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Llywodraeth Cymru
Welsh Government

Welsh Government Consultation Document

Records Management Code of Practice for Health and Social Care 2016

Date of issue: 17 November 2016

Action required: Responses by 09 February 2017

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Overview	<p>In July 2016, the Information Governance Alliance (IGA) published a newly updated version of the Records Management Code of Practice for Health and Social Care.</p> <p>This consultation seeks views on the content of the Code and future implementation of the Code in Wales to inform a future Welsh Health Circular.</p>
How to respond	<p>The closing date for responses is 09 February 2017. You can respond by post to:</p> <p>Angela Gough Digital Health and Care Team Health and Social Services Group Welsh Government Cathays Park Cardiff CF10 3NQ</p> <p>By email to: HSS-DigitalHealthandCareCentralMailbox@wales.gsi.gov.uk</p>
Further information and related documents	<p>Large print, Braille and alternative language versions of this document are available on request.</p>
Contact details	<p>For further information:</p> <p>Generic Name/mailbox Address: Digital Health and Care Team Health and Social Services Group Welsh Government Cathays Park Cardiff CF10 3NQ</p> <p>email: HSS-DigitalHealthandCareCentralMailbox@wales.gsi.gov.uk</p>
Data protection	<p>How the views and information you give us will be used</p> <p>Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.</p>

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

What is this consultation about?

At the end of 2014 the IGA was asked by the Department of Health to lead a review of the NHS Record Management Code of Practice. The Code was last reviewed in 2006, with Wales having an input to the review. Further minor updates were issued in 2009.

A newly updated version of the Code was published in England in July 2016.

This Code is a guide to be used in relation to the practice of managing records and is relevant to organisations who work within, or under contract to NHS organisations in England and Wales.

The Code is based on current legal requirements and professional best practice. It will help organisations to implement the recommendations of the Mid Staffordshire NHS Foundation Trust Public Inquiry relating to records management and transparency.

This Code of Practice replaces the previous guidance listed below:

- Records Management: NHS Code of Practice: Parts 1 and 2: 2006, revised 2009
- HSC 1999/053 – For the Record
- HSC 1998/217 – Preservation, Retention and Destruction of GP General Medical Services Records Relating to Patients (Replacement for FHSL (94)(30))
- HSC 1998/153 – Using Electronic Patient Records in Hospitals: Legal Requirements and Good Practice.

The Code forms part of a series of information governance guidance including the DH published Confidentiality: NHS Code of Practice and the Information Security Management: NHS Code of Practice.

Welsh Health Circular (2000) 71, issued 31 July 2000, provides current advice for the Welsh health boards and Trusts on managing records.

http://www.wales.nhs.uk/sites3/documents/950/WHC_2000_71.pdf

Welsh Government plan to issue an updated Welsh Health Circular which will incorporate the content of this Code. This consultation is seeking views on the clarity of the content of the Code and the future implementation of the Code in Wales.

You are asked to consider the questions below.

Consultation Response Form

Your name:

Organisation (if applicable):

email / telephone number:

Your address:

Q1 - Is the purpose of the code clear?

Agree

Tend to Agree

Tend to Disagree

Disagree

What would help clarify the document?

Q2 - Does the content of the code cover the expected areas of Records Management specialties within Health & Social Care?

Agree

Tend to Agree

Tend to Disagree

Disagree

What would need further inclusion?

Q3 - Does the code improve on previous guidance produced by Welsh Government (WHC (2000) 71) or Service guidance such as the Caldicott Guardians manual for Wales?

Agree

Tend to Agree

Tend to Disagree

Disagree

What improvements have been made or could be made?

Q4a - Does the Code support organisations with better defining their retention and destruction requirements for both paper and electronic records?

Q4b - Does the code contradict current organisational policy and impact on current business processes?

Q5 - We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Q6 - We would like to know your views on the effects that the Records Management Code of Practice for Health and Social Care 2016 would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh and**
- ii) on treating the Welsh language no less favourably than English.**

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Q7 - Please also explain how you believe the Code can be formulated or changed so as to have

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourable than the English language.**

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: