

Policies and Procedures



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Kent County Council & Kent Integrated Care Alliance

DSPT@kent.gov.uk

September 2021



Introductions



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Better Security, Better Care



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- National programme funded by NHSX
- Its overall aim is to help make sure adult social care providers have good data and cyber security in place
- By helping care providers to register on and complete the Data Security and Protection Toolkit (DSPT), which demonstrates good practice in this area
- Local and national support e.g. Digital Social Care - dedicated space to provide advice and support to the sector on technology and data protection
<https://www.digitalsocialcare.co.uk/>



How the training will work



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- We will take you through each question for this section of the Toolkit
- If there is anything that you cannot answer straight away:
 - Make a note of what you need to do on the action plan
 - We will follow up on these next time



DSPT policies and procedures - What we'll be covering



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- The Data Security and Protection Toolkit (DSPT) – what is it and why use it?
- Information Commissioner's Office registration
- Policies
 - what they should cover
 - how do you check they are being implemented
- Holding and sharing information
- Retaining records
- Disposing of records and equipment
- Next steps
- Where to find help



ICO registration



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ico.
Information Commissioner's Office

The UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.

Home Your data matters **For organisations** Make a complaint Action we've taken About the ICO

For organisations / Data protection fee

Data protection fee

Share

If you've recently received a letter from the ICO about paying your data protection fee, we hope you'll find our website useful in helping you comply with your other UK GDPR obligations. If you've paid in the last 14 days, please ignore the letter you've received from us. If you need to pay, your fee will need to be renewed every 12 months.

When you complete an application form online or make a payment, we endeavour to send your confirmation early the following working day. However, due to the large volume of work we are currently receiving, your confirmation may arrive later on that following day. We apologise for any inconvenience this may cause.

Every organisation or sole trader who processes personal information needs to pay a data protection fee to the ICO, unless they are exempt.

Further reading

[Search the register](#)
About the ICO

[Legal definitions](#)
For organisations

[Guide to the data protection fee](#)
For organisations

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What the DSPT questions ask



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- 1.1.1 What is your organisation's Information Commissioner's Office (ICO) registration number?

