

# West Berkshire Shared Lives Carers Guidance - Record Keeping



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## 1. Introduction

1.1. This document provides guidance to carers on record keeping in the West Berkshire Shared Lives Scheme (SL).

## 2. Record Keeping

2.1. Keeping records is an essential part of running a safe and efficient service.

2.2. Any information that the Shared Lives service keeps about the supported person or Shared Lives Carer must be accurate, up-to-date and easily found when needed. It must also be kept securely and in ways that comply with laws about this, including the General Data Protection Regulations 2018 (GDPR). Training for GDPR is available on Learning Time.

2.3. The purpose of maintaining accurate records includes:

- Effectively communicating with others, describing what has been observed or done, thereby aiding continuity of support.
- Ensuring information is shared amongst those involved in the care provided for a supported person.
- Demonstrating chronology of events, the factors observed and any actions taken.
- Demonstrating that decisions were properly considered before action was taken.
- To provide protection for staff against any future complaint.

**Refer to Shared Lives [Carers guidance](#) – Section 28 Confidentiality**

**Refer to Shared Lives [Carers guidance](#) – Section 29 Data Protection.**

2.4. Information will be confidentially recorded and stored on paper within personal files, on a secure data base electronically and paper copies kept within a locked room. These records are needed in order to help us deliver a service to the individual that is personalised, and which meets their needs and wishes. The records also enable us to show what actions have been taken in case the supported person or other people have any queries or complaints.

2.5. We only keep information which is important and relevant to the person in a Shared Lives arrangement. This includes:

- Their assessment of needs, placement plan, risk assessments and Shared Lives Agreement
- The dates the supported person starts and ends any Shared Lives arrangements.
- The dates of visits or telephone conversations/emails with the supported person/Carers and Shared Lives officers, and any decisions or actions taken as a result.
- Any accidents, serious illnesses or other adverse events affecting the supported person.
- Any concerns / complaints about the services received or about the supported person health and well-being, as well as actions taken.
- Details of medical needs, appointments and medication.

- 2.6. The Privacy Notice relating to how we use your personal data as a Shared Lives Care is linked [here](#). The Privacy Notice relating to how we use the personal data of the people we support is linked [here](#).

### 3. What is required of Shared Lives Carers?

- 3.1. Shared Lives Carers are required to keep records and evidence completion of:
- Health and safety checks such as fire alarm checks and practice evacuations.
  - Complete Medication administering sheets where required and return monthly to the scheme, see [medication guidance](#).
  - Record Medical appointments where the supported person requires support to the appointments.
  - Any accident or incidents.
  - Hand over sheets at the start and end of short breaks if the person requires support with money or medication.
  - Significant events in the Person's health or wellbeing.

#### How will this happen?

### 4. Storing Information Securely

- 4.1. Following GDPR guidance by law we have to store information securely to prevent unauthorised people from getting access to any personal information.
- 4.2. In our office(s) the paper files are kept in a lockable filing room and our computers can only be accessed with a password with multi factor authentication. There are systems in place to protect against loss, damage or destruction of the paper and electronic files along with the information contained in them.
- 4.3. Shared Lives Carers have to keep records secure if possible locked, to ensure that other people do not read them or interfere with them, maintaining confidentiality.

### 5. Keeping records

- 5.1. Shared Lives Carers are required to keep copies of information about the supported person and to record anything significant that happens to them while they are with the Shared Lives Carer. Any information that the Shared Lives Carers record about the person must be **accurate and up-to-date** and easily found when needed.
- 5.2. Wherever possible the Shared Lives Officers and Shared Lives Carers will involve the supported person and / or their advocate if required in what is being written down.
- 5.3. The supported person will be given copies of the most important records, such as their **Placement Plan** and **Shared Lives Agreement**.

### 6. Training

- 6.1. All Shared Lives Carers are given an induction about record keeping and the importance of confidentiality before they start working in the service.

6.2. The Shared Lives Officers or Registered Manager provide ongoing advice and assistance.

## **7. How long should records need to be retained?**

7.1. When the supported person's Shared Lives arrangement comes to an end, the Shared Lives Carer's ensure all the person records are returned to the Shared Lives office and kept there with the rest of the information we have about the person. The Shared Lives Officers and Carers sign to say and ensure the records are returned safely.

7.2. Any further details refer to the [Data Protection and Freedom of Information - West Berkshire Council](#) pages which include the [WBC Records Management, Retention and Disposal Schedule](#).

## **8. Transfer overseas**

8.1. Your data will not be stored or sent outside of the UK.

## **9. Access to Records**

9.1. Shared Lives Carers and Supported people have a right to know what information is being kept about them, whether on paper or computer, and to ask for it to be changed if it is incorrect or additional statements to be added to ensure the person's views are fairly reflected.

