



Prifysgol Cymru
Y Drindod Dewi Sant
University of Wales
Trinity Saint David

Module LCHS4003 Introduction to Health and Social Care

WEEK 7

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Trawsnewid Addysg; Trawsnewid Bywydau
Transforming Education; Transforming Lives



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WELCOME

Record the Session



Ice Breaker



Today we will...

- Go through issues relating to confidentiality and data protection. Looking at the importance of the Data Protection Act 2018 & GDPR.
- Look at record-keeping and consider the key elements for good practice.
- Provide time to watch a videos on the topic areas covered in the session.
- Undertake a group work activity and feedback presentations.

Aims and Objectives of the session

Aims

- To provide why good record keeping is an essential component in the H & SC role.
- To provide you with information around maintaining confidentiality of information on service uses, clients or patients.
- To go through information relating to data protection.
- To watch videos around the topic areas and undertake group work activities and presentations.

Objectives

- By the end of the session, you should have an insight of why good record keeping is an essential role within the H & SC sector.
- You should be able to have a broader insight to issues around maintaining confidentiality and your duty of care and overall responsibility.
- You should be able to understand why data protect is important and the GDPR within the Data Protection Act 2018.

Session 1

Setting the context and brainstorming

What is your understanding of record-keeping, confidentiality and data protection?

- In pairs discuss your ideas and identify two elements for each item to feedback to the whole group.



The Legal Framework

- In the UK, the legal frameworks covering how patient/service users or client's data must be looked after and processed under the Data Protection Act (DPA) 2018, which brought the EU General Data Protection Regulation (GDPR) into law, and the Common Law Duty of Confidentiality (CLDC).
- Data protection legislation requires that the collection and processing of personal data is fair, lawful and transparent.

- This means there must always be a valid lawful basis for the collection and processing of data as defined under data protection legislation, and the requirements of the CLDC must also be met. [Protecting patient data - NHS Digital](#)
- Statutory guidance link from the UK government on the [Data Protection Act 2018 Overview - GOV.UK \(www.gov.uk\)](#)

Data Protection Legislation



legislation.gov.uk

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Data Protection Act 2018

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Introductory Text

PART 1 Preliminary

1. Overview

2. Protection of personal data

3. Terms relating to the processing of personal data

PART 2 General processing

[Data Protection Act 2018 \(legislation.gov.uk\)](#)

The importance of confidentiality some general principles...

- As a future health and social care professional you must understand why and how you should maintain confidentiality of service users and patients' information. (The Common Law Duty of Confidentiality (CLDC)).
- Maintaining confidentiality is a central element of your future role.
- Maintaining data protection of service user's and patient's details has a comprehensive framework and there are strong sanctions for failing to observe the requirements.
- As part of the Data Protection Act 2018 is also the adoption of the EU's GDPR standards.

- The DP Act 2018 provides a comprehensive and modern framework for data protection in the UK, and there are stronger sanctions for malpractice.
- You should be aware of the protocols about how to maintain confidentiality of information, so that you do not fall 'foul of the law'.
- Confidentiality of service users, and patients' information requires you as a H and SC professional to be aware that your practice "says something about your health care or treatment" (NHS, 2018) to the individual in which you are providing a service too.

Consent

You are expected to keep information private so that it remains confidential within the NHS, LA, Universities, Hospitals, and other social care settings and services unless consent has been given, or that it relates to safeguarding or is in breach of the law.



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Consent under the DPA 2018

- It should also be within the GDPR requirements.

Consent must be:

- freely given without any unfair pressure;
 - specific - for a limited and clearly defined purpose;
 - informed;
 - Unambiguous and
 - withdrawable - as easy to withdraw as it was to give it.
-
- If using consent as a lawful basis for processing, the individual must also be given certain rights, including the rights to erasure and portability, as defined in the DPA 2018.

Why is record keeping important?

- The retention of records is critical as there is an emphasis on the importance of good record keeping within the health and social care sector.
- Health and social care records contain valuable information about service users, clients or patients.
- Records provide “information about what has appended to a person in their past, but also have long-term effects on memory and identity” (Hoyle, et al. 2019, p.1856).

- We all have and generate personal data, although we often give it away freely and without consideration of its value as an asset.
- Staff have a professional and legal obligation to keep an accurate record of their interactions with service users, clients and patients.
- Records in the health and social care sector are legal documents, which can be called upon in a variety of situations.
- Comprehensive records also help to drive high standards of service users, client or patient care.