Policies

What the DSPT questions ask



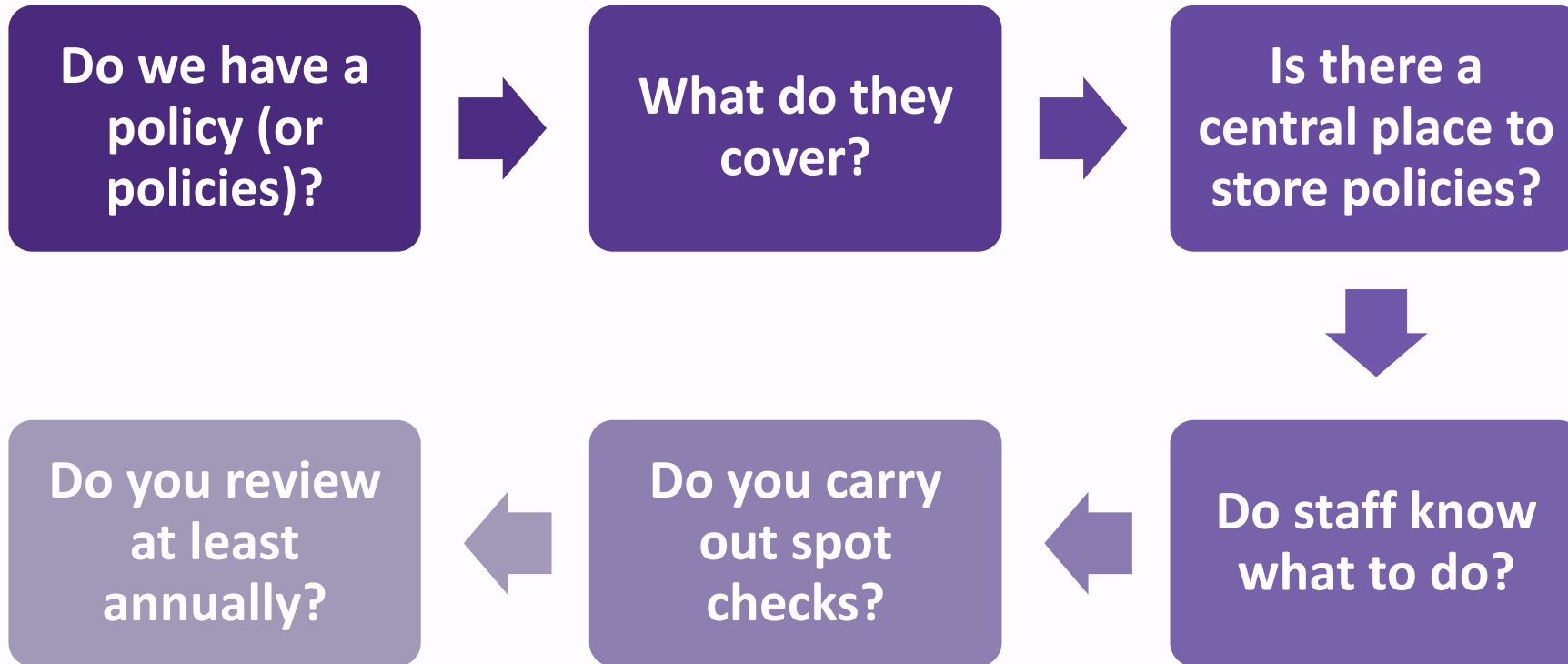
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- 1.3.1 Does your organisation have up to date policies in place for data protection and for data and cyber security?
- 1.3.7 Does your organisation's data protection policy describe how you keep personal data safe and secure?
- 1.3.8 Does your organisation's data protection policy describe how you identify and minimise risks to personal data when introducing, or changing, a process or starting a new project involving personal data?
- 1.3.2 Does your organisation carry out regular data protection spot checks?

Data protection and data and cyber security policies – some questions to think about



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Minimising risks when things change



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Risk assessment =
data protection impact assessment (DPIA)

