where the use of person confidential data is considered to be essential, the inclusion of each individual item of information should be considered and justified so that the minimum amount of identifiable information is transferred or accessible as is necessary for a given function to be carried out.
 - E) Access to personal identifiable information should be on a strict 'need to know' basis. Only those individuals who need access to person identifiable information should have access to it and they should only have access to the personal information items that they need to see. This may mean introducing access control or splitting data flows where one information flow is used for several purposes

- Managers should ensure that everyone is aware of their responsibilities and that a culture of care and due diligence for data security is in place. Actions should be taken to ensure that all staff who handle person identifiable information are aware of their responsibilities and obligations to respect confidentiality.
- Managers and staff should attend data protection and information governance training as required and to a level relative to the requirements of their role. All new staff should read this policy and Dementia Care TLC GDPR policy and comply full with them and with all related procedures.
- Any data breaches, including beaches of confidentiality should be reported immediately ton being discovered and should be fully investigated. A report should be submitted to **Mr Luke Counsell**
- Data sharing arrangements should be regularly audited, with support and guidance obtained form the relevant local authority Caldicott Guardian wherever necessary.

CCTV in Service User's Homes

Policy Statement

This policy is written to explain the response of Dementia Care TLC to the use of closed-circuit television (CCTV) and similar devices such as webcams inside an/or outside of the homes of its service users, which record the actions of it's staff while working, including when entering and leaving the home.

It should be used with reference to the agency's policy on Data Protection.

Dementia Care TLC understands that visual images such as photographs and video recordings are defined as data and are covered in the same way as written records by data protection principles in organisations, where the data Protection Act 1998 applies. However, it also understands that private dwellings are not covered by the Data Protection Act, which means that the guidance produced by the information Commissioner's Office on the use of CCTV does not extend to it's use on private households.

Dementia Care TLC recognises that it is providing a social service, which in line with its registration responsibilities has a duty to make sure that on hand, it's service users are kept safe from harm and on the other, that its care staff are not subjected to undue harassment or pressures that could impair the quality of their care and welfare.

We are therefore aware that service users, relatives and representatives might seek to use CDTV and similar devices to record the care being given to service users as a protective measure, but this might also have the effect of increasing staff and stress

and be counter-productive in terms of achieving the standards of care that are expected of them.

We have therefore devised our own Code of Practice, which applies in those homes where we know that CCTV or similar devices have been installed (or are planning to be installed) which could record the actions of our staff while carrying out their caring duties. The code does not apply to houses where CCTV has been installed for external security purposes only and which not record such as times of workers entering or leaving the home. It does however apply to such actions are routinely recorded.

Code of Practice

The code is written to reflect the responsibilities of users of surveillance methods in their relationships with other parties who might wittingly or unwittingly be exposed to them as described in the Information Commission Office guidance on the use of CCTV in organisations where data protection principles apply.

Dementia Care TLC follows the following principles:

- 1) We acknowledge that any CCTV and similar recording devices belong to the service user/representatives and it has no control over their use. It can, however, negotiate how they are used in relation to the service, which we have agreed to provide. We enter into any negotiations with a view to creating relationships with the service user and their representatives, which are based on mutual trust, openness and transparency.
- 2) We also recognise that video recording can be a useful tool to help protect a service user from harm and the risk of harm, to promote learning and development and to improve the quality of care if used appropriately.
- 3) We work on the basis that care practices must only be recorded on CCTV and similar devices with *the express permission of the Managing Director of Dementia Care TLC and the individual carers.*
- 4) Service users/representatives who seek to make use of CCTV within the service delivery process must make this clear at the beginning of the service or when proposing it at any later stage so that its use and conditions of its use can be written into the service agreement.
- 5) Representatives of a service user who seeks to install or use CCTV on behalf of the actual service user, must have obtained the service user's permission or, if the person lacks mental capacity to give their consent, the agency will insist that a 'best interest' process is carried out.
- 6) Where any such agreement has been reached, Dementia Care will then make the relevant staff aware of its use and obtain their written consent to their being recorded.
- 7) We will always seek to establish the purpose of the use of the CCTV (which might not always be directed at our staff, but a means, for example, of checking on the service user). We will then set out in writing the purpose and any specific objectives, which are relevant to the individual care and support plan.

