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Records Management Policy

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1. Introduction

- 1.1 This document sets out the records management policy process by which NHS 24 manages all aspects of records whether internally or externally generated, and in any format or media type, from their creation all the way through to their eventual archival or disposal.
- 1.2 The [Records Management: NHS Code of Practice \(Scotland\)](#) has been published by the Scottish Government as a guide to the required standards of practice in the management of records for those who work within or under contract to NHS organisations in Scotland. That document is based on current legal requirements and professional good practice.
- 1.3 The Public Records (Scotland) Act 2011 requires all organisations to produce a Records Management Policy, a Business Classification Scheme and Retention and Destruction Policy.
- 1.4 NHS 24 records are essential in providing evidence of its actions and decisions and represent a vital asset to support daily functions and operations. Records support policy formation, managerial decision making, protect the interests of NHS 24 and the rights of patients, staff and members of the public. They support consistency, continuity, efficiency and productivity, helping delivery of services in a consistent manner.
- 1.5 NHS 24 has adopted this Records Management Policy and is committed to the ongoing improvement of its records management. This will benefit NHS 24 in a number of ways including (but not limited to):
 - The right information is available at the right time
 - supporting NHS 24 to deliver healthcare services
 - improved control of NHS 24 information assets
 - compliance with relevant legislation and standards
 - reducing cost
 - improved use of technical infrastructure

2. Records Management System Objectives

- 2.1 The objectives of the NHS 24 Records Management system are to:
 - establish Records Management good practice in relation to the creation, use, storage, management and disposal of NHS 24 records;
 - ensure that records, and the information in them, can be located and accessed in a controlled and approved manner;
 - ensure that the records, and the information in them, can be trusted to provide both health and corporate services;
 - ensure that the records, and the information in them, can be maintained over the required lifetime of the records in line with national guidance and good practice and the relevant legislation;

- ensure that records are retained and disposed of appropriately, using consistent and documented retention and disposal procedures, which include – where required – the permanent preservation of records which have archival value;
- ensure that staff are appropriately trained and knowledgeable of both NHS 24's and their own responsibilities for record keeping and records management;
- provide information on the general legal obligations that apply to NHS records;
- set out recommendations for good practice to assist in fulfilling these obligations, for example adhering to National Information Governance and Information Security Standards;
- Establish a Business Classification Scheme in line with the Public Records (Scotland) Act 2011 legislation.

3. Policy Statement

- 3.1 NHS 24 will take all reasonable measures to comply with its legal responsibilities under all relevant legislation and Scottish Government and NHS Scotland requirements and specifications.

4. Records Management

- 4.1 Records management is a discipline which utilises an administrative system to direct and control the creation, naming and version control, distribution, filing, retention, storage and disposal of records in a way that is administratively sound. At the same time serving the operational needs of NHS 24 and preserving appropriate historical records.
- 4.2 NHS 24 will establish and maintain mechanisms through which all departments and services can register the records (and information assets) they create and maintain. The inventory of record collections will facilitate items such as (but not limited to):
- records creation (including naming)
 - record maintenance (including tracking of record movements)
 - the classifications of records
 - the recording of access criteria
 - implementation of the appropriate templates such as file name conventions and version control
 - sharing of information with other bodies such as other NHS Scotland Health Boards, Police Scotland etc.
 - the responsible owners of the records
- 4.3 Retention and disposal and, where appropriate, archival schedules for all classes of records must be established, monitored, maintained and adhered to. These schedules will be based on the NHS Scotland Code of Practice.
- 4.4 The Information Asset Owners are required to ensure that an annual assessment of their records management (information asset) registers, their compliance to the document conventions, the retention and disposal schedules and the risks to their records are carried out and reported to the NHS 24 Senior Information Risk Owner.

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5. Policy Compliance

- 5.1 NHS 24 will regularly audit its records management practices for compliance with this policy. The Information Governance and Security Team will verify compliance to this policy through various methods, including but not limited to, business tool reports, internal and external audits, and feedback to the Information Asset Owners.
- 5.2 Any exception to the policy must be approved by the Head of Information Governance and Security or as required the Senior Information Risk Owner and/or the Caldicott Guardian.
- 5.3 The NHS 24 Records Management Group will review standards, highlighting where non-conformance is occurring and recommend changes and the implementation of new standards, processes and procedures to meet NHS 24's needs.
- 5.4 Records management supports NHS 24 make informed decisions and supports a risk management approach to organisational decision making. Appropriate record keeping also supports organisational resilience by providing controlled access and appropriate retention of records.

