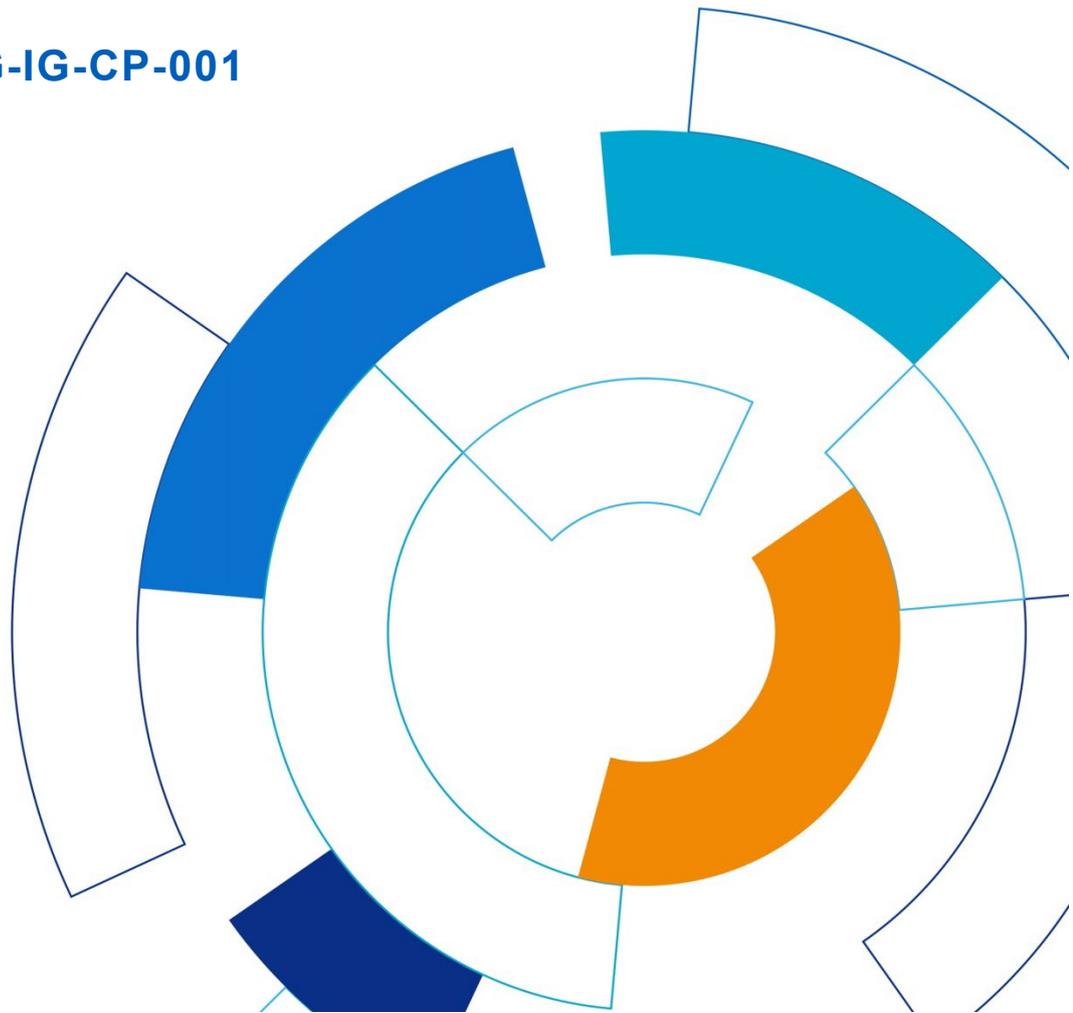


Records Management (Primary) Policy

August 2019

Version 1.0: FCG-IG-CP-001



NHS fraud.
Spot it. Report it.
Together we stop it.

Version control

Version	Name	Date	Comment
V.0.1	Finance & Corporate Governance	June 2019	Draft
V.1.0	Finance & Corporate Governance	August 2019	Annual Review August 2020

Table of contents

1. Introduction.....	4
2. Scope.....	4
3. Objectives	5
4. Expected outcomes	5
5. Principles	5
6. Responsibilities	6
7. Related policies	8
8. Sanctions	8

1. Introduction

- 1.1 This policy promotes the effective management and use of information, recognising its value and importance as a resource for delivering the NHS Counter Fraud Authorities (NHSCFA) objectives.
- 1.2 The NHSCFA's records are its corporate memory, providing evidence of decisions and actions and representing a vital asset to support daily functions and operations. Records support policy formation and managerial decision-making, protect the interests of the NHSCFA and the rights of staff, stakeholders and members of the public. They support consistency, continuity, efficiency and productivity and help deliver services in a consistent and equitable way.
- 1.3 The NHSCFA has a legal obligation to comply with all appropriate legislation in respect of managing records. It also has a duty to comply with guidance issued by NHS Digital, NHS England, other nationally recognised advisory groups as well as those issued by professional regulatory bodies.