[Record-keeping guidance | The Chartered Society of Physiotherapy \(csp.org.uk\)](https://www.csp.org.uk)

Case Recording Principles

- Record keeping was initially considered as a tool for helping to improve practice delivery.
- Now it is viewed that the creation of good case notes/recordings in the H & SC sector is an integral part of your professional role.
- It is essential for building evidenced accounts of relationships between families, and services (Kagle, (1991) in Hoyle, *et al*, 2019, p.1857). Record keeping takes place in a complex H & SC system in the context of what is expected in wider society. Mind you, sometimes, case recordings can be viewed as a “bureaucratic distraction” (Hoyle, *et al*, 2019, p.1857).

- Record keeping forms the basis for monitoring and performance management and for the assessment of needs of outcomes for individuals.
- Record keeping is good for individual participation, the co-production of records about themselves.
- In this way it fosters a culture of transparency and openness between the H & SC professional and the service user, patient or client. This generates confidence in the service delivery.

- Hoyle, *et al* (2019) confirms that recording does take time to achieve as recording information can take up as much as 60% of a professional's time to achieve effectively.
- Despite the need to record well, there can be “a conflict and an ambivalent position” (Hoyle, *et al*, 2019, p. 1857) for professionals because of serious case reviews have highlighted inconsistencies and inadequate recordings which has contributed to factors in abuse and child death cases.

Social Care Recording | SCIE



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Care providers – improvement support

– [Care providers](#)

– [Concerns](#)

– [Recording](#)

– [Importance of recording](#)

– [Perspectives](#)

– [Top tips](#)

Social care recording

Published August 2021

This resource aims to support social care staff, including service managers, frontline care workers in care homes and home care, personal assistants, and other care providers, to improve recording skills – how you write down what you have seen and done, your analysis of that, and what you plan to do as a result.

It is based on the concept of PARTNERSHIP – that recording should be done, as much as possible, in conjunction with the person you are supporting.

The resource sets out **11 top tips to consider when recording**, whether that be daily case notes, or more formal reports or assessments.

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Refreshment Break

Session 2

Presentation of Wider Ideas

The context of the Data Protection Act 2018

- The context of the Data Protection Act 2018
- The GDPR core principles
- To conduct group work activities on service user groups relating to the GDPR
- Read contents of pages 137 to 159 in Glasby (2012) around user involvement and citizenship

The Caldicott Principles

Eight principles to ensure people's information is kept confidential and used appropriately as follows:-

Principle 1: Justify the purpose(s) for using confidential information.

Principle 2: Use confidential information only when it is necessary.

Principle 3: Use the minimum necessary confidential information

Principle 4: Access to confidential information should be on a strict need-to-know basis.

Principle 5: Everyone with access to confidential information should be aware of their responsibilities. [From: The Caldicott Principles - GOV.UK](https://www.gov.uk/government/publications/the-caldicott-principles)

The Caldicott Principles

Principle 5: Everyone with access to confidential information should be aware of their responsibilities.

Principle 6: Comply with the law.

Principle 7: The duty to share information for individual care is as important as the duty to protect patient confidentiality.

Principle 8: Inform patients and service users about how their confidential information is used.

[From: The Caldicott Principles - GOV.UK](https://www.gov.uk/government/publications/the-caldicott-principles)

The Data Protection Act

**Data
Protection
Act 1998**



**Data
Protection
Act 2018**



**General
Data
Protection
Regulation**



- Around 2015, the EU began working on the **General Data Protection Regulation (GDPR)**.
- The aim was to strengthen and standardise data protection regulations across Europe.
- Existing UK laws already covered almost all these new provisions.
- In 2018, the DPA was updated to bring it in line with GDPR.

Data Protection Act 2018

- The Data Protection Act 2018 is a United Kingdom Act of Parliament which updates data protection laws in the UK.
- It is a national law which complements the European Union's General Data Protection Regulation and replaces the Data Protection Act 1998.
- The Data Protection Act 2018 sets out what protections are in place for individuals, organisations, governmental bodies and businesses.



- Data Protection relates to living people which can be identified.
- It covers data both in written format or information which is held electronically.
- There is legal protection for the protection of sensitive information.
- Individuals have a legal right to find out about what information is held about them and how it is used.