6. Scope of the Policy

- 6.1 This policy applies to all employees, volunteers and any contractors supplying services or carrying out work on behalf of NHS 24 from any location regardless of the access method or equipment used who have access to, or are responsible for, records and the information held in them.
- 6.2 All clinical and non-clinical records held in any format by NHS 24, these include (but are not limited to):
 - all administrative records (e.g. personnel, estates, financial and accounting);
 - all patient records

7. Legal Context

- 7.1 **Public Records (Scotland) Act 2011** – Under section 1 of this Act Scottish Public Authorities must produce and submit a records management plan to the Keeper of the Records of Scotland for agreement and ensure that its public records are managed in accordance with the agreed plan.
- 7.2 **Data Protection Act Legislation** – which legislation establishes a framework of rights and duties which are designed to safeguard personal information. This framework balances the legitimate needs of organisations to collect and use personal data for business and other purposes against the right of individuals to respect for the privacy of their personal details. The legislation applies to “personal (including sensitive or special category) data” held about identifiable living individuals. The relevant data protection legislation means the **UK** General Data Protection Regulation (**EU** 2016/279), the Data Protection Act 2018, the Privacy and Electronic Communications (EC Directive) Regulations 2003, the Regulation of Investigatory Powers Act 2000, the Telecommunications (Lawful Business Practice (Interception of Communications) Regulations 2000 (SI 2000/2699), and any

applicable decisions and guidance made under them together with any other law, statute, directive, regulation, other legislation in whatever form, delegated act (under any of the foregoing), rule or other binding restriction, decision or guidance in force from time to time with regards to the processing of personal data.

- 7.3 NHS 24 has a duty to keep all information it holds as required based on its classification. Employees must ensure they do not pass on information to anyone unless authorised to do so by the appropriate information asset owner as per NHS 24 policies and standards.
- 7.4 **Freedom of Information (Scotland) Act 2002** – NHS 24 is a public authority under schedule 1 of the Act and the records created are subject to the Public Records (Scotland) Act 2011.

8. Responsibilities

8.1 Chief Executive

The Chief Executive has overall responsibility for records management within NHS 24, ensuring compliance with all relevant legislation and Scottish Government and NHS Scotland standards.

8.2 Senior Information Risk Owner (SIRO)

The Senior Information Risk Owner has responsibility for the management and mitigation of risks associated with NHS 24's information management processes.

8.3 Information Asset Owners (IAO)

All NHS 24 information assets held manually or electronically are the responsibility of the appropriate Information Asset Owners, who must ensure that they understand what information is held, and for what purpose. **The IAO's must ensure** that information risk assessments are carried out, appropriate security measures (both electronic and physical) are in place including who has access to the information and why, and that a register of their information assets is maintained.

8.4 Caldicott Guardian

The Caldicott Guardian is responsible for ensuring that NHS 24 satisfies the highest practical standards for handling patient information in compliance with the Caldicott Principles.

8.5 Head of Information Governance and Security and DPO

The implementation of, and compliance with, this policy is delegated to the Head of Information Governance and Security and DPO who will act as the Records Management lead and will provide advice and guidance on all areas of Records Management. Ensuring relevant legislation and guidance are incorporated into NHS 24 practices. The Information Governance and Security Team will provide training and training materials for staff in relation to information records management.

8.6 Line Managers

Managers at all levels are responsible for ensuring that the staff for which they are responsible are aware of, understand and adhere to this policy. They must ensure their teams undertake all appropriate training and are aware of their responsibilities and the most effective way of ensuring adequate records management and control.

8.7 Staff

All staff, whether permanent, temporary or contracted and contractors must comply with the requirements of their contract in relation to records management and, where

applicable adhere to this policy and the related documents and procedures which can be found on the NHS 24 Intranet. Staff will also be expected to participate in any training required in order to achieve a standard of knowledge and understanding in these issues relative to the duties of their post.

9. Relevant Legislation Guidance and Code of Practice

9.1 This policy should be read in conjunction with the following:

Local Policies can be found on the NHS 24 Intranet.

Legislation and National Policies and Codes of Practice

- [Public Records \(Scotland\) Act 2011](#)
- [Data Protection Act 2018](#)
- [UK General Data Protection Regulation](#)
- [UK GDPR improved formatting \(third party link\)](#)
- [Freedom of Information \(Scotland\) Act 2002](#)
- [The Environmental Information \(Scotland\) Regulations 2004](#)
- [Scottish Government Records Management: NHS Code of Practice \(Scotland\)](#)
- [Access to Health Records Act 1990](#)
- [Electronic Communications Act 2000](#)
- [Protecting Patient Confidentiality: NHS Scotland Code of Practice](#)