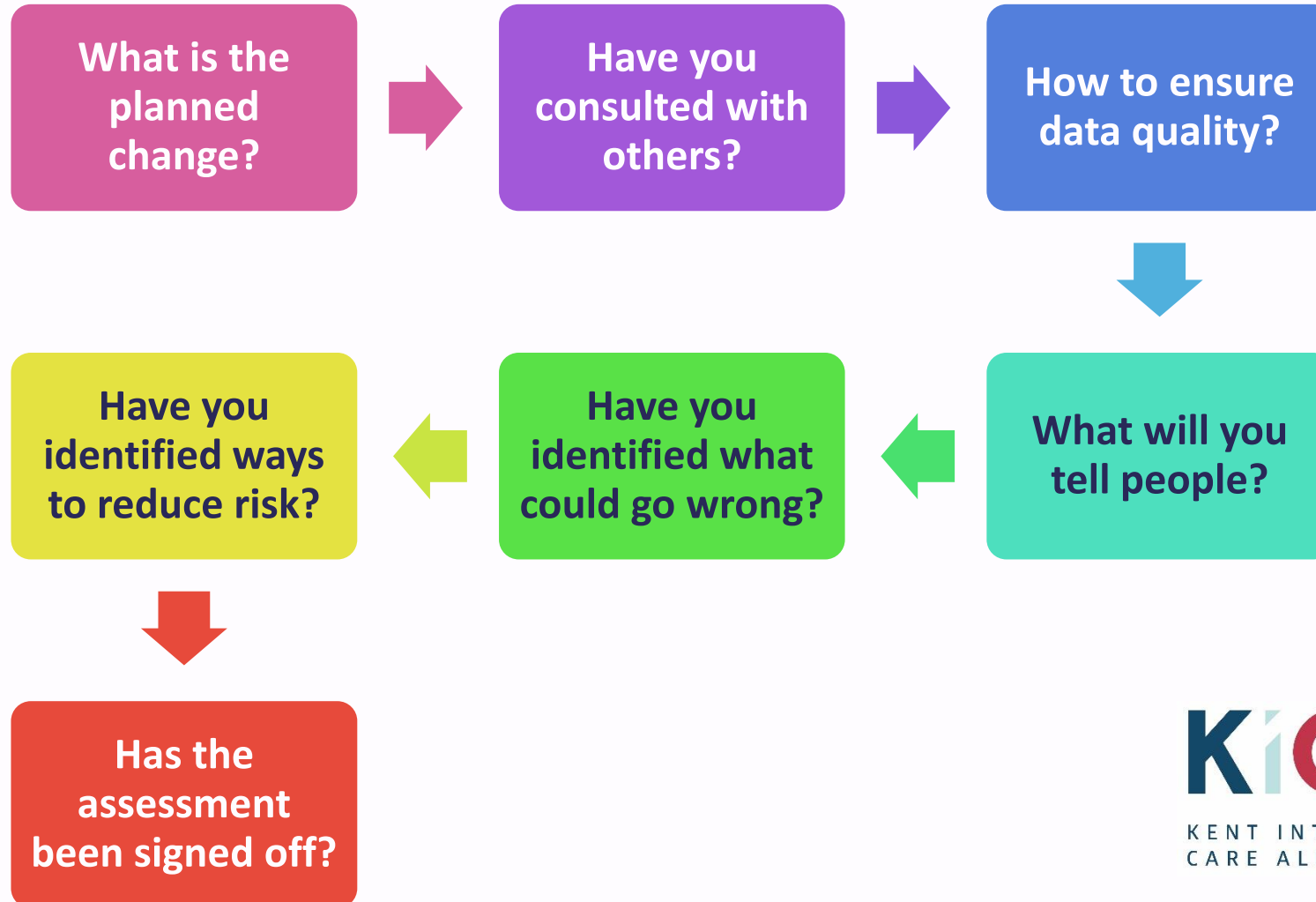
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Minimising risks when things change – some questions



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Audits and Spot checks




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Audits and Spot checks – Data security audit checklist



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Data Security Audit Checklist

This checklist is a guide which you might chose to use – you can add or remove these checks from your audits as applicable for your organisation.

Staff	Date audited
Spot check that staff understand their responsibility towards data security	
Spot check that staff are aware of our data protection policies	
Have staff received training on data protection?	
Have any staff undergone disciplinary action in relation to data protection and security?	
Spot check that staff understand how to report security breaches and near misses.	
Physical Access to hardcopy records	
Check the record of which staff have access to confidential areas is up to date.	
All offices, files, or cabinets which contain confidential information are kept locked when not in use.	
Has all confidential waste been disposed of securely and are there destruction certificates? (if applicable)	
Has anyone inappropriately accessed, or attempted to access, confidential records?	
Digital Access to records	
Is the allocation of administrator rights restricted?	
Have staff access rights been reviewed?	
Check if there is any evidence of staff sharing access rights.	
Screens are locked when not in use.	
Check that our password policy is being followed	
Has anyone inappropriately accessed, or attempted to access, confidential records?	
Have appropriate security measures been applied to all computers, laptops and mobile devices?	
Staff are using computers appropriately e.g. no personal use, no downloading unapproved software, no social media use etc.	
Sharing data	
Our procedures for safely sharing personal information via post are being followed.	
Our procedures for safely sharing personal information via fax are being followed.	
Our procedures for safely sharing personal information via secure email are being followed.	
Legal Checks	
The Information Asset Register has been reviewed and signed off.	
The Record of Processing Activities has been reviewed and signed off.	
Records of consent are up to date and still applicable.	

