



LOTUS HEALTHCARE

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Care Quality Commission (CQC) FUNDAMENTAL STANDARDS

Policy title:	Information governance.
Regulation:	17 (2) (c) (d) - Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
Outcome:	Information, including personal and sensitive information, is handled effectively, in order to deliver the best possible healthcare.
Authorised by:	Dr Mayank R. Shah, MBBS DRCOG DFSRH Medical Director (CQC Registered Manager)
Issue date:	1 March 2018
Review date:	28 February 2019 (or before if there is a change in practice or circumstances)

1. Policy statement

- 1.1 It is the policy of the Lotus Healthcare independent healthcare service to ensure that that information, including personal and sensitive information is handled legally, securely, efficiently and effectively, in order to deliver the best possible healthcare.
- 1.2 This policy enables Lotus Healthcare to put in place processes and procedures for handling information that supports the efficient storage and retrieval of all types of records including patients' healthcare records and business operational records.
- 1.3 Information governance has the following aims:
 - to support the provision of high quality care at Lotus Healthcare by promoting the effective and appropriate use of information, and
 - to encourage staff to work closely together when handling information, minimising duplication of effort, and enabling a more efficient use of resources.

2. Responsibilities

- 2.1 The Medical Director of Lotus Healthcare has overall responsibility for information governance.

The Medical Director is responsible for:

- ensuring that this policy is disseminated to all staff
- striving to improve the quality of information within the Lotus Healthcare, and
- ensuring that staff (now or in the future) whether permanent, temporary, fixed term, full-time, part-time or used on a sessional basis are aware of their responsibilities when handling information.

2.2 All individual members of staff whether permanent, temporary, fixed term, full-time, part-time or used on a sessional basis are responsible for:

- understanding Lotus Healthcare' requirements for information governance
- ensuring that they comply with this policy, and
- ensuring that they promote the use of high quality information within the the Lotus Healthcare independent healthcare service.

Staff should be aware that if they are found to have made an unauthorised disclosure of information, they may face disciplinary action which could lead to dismissal.

3. Principles of information governance within Lotus Healthcare

- 3.1 Non-confidential information about Lotus Healthcare and the healthcare service it provides should be available to the public through different information media.
- 3.2 Patients may have access to information relating to their healthcare, their options for care and treatment, and their rights as patients.
- 3.3 Lotus Healthcare will have clear arrangements for handling specific queries from individual patients, and general queries from members of the public about its services.
- 3.4 Lotus Healthcare regards all identifiable personal information relating to individuals as confidential.
- 3.5 Lotus Healthcare regards all identifiable personal information relating to members of staff as confidential, except where there is a requirement for disclosure by law.
- 3.6 Lotus Healthcare will establish and maintain policies for the effective and secure management of its information.
- 3.7 Lotus Healthcare will promote effective confidentiality and security practices to all staff through policies, procedures and training.

- 3.8 Lotus Healthcare will establish and maintain incident reporting procedures, and will monitor and investigate all reported instances of actual and potential breaches of confidentiality and security of information.
- 3.9 Lotus Healthcare will establish and maintain policies and procedures for the effective management of records and record keeping.

4. Information Commissioner's Office

- 4.1 Lotus Healthcare is formally registered with the Information Commissioner's Office (ICO) as an organisation that processes personal data.
- 4.2 Lotus Healthcare abides by all ICO policies, procedures and guidance relating to the handling of personal sensitive data so that as an organisation, Lotus Healthcare meets its information rights obligations.
- 4.3 Lotus Healthcare has arrangements in place to report any breaches of confidentiality and information handling to the ICO without delay.

5. Use of data at Lotus Healthcare

- 5.1 Data, whether relating to patients' healthcare records, staff records, premises' records, or other business records, must not be transferred onto removable media such as a USB pen drive, or any form of media from Lotus Healthcare' computers, or copied onto paper, unless there is a legitimate reason which has been authorised by the Medical Director.
- 5.2 Any data that can be accessed from outside the Lotus Healthcare premises via secure and password protected online access will be strictly controlled and approved by the Medical Director.
- 5.3 Data must not be removed from Lotus Healthcare in any form, without authorisation from the Medical Director.

6. Incident management

- 6.1 All information governance incidents including breaches of confidentiality, and loss of data, will be managed through Lotus Healthcare' incident reporting procedure.

7. Staff training / awareness

- 7.1 All Lotus Healthcare staff must:
 - complete training (relevant to their job role) on information governance as part of their induction to Lotus Healthcare, and
 - complete refresher training on an annual basis, or at a frequency agreed by the Medical Director.

7.2 Information governance will be included as a discussion topic at staff meetings.

8. Policy review

8.1 This policy will be reviewed on an annual basis or earlier if appropriate, to take into account any changes to legislation that may occur.

9. Guidance and further reading

- Caldicott Guardian Manual 2006 (DH, 2006)
- Care Quality Commission (Registration) Regulations 2009
<http://www.legislation.gov.uk/uksi/2009/3112/contents/made>
- Care Quality Commission (Registration) and (Additional Functions) and Health and Social Care Act 2008 (Regulated Activities) (Amendment) Regulations 2012 (Amendment to Parts 4 & 5)
<http://www.legislation.gov.uk/uksi/2012/921/contents/made>
- Care Quality Commission (Registration and Membership) (Amendment) Regulations 2012
<http://www.legislation.gov.uk/uksi/2012/1186/contents/made>
- Confidentiality: NHS code of practice (DH, 2003)
- Data Protection Act 1998
<http://www.legislation.gov.uk/ukpga/1998/29/contents>
- Employment Rights Act 1996
<http://www.legislation.gov.uk/ukpga/1996/18/contents>
- Equality Act 2010
<http://www.legislation.gov.uk/ukpga/2010/15/contents>
- Freedom of Information Act 2000
<http://www.legislation.gov.uk/ukpga/2000/36/contents>
- Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
<http://www.legislation.gov.uk/uksi/2014/2936/contents/made>
- The Health and Social Care Act 2008 (Regulated Activities)(Amendment) Regulations 2015
<http://www.legislation.gov.uk/uksi/2015/64/regulation/14/made>
- Health Professional Council – legal framework
<http://www.hpc-uk.org/aboutus/legislation/>
- Health and Safety at Work etc. Act 1974
<http://www.legislation.gov.uk/ukpga/1974/37/contents>

- Information security management: NHS code of practice (DH, 2007)
- Mental Capacity Act 2005 and associated code of practice
<http://www.legislation.gov.uk/ukpga/2005/9/contents>
<https://www.gov.uk/government/publications/mental-capacity-act-code-of-practice>
- Mental Health Act 1983
<http://www.legislation.gov.uk/ukpga/1983/20/contents>
- Mental Health Act 2007
<http://www.legislation.gov.uk/ukpga/2007/12/contents>
- NHS Information Governance: Guidance on Legal and Professional Obligations (DH, 2007)
- Records management: NHS code of practice (DH, 2006),
- Relevant professional guidance and codes of conduct and practice relating to record keeping published by professional bodies and registration councils including the General Medical Council, Nursing & Midwifery Council, General Social Care Council, BMA, RCN, Health and Care Professions Council, Royal College of Physicians and the Academy of Medical Royal Colleges
- Safeguarding Vulnerable Groups Act 2006
<http://www.legislation.gov.uk/ukpga/2006/47/contents>

Signature Date

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