- 8) Dementia Care TLC will not agree to the routine recording of any intimate personal care that invades the privacy of the service user and affronts their dignity.
- 9) Dementia Care TLC Managing Director could agree to certain aspects of the care provided to be recorded (with consent) for a specific purpose e.g. for learning or problem solving, where there are benefits of recording the procedure for both service user and staff.
- 10) Dementia Care TLC will not seek to make sue of the recording for its own internal monitoring purposes.
- 11) We will discuss with the service user/representative as part of the agreement on the use of the CCTV how long the images of its staff will be retained, what access other people might have to those images and how they will be disposed of. These are all matters that could affect the right of Dementia Care TLC employees.
- 12) We will also come to some agreement with the service user/representative as part of the agreement the rights of access of its staff to any recorded images of them, as they would if the process was following data protection principles.
- 13) Dementia Care TLC will not tolerate the use of covert surveillance of its staff by a service user and/or their representatives, which implies lack of trust and confidence in both individual staff and the agency. If we discover that covert surveillance methods are being used unilaterally and without adequate reasons, we will discuss ending our services to that user.
- 14) Under some circumstances, however, it would accept the results of covert recordings if, they provide clear evidence of malpractice or misconduct on the part of the staff member being recorded or to support a complaint.
- 15) In exceptional circumstances where, for example, there is prior evidence of an agency employee harming the service user in any way, putting the person at risk of harm or engaging in any other kind of possible misconduct, it might agree with the service user/representative to staff behaviour being recorded covertly. The evidence obtained could then be used to trigger our safeguarding procedures.
- 16) Dementia Care TLC accepts that each situation should be treated differently and the agreements reached will be on an individual bases.

Confidentiality of Service Users Information

Policy Statement

Dementia Care TLC works on the principle that it has a duty of confidentiality to its service users. The service regards this as being the utmost importance and a key part in building a trusting caring environment where service users are safe in the knowledge that their confidences will be kept and where information about them will be protected safely. Our policy states that all the information we receive about or from service users is confidential and that only those people who need to know the information will have access to it. We will always seek the written permission of its users prior to sharing personal information about them with anyone else.

Dementia Care TLC complies with CQC guidance, which requires the registered manager of a service to make sure that service users know that information about them is handled appropriately and that their confidences are kept.



Procedures

To comply with this policy, Dementia Care TLC staff must:

- 1) Ensure that all files or written information of a confidential nature are stored in a secure manner in a locked filing cabinet and are only accessed by staff who have a need and a right access them.
- 2) Wherever practical or reasonable fill in all care records and service users notes in the presence of and with the co-operation of the service user concerned.
- 3) Ensure that all care records and service users notes, including care plans are signed and dated.

Rare situations may arise which give rise to exceptions to this duty where confidential information may relate to harm to other service users or harm to the person sharing the confident. In such circumstances, we reserve the right for a staff member to break their duty of confidentiality and to take the information to a senior member of staff. In such rare circumstances:

- 1) The relevant service user will be informed of the service's positions and full details will be discussed with the service user.
- 2) Appropriate notes will be made in the service user plan and these notes will be open to inspection by the service user.
- 3) The information will only be given to those who absolutely need to know and wider issues of confidentiality of that information will still apply.
- 4) The service user will be free to make a complaint through Dementia Care TLC complaints procedure if she or she considers that the information held about them has not been treated in the confidential manner they should expect.

Document Tracking

Taking hard copy data away from Dementia Care TLC premises:

- 1) While performing duties it is anticipated that data will be taken away from Dementia Care TLC offices. We need to ensure that the below policies are considered and adhered to in order to comply with GDPR regulations.
- 2) This material should only be taken from Dementia Care TLC offices when it is necessary.
- 3) This information must be kept confidential at all times.
- 4) Where data contained within paper records is needed to be taken from Dementia Care TLC office, this should be kept to a minimum both in terms of content and duration. Consider how much information is required for that particular service user or to complete the relevant task and avoid taking unnecessary information.



- 5) Where paper records are in transit from Dementia Care TLC offices to another location such as a service users address, they should be transported in a way that mitigates against the risk of confidential information being obtained by unauthorised parties.
- 6) If you become aware of any breach or potential breach you must inform Luke Counsell immediately.
- 7) If you have any further queries then do not hesitate to get in touch with Luke Counsell

Client Documentation

Due to the nature of the organisation, Dementia Care TLC staff are regularly required to transport documents such as care plans and concern sheets between locations which may include your personal data. We would therefore like to reassure you that Dementia Care TLC take data security very seriously and all staff have been trained in transporting your documents safely and securely. If you are at any point concerned about the security of your data, please do not hesitate to contact Luke Counsell on dementia.caretlc@gmail.com or alternatively 01278 455270.

Record Keeping

We keep files on all of our service users, but only keep relevant information to ensure that the care we offer as an organisation is of the highest quality. The files are only available to staff who need to use them.