2. Scope

- 2.1 This policy applies to all employees, Directors (executive and non-executive), temporary staff, contractors and agents working for or on behalf of the NHSCFA. This group will be collectively referred to as 'staff' throughout the remainder of the document .
- 2.2 Records created by the NHSBSA for and on behalf of NHSCFA, whilst adhering to NHSBSA policy should also align with the principles of this policy.
- 2.3 The policy applies to all records whether internally or externally generated, in whichever format or media type and all actions relating to those records, including the records:
 - creation
 - its keeping
 - maintenance (including tracking or record movements)
 - access and disclosure
 - appraisal
 - archiving and disposal

3. Objectives

3.1 The objectives of this policy are to:

- assist compliance with the General Data Protection Regulations (GDPR) 2016 and information access legislation such as the Data Protection Act (DPA) 2018, the Freedom of Information Act (FOI) 2000, Environmental Information Regulations 2004 and applicable NHS Standards
- ensure better use of physical and electronic records storage
- enable better use of staff time
- provide improved control of valuable information resources

4. Expected outcomes

4.1 To ensure that records will be kept no longer than necessary to meet business and legislative requirements.

4.2 NHSCFA will have due regard to the information rights of staff, stakeholders and members of the public, thereby maintaining a good reputation in its handling of the large volumes of personal information it processes.

4.3 NHSCFA will be able to make use of information records in a timely manner to ensure business operational information needs are met.

4.4 NHSCFA will seek to avoid regulatory enforcement action together with any associated complaints, negative publicity, the cost of modifying work practices and any potential fines or compensation claims.

5. Principles

5.1 NHSCFA aims to be open and transparent when processing and using personal and sensitive data, but ensuring that it adheres to the data protection principles of good handling as described in Article 5 of the GDPR:

- all of NHSCFA's records are retained for a minimum period of time for legal and operational reasons. The length of time for retaining records will depend on the type and context of the record and its importance of the NHSCFA's business functions.

- records which contain identifiable personal data will be kept no longer than necessary for its authorised business purposes; ensuring compliance with the storage limitation principle under GDPR is met.

5.2 A Records Retention Schedule will be maintained to record business decisions of how long records will have to be retained and confirm when records will be disposed of.

5.2 All record management systems will be managed in accordance with recognised record management standards.

5.3 NHSCFA will annually audit its records management and recording-keeping practices to ensure compliance with its policy and strategy.

Note:

Records kept by NHSBA for and on behalf of NHSCFA will be governed by the Memorandum of Understanding for shared services.

5.4 The security of records will be governed by the organisation's Information Security Policy.

6. Responsibilities

Information Governance Lead

6.1 Their responsibilities include:

- all responsibilities detailed in the Information Governance Policy
- ensure the NHSCFA has appropriate strategies in place to effectively manage corporate records
- ensure the implementation and application of the NHSCFA's document and retention policy and schedule
- provide guidance and advice on records management issues to all NHSCFA staff
- agree changes to record retention periods
- appropriately delegate these responsibilities to the Information Governance Team

Information Asset Owner (IAO)

6.2 All IAOs are directly responsible for:

- all responsibilities detailed in the Information Governance Policy
- ensuring that records controlled within their area are managed in a way which meets the aims of the NHSCFA's records management policies and ensuring the implementation and application of the NHSCFA's document and retention policy and schedule
- being fully aware of which records are vital to the continuation of their business service and take appropriate measures to ensure their continued availability in a business continuity scenario
- involve the Information Governance Team at an early stage in assessing the impact of any changes in the management of records
- appropriately delegate these responsibilities to their staff

All staff

6.2 Are directly responsible for:

- meeting the responsibilities and principles detailed in the Information Governance Policy
- managing all records they use or create in the course of their duties to ensure they meet the requirements of this policy and any guidance provided.
- ensuring that they do not create information outside of NHSCFA authorised systems and equipment
- not recording business information in systems that do not allow a record to be kept or accessed at a later date such as Lotus Notes Instant Messaging
- being aware that it is a criminal offence to:
 1. alter, deface, block, erase, destroy or conceal any personal data to prevent disclosure of information held by NHSCFA (*see also NHSCFA Acceptable Use Policy*)
 2. to seek to re-identify individuals from anonymised information without authorisation from NHSCFA or the relevant stakeholder.

3. to knowingly or recklessly misuse personal information (e.g. retaining personal information they had access to in their role after leaving NHSCFA's employ).

7. Related policies

7.1 This policy follows the NHSCFA's:

- Information Governance Policy
- GDPR/Data Protection Policy
- Freedom of Information and Environmental Policy

7.2 The NHSCFA strategy, policy and guidance documents governed by or related to this policy are the:

- Records Management Strategy
- Information Security Policy
- Data Handling, Storage, Retention and Records Management Policy
- Records Retention Schedule

8. Sanctions

8.1 Any member of staff who violates this Records Management Policy document may be subject to disciplinary (*see also NHSCFA HR Disciplinary Policy*), criminal and/or civil action.