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Free, editable template available from Digital Social Care

<https://www.digitalsocialcare.co.uk/atest-guidance/template-policies/>



Further information and guidance



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- Free, editable template policies for data protection and for data and cyber security are available from Digital Social Care, including Data security audit checklist <https://www.digitalsocialcare.co.uk/latest-guidance/template-policies/>
- Guidance about Data Protection Impact Assessments from the Information Commissioner's Office (ICO) <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/accountability-and-governance/data-protection-impact-assessments/>



What are the DSPT questions about holding and sharing information?



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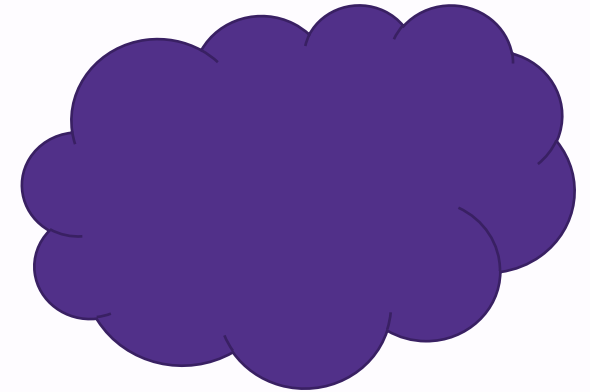
- 1.1.2 Does your organisation have an up to date list of the ways in which it holds and shares different types of personal and sensitive information?
- 1.2.1 Does your organisation have a privacy notice(s)?
- 1.2.4 Is your organisation compliant with the national data opt-out policy?

The ways in which you hold and share information – where to start



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Think about all the places you hold personal information...



Information Asset Register (IAR) - Lists where and how information is held and how you keep it safe.

Record of Processing Activities (ROPA) - Lists how data is shared and how your organisation keeps it safe.



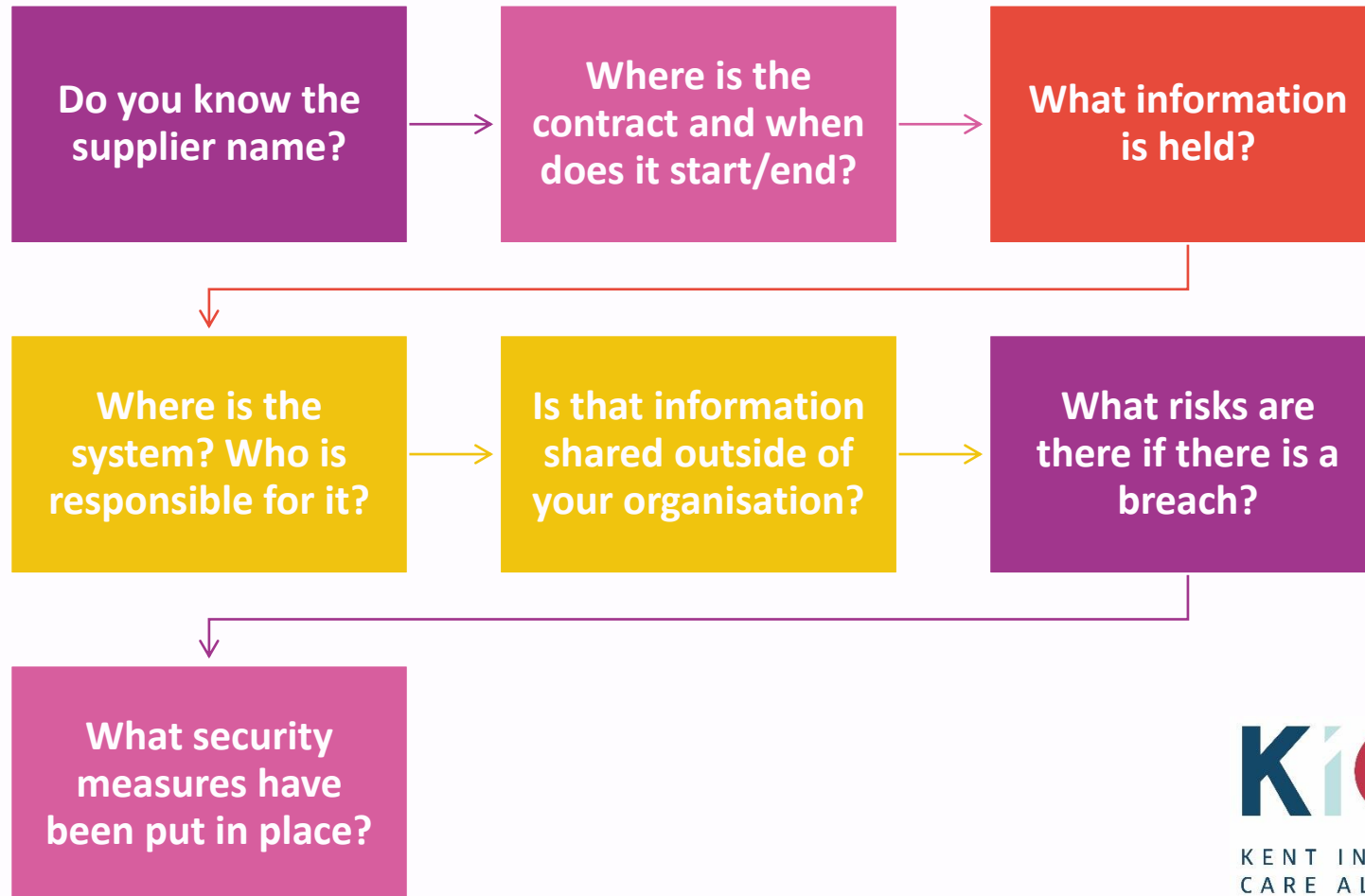
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Example – Care recording system