Dementia Care TLC make sure that:

- 1) Records required for the protection of service users and for the effective and efficient running of the service to be maintained, are up to date and accurate.
- 2) Service users have access to their records and information about them held by us as well as opportunities to help maintain their personal records.
- 3) Individual records and care service records are kept in a secure fashion, are up to date and in good order; and are constructed, maintained and used in accordance with the Data Protection Act 1998 and other statutory requirements.

We consider 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.

Protecting Personal Data under the General Data Protection Regulation 2018

Aim and Scope

This policy shows how we comply with the requirements of the data protection requirements found in Regulation 17: Good Governance of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, which expects service providers to have effective governance of their record keeping with records that are comprehensively fit for purpose and securely maintained.

The policy applies to all manual and electronic records kept by Dementia Care TLC in relation to service users, including those involved with them, whose personal data might be found on their records, all staff and any third parties (agencies and professionals), with whom anyone's personal data information held by us might have to be disclosed or shared.

The policy should be used with other relevant policies on:

- Applications for access to a Deceased Service Users care records.
- Confidentiality of service users information
- Information Governance under the GDPR which addresses the wider organisational and management of information issues.
- Service users access to records.

Policy Statement

Dementia Care TLC recognises it must keep all records required for the protection and well-being of service users, and those for the effective and efficient running of the care service such as staff records to comply currently with the Data Protection Act 1998 and its successor Act the General Data Protection Regulation which came into force in May 2018.

In line with its registration under the Data Protection Act, and to comply with the GDPR, Dementia Care TLC 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 electronically.

This means that all personal data obtained and held by the care service to carry out its activities as a registered care provider must:

- Have been obtained fairly and lawfully
- Held for specified and lawful purposes as an organisation that is carrying out a public duty
- Processed in recognition of persons data protection rights which are described in the GDPR in terms of the right:
 - A) To be informed
 - B) To have access
 - C) For the information to be accurate and for any inaccuracies to be corrected
 - D) To have information deleted (e.g if inaccurate or inappropriately included)
 - E) To restrict the processing of the data to keep it fit for its purpose only
 - F) To have the information sent elsewhere as requested or consented to
 - G) To object to the inclusion of any information (e.g if considered to be irrelevant)
 - H) To regulate any automated decision-making and profiling of one's personal data.

- Be adequate, relevant and not excessive in relation to the purpose for which it is being used.
- Be kept accurate and up to date, using whatever recording means are used or agreed (e.g. manual or electronic)
- Not be kept for longer than is necessary for its given purpose
- Have appropriate safeguards against unauthorised use, loss or damage with clear procedures for investigating any breaches of the data security
- Comply with the relevant GDPR procedures for international transferring of personal data.

Procedures

Dementia Care TLC have taken the following steps to protect everyone's personal data which it holds, or to which it has access so that it complies with current data protection laws and the GDPR

It appoints or employs staff with specific responsibilities for:

- 1) The processing and controlling of data - **Mr Luke Counsell**
- 2) The comprehensive reviewing and auditing of its data protection systems and procedures - **Mr Luke Counsell**
- 3) Overseeing the effectiveness and integrity of all the data that must be protected - **All Care Management, Operational Coordinators and Management Staff**

Record Keeping

Policy statement

Every care service is required to have systems and methods for keeping records that comply with its registration conditions as set out and specifically Regulation 16: Records of Personal Plans, Regulation 55: Records and Regulation 74. It is our duty to ensure there are systems in place for keeping of records and the GDPR which applies to all business and organisations that process personal data.

Dementia Care TLC 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 in a secure fashion, are up to date and in good order and are constructed, maintained and used in line with the applicable regulations and related policies.

Access to Records



Dementia Care TLC 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.

Record Keeping Procedures

All Dementia Care TLC staff must do the following:

- 1) Ensure that all files or written information of a confidential nature are stored in a secure manner and are only accessed by people who have a need and a right to access them.
- 2) 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 users permission to see any information of that person. If the service user lacks the mental capacity to give their permission, a 'best interest' procedure would then need to be followed in line with the Mental Capacity Act 2005.
- 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 user's notes in the presence of and with the cooperation 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 and not abuse them by passing them onto people who should not have them.
- 8) Use computer 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 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 all of 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 3 years from the date of the last entry after they leave the service or after their death.

Sharing Information with Other Health Professionals

Dementia Care TLC accepts that to provide the highest standard of care for our service users, it is vital to work in partnership with other professionals and services. A key aspect of partnership working is the sharing of relevant information, which in line with confidentiality and data protection rules, should always be on a 'need to know' basis.