### **How will this happen?**

9.2. Shared Lives Carers can request their own personal data, or make a request supporting someone else, by writing to West Berkshire Council, explaining what information they want to see and where it's likely to be held.

9.3. There's a charge for each request, but children under the age of 18 and looked after children under the age of 25 may obtain their information free of charge.

9.4. The [West Berkshire Council 'Right to Know' leaflet](#) provides a summary of your rights, as a user of Council services, to access your personal information and to be provided with information about the uses to which it is put.

9.5. Requests can be made using an Access to Records form [application form \[160kb\]](#). Alternatively you can use our online form. [Make a Data Protection Request - West Berkshire Council](#).

9.6. We may sometimes have information about the supported person which has been given to us by another person or organisation. If so, we will have to ask for permission from the author of the document before we can show it to the supported person. This could take a few weeks. Alternatively, the supported person can ask that individual or organisation directly to show them the information they have written. If we have to withhold information from the supported person, we will tell them the nature of the information and why we cannot show it to them.

9.7. If other people (such as a relative) ask to see the supported persons files, we will not permit this without the supported person's agreement.

- 9.8. If the supported person has a formal advocate or other representative who is acting on their behalf, that person may be able to see all the information we have recorded, providing appropriate consent(s) has been obtained. Under the General Data Protection Regulations (GDPR) and the Data Protection Act 2018 assumes that any person is competent to apply for their own information, so we may need additional confirmation that you are acting for the person, and that they cannot make the request themselves.
- 9.9. Inspectors from the Care Quality Commission (CQC) and other relevant care regulators sometimes ask to see a few of the files of Shared Lives Carers and people who are using our service. This is part of the regulators' job to make sure that we are running the service properly, including having proper arrangements for recording and storing information. The CQC and other care regulators treats all personal information as confidential.
- 9.10. West Berkshire Council has an [Access to Information Policy](#).

## **10. Joint Working – Confidentiality and Information Sharing**

- 10.1. The Shared Lives service recognises that other professionals and organisations may play an important part in the supported person's life.
- 10.2. Sometimes it is necessary to co-ordinate the service we provide with other services that the supported person needs or wants to participate in. Examples are where the supported person may require support with their dental appointments, in getting home from a club, in needing to transfer to / from hospital or in arranging to go to college.
- 10.3. The Carer will work to communicate effectively with the other people involved, sharing information that is relevant to ensure the persons needs and wishes are met.

### **How will this happen?**

- 10.4. The supported persons right to confidentiality will be respected throughout this process. Personal information will only be shared with their agreement, or if it is necessary in order to prevent harm to them or others.
- 10.5. We will gain appropriate consent to share information and this will be recorded in the persons 'placement plan'. **Placement plans** will state agreements on sharing of information. For all adults, it should be noted that people do not have automatic rights to others' information.
- 10.6. We are also required to work within the mental capacity act 2005. This means that we are required to follow the subsequent principles:
- A person must be assumed to have capacity unless it is established that he lacks capacity.
  - A person is not to be treated as unable to make a decision unless all practicable steps to help him to do so have been taken without success.
  - A person is not to be treated as unable to make a decision merely because he/she makes an unwise decision.

- An act done, or decision made, under this Act for or on behalf of a person who lacks capacity must be done, or made, in their best interests.
  - Before the act is done, or the decision is made, regard must be had to whether the purpose for which it is needed can be as effectively achieved in a way that is less restrictive of the person's rights and freedom of action.
- 10.7. We will work with other professionals / other organisations to ensure that each knows what the other is doing, as well as to ensure that the persons health, safety and welfare are safeguarded. Only relevant information will be shared on a need to know basis.
- 10.8. Where the person wants their relatives, friends or representatives to be involved in their care or support, or in decisions about this, they will be made welcome and their need for information, advice and support will be respected / responded to.
- 10.9. Information will also be shared with the Care Quality Commission to enable them to effectively monitor and inspect our services.
- 10.10. *Refer to [Shared Lives Carers guidance](#) – Section 28 Confidentiality- This explains more about when we can and cannot share personal information.*
- 10.11. In line with the privacy notice, Information regarding Shared Lives Carers is also held on record and this information will be looked after with the same respect and confidentiality as the supported person information. Information, mainly contact details, will be shared with the Care Quality Commission to enable them to effectively monitor and inspect our services. Carer information may also be shared with other professionals and members of the Shared Lives Panel. Only information that is relevant and specific to requirements will be shared where necessary.