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Information you hold – where to start (IAR)

Information asset name	Supplier Name	Contract location	Contract start and end dates	What information is kept here and why?	Location - where is the information asset?
Care Recording Software	Care Recording Software Supplier name	C://contracts/32074/	31/04/2016-31/04/2021	Service user health and care information is stored in order to be able to provide care	The Cloud - UK based
Care Plan Files Cupboard	n/a	n/a	n/a	Service user health and care information is stored in order to be able to provide care	Cupboard in dining area
CCTV Records	n/a	n/a	n/a	CCTV Footage from public areas is stored for security purposes	CDs stored in Lock Box in Office
Medication room	n/a	n/a	n/a	MAR sheets and prescriptions in order to provide good care	Near the laundry room

Information shared outside of your organisation – where to start (ROPA)



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What information is being shared?	What sort of data is it?	Who's it about?	Format?	In or out?	Where is it from or going to?
Initial Needs Assessments	Health & Care	Resident	Paper	In	Hospital
Payslips	Financial	Employee	Paper	Out	Employee
Care Plan Information	Health & Care	Resident	Paper	In	GP; Families; Hospital staff; Allied Health Professionals; social workers; safe guarding leads and other care homes
Prescriptions & MAR sheets	Health & Care	Resident	Paper	In	Community Pharmacy

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Telling others what you do with their information

– Privacy notices



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- Sets out in clear and easily understood language what information you hold about people, why you need it and what you do with it.
- It also informs people about their rights and how to exercise them.
- You usually hold information about the people who use your services, but also staff. So your privacy notice needs to cover both groups or you can have 2 different privacy notices.
- You must make it available to people



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National data opt-out policy



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- Everyone who uses publicly-funded health and/or care services can stop health and care organisations from sharing their information with other organisations if it is not about managing or delivering their own care
- E.g. if this information is used for research or planning purposes
- It won't affect how you share information with other organisations to manage someone's care
- It won't apply if:
 - you have explicit consent to share information for a specific purpose
 - or the information is anonymised
 - or the data is being used to protect public health



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here on Slide
Master – Theme
Slide master

Further information and guidance



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- Templates for listing your information <https://www.digitalsocialcare.co.uk/latest-guidance/how-to-document-your-data-processing/>
- The Information Commissioner's Office (ICO) has a template privacy notice <https://ico.org.uk/for-organisations/make-your-own-privacy-notice/>
- Digital Social Care has one as well <https://www.digitalsocialcare.co.uk/resource/privacy-notice-template/>



What the DSPT questions ask about retaining records



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- 1.4.1 Does your organisation have a timetable which sets out how long you retain records for?