This policy is intended to set out the values, principles and procedures underpinning Dementia Care TLC approach to sharing information about service users with other providers.

Policy on Sharing Information with Other Health Professionals

Dementia Care TLC recognises that its service forms one element in the range of care, treatment and support with which its service users need to be engaged, and that, to provide optimal care it needs from time to time to share information with other health care professionals. Subject to our obtaining the express consent of service users, including written consent where important, there is a particular responsibility for such information sharing:

- When a prospective service user is considering having domiciliary care
- When a service user needs a specific health service
- When a service user is admitted or discharged from hospital
- Towards the end of life.

Sharing information about a service user will only be undertaken with their express permission, but every effort will be made to persuade service users that sharing information on their needs is vital to their care.

Starting Care

Around the time when a prospective service user is considering starting to receive care, it is important, as part of the comprehensive needs assessment process, that the service becomes aware of information held by other professionals relating to the person's health and care needs in order to ensure that the service has the necessary capacity to respond to those needs.

Needing a Health Service

When a service user needs a health service, whether this is from a GP, hospital or from another health professional, it is vital that the body responsible for the treatment has the fullest possible information. Dementia Care TLC will often have been in a good position to observe the service user's needs and symptoms and will cooperate as fully as possible in supplying relevant information to the health personnel.

Admission to and Discharge from Hospital



Dementia Care TLC recognises admission to hospital as a critical event in the life of vulnerable service users. We will do everything possible to ensure that health service staff have good information about the service user's needs and taking special care with communication when treatment is urgent. This information includes any advance directives, particularly involving DNAR being passed on to the care services.

Similarly, when a hospital patient is discharged, whether or not the person has been a previous service user, we will make every effort to ensure that all information necessary about the persons' needs is received in order to make the transition between environments be achieved with as little disruption in their care as possible.

End of Life Care

Dementia Care TLC recognises that the period towards the end of a service user's life is one which makes particular demands on those undertaking care and which calls for especially close cooperation over information sharing. We will pass onto anyone undertaking palliative care to one of our service users, information about their condition, needs and any wishes that have been expressed to us about how their care should be handled.

Records Kept in Service Users Homes Policy

Policy Statement

This policy is intended to set out the values, principles and policies underpinning Dementia Care TLC approach to record keeping, data protection and access to records in respect of those records which are kept in our service user's homes.

Dementia Care TLC believes that all records required for the protection of the service user's and for the effective and efficient running of Dementia Care TLC should be maintained accurately and should be up to date, that service users should have access to their records and information about them, and that all individual records are kept in a confidential and secure manner.

Procedure

- 1) With the service user's consent, care workers should record in Concern Sheets kept in the homes of service users, the time and date of every visit to the home, the care provided and any significant occurrence.
- 2) Where appropriate, records should include:
 - A) Assistance with medication including time and dosage
 - B) Financial transactions undertaken on behalf of the service user
 - C) Details of any change to the service user's circumstances, health physical condition or care needs.
 - D) Any accident, no matter how minor, to the service user and/or care worker.
 - E) Any other untoward incidents



- F) Any other information that would assist the next care worker to ensure consistency in the provision of care.
- 3) Dementia Care TLC staff should ensure that all written records are legible, factual, signed and dated by the worker making the record and kept in a safe place in the home as agreed with the service user, relatives or representatives.
 - 4) Dementia Care TLC will ask any service user or their relative/representative on his or her behalf who refuses to have records kept in their home to confirm the refusal in writing and a record of this is to be kept on the user's personal file at Dementia Care TLC.
 - 5) Service users should have access to their records and information about them held by Dementia care TLC, they should also be given opportunities to help maintain their personal records.
 - 6) Other records required for the protection of service users and for the effective and efficient running of Dementia Care TLC are maintained in an up to date and accurate manner by all staff.
 - 7) Individual records and Dementia Care TLC records are always kept in a secure fashion, are up to date and in good order, and should be constructed, maintained and used in line with the Data Protection Act 1998 and other statutory requirements.
 - 8) Dementia Care TLC policy is to keep the ongoing records in the service user's home until the service is concluded. Reports and MAR Sheets will be transferred to the office for safe keeping on a monthly basis.

Dementia Care TLC staff should:

- Wherever practical or reasonable, fill in all care records and service user notes in the presence of and with the cooperation of the service user concerned
- Ensure that all care records and notes, including service user's plans are signed and dated
- Ensure that all files or written information of a confidential nature are stored in a secure manner wherever possible.
- Inform the office where a file falls below the standards required (such as tattered or broken folders), where a replacement and updated file will be provided.