Further information and guidance



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- Record keeping policy template <https://www.digitalsocialcare.co.uk/latest-guidance/template-policies/>
- Record retention timelines (see Appendix 3)
<https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016>



How do you dispose of data safely?



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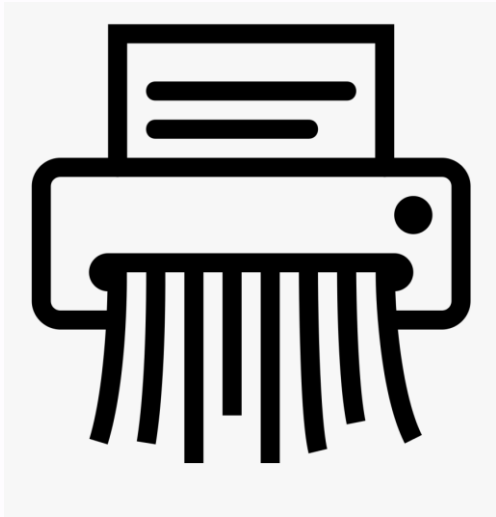
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- 1.4.3 If your organisation destroys any records or equipment that hold personal data, how does it make sure that this is done securely?
- 1.4.2 If your organisation uses third parties to destroy records or equipment that hold personal data, is there a written contract in place that has been reviewed within the last 12 months? This contract should meet the requirements set out in data protection regulations

How can you safely destroy records and equipment?



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If you use suppliers to destroy records and wipe old equipment



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- British Security Industry Association information destruction guide <https://www.bsia.co.uk/zappfiles/bsia-front/pdfs/204-id-en15713%20-%20a%20guide.pdf>
- Use of 3rd parties to dispose of data - details available from the Information Commissioner's Office https://ico.org.uk/media/for-organisations/documents/1475/deleting_personal_data.pdf



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- 10.1.2 Does your organisation have a list of its suppliers that handle personal information, the products and services they deliver, and their contact details?

Such as: IT or care
planning systems
suppliers, IT support,
accountancy, DBS checks,
HR and payroll services



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Further help and guidance

- A template example is available from Digital Social Care <https://www.digitalsocialcare.co.uk/data-security-protecting-my-information/cyber-security/manage-your-suppliers/>

Supplier Name	Products Type	Service Provided	Contract Location	Start and end date of contract	Contact Details
Care Planning System	Care Planning Product	Cloud based care planning system	C:\\Contract\\IT\\CPS	dd/mm/yy – dd/mm/yy	support@careplanningsoftware.co.uk
eRoster	eRoster Pro	Web based staff rostering system	\\sharepoint\\contract\\IT\\eRoster	dd/mm/yy – dd/mm/yy	
Outsourced HR advice	HR advice	Service to provide HR advice and guidance	Manager's filing cabinet	dd/mm/yy – dd/mm/yy	



Any final questions?



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To help you



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For help with registration on the Data Security and Protection Toolkit (DSPT)	For further information about data and cyber security in social care	Local help and support
NHS Digital DSPT Helpdesk in Exeter	Digital Social Care www.digitalsocialcare.co.uk	Website www.designandlearningcentre.com/data-security-protection-toolkit
Telephone 0300 303 4034	Digital Social Care helpline 0208 133 3430 (Monday – Friday, 9.00-17.00)	Local helpline: TBC (Monday – Friday, 9.00-16.00)
Email exeter.helpdesk@nhs.net	Email help@digitalsocialcare.co.uk	Email dspt@kent.gov.uk



Next steps



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- For the questions where you know the answer, make sure you have logged in to the Toolkit and completed these questions.
- Review your action plan to make sure you've captured what you need to do next, for the questions you can't answer just yet.



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