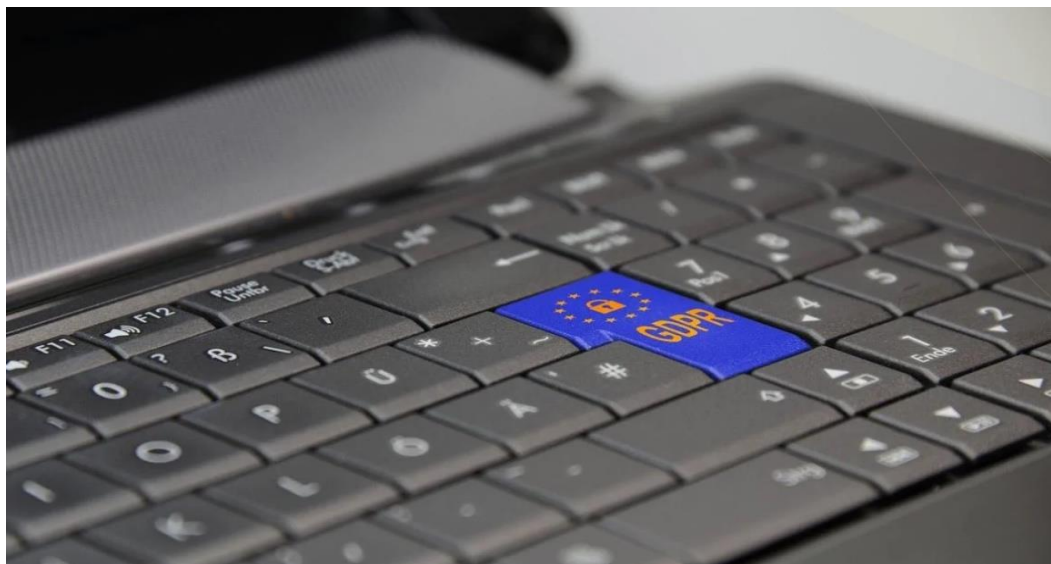
Core principles of the Data Protection Act 2018

There are six fundamental data protections:

1. Data processing must be lawful and fair.
2. Data must be only processed for the specific purpose for which it was collected.
3. Data processing must be relevant and not excessive.
4. Data processed must be accurate and kept up to date.
5. Data must only be kept for as long as necessary for the original reason it was collected. There must be periodic review to determine if ongoing retention is necessary.
6. There must be organisational and technical measures in place to assure the security of data collected.

The General Data Protection Regulations (GDPR)

**Safeguarding
service users
and patients**



[Data Security and Protection Toolkit assessment guides - NHS England Digital](#)
(February 2025)

The 7 Key Principles of GDPR

There are 7 key principles that are the foundation of the GDPR in Article 5 and these are:

1. Lawfulness, fairness and transparency
2. Purpose limitation
3. Data minimisation
4. Accuracy
5. Storage limitation
6. Integrity and confidentiality (security)
7. Accountability



These principles are set out at the very beginning of the legislation and are the building blocks for the rest of it.

They are what an organisations Privacy Policy needs to be based on in order to ensure it is GDPR compliant.

[The 7 Key Principles of GDPR · PrivacyTerms.io](https://www.privacyterms.io/gdpr-principles)

GDPR – personal and sensitive data

The Data Protection Act

Personal data

Name

Address

Banking details

Date of birth

Financial transactions

Sensitive data

Nationality

Ethnicity

Political beliefs

Trade union membership

Genetics

Biometrics

Health

Sexual orientation

Sensitive personal data

Race/ethnicity

Political opinion

Religion

Member of trade union

Physical/mental health

Sex life

Offences

A Case Study Example



[\(562\) Improving health services through shared care records - YouTube](#)

Purpose of the GP Electronic Health/Patient Record (EPR) System

- Comprehensive, accurate, health records are central to a modern healthcare system.
- A patient record may contain information in any number of formats but in primary care, the core of a record is held in digital form.
- High-quality patient records are the foundation of good clinical care delivery.
- Delivering safe and efficient patient care depends on having high quality patient records and, therefore, the right information available when clinical decisions are made.
- Records should be accurate, is appropriately and correctly coded, has the correct context, contains no inaccurate or data not related to the patient and is curated to allow all this information to be accessible. From: [NHS England » Purpose of the GP electronic health record](#) [Accessed, 25th February 2025].

NHS Video Link



[\(572\) NHS DigiTrials – how we collect, process, use and protect your data to improve patient care – YouTube](#)

Watch the video on data protection in the NHS



[NHS - Health Records - Bing video](#)

[Supporting general practice - Medical record keeping - NHS Resolution](#)

The role of the standards of conduct, performance and ethics



<https://www.skillsforcare.org.uk/Documents/Standards-legislation/Code-of-Conduct/Code-of-Conduct.pdf>

Code of Conduct for Healthcare Support Workers and Adult Social Care Workers in England

hcpc health & care professions council

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Standards of conduct, performance and ethics

The ethical framework within which our registrants must work

<https://www.hcpc-uk.org/standards/standards-of-conduct-performance-and-ethics/>

Refreshment Break

Session 3

Group Work Activities



Group Work Activity



1. [GDPR explained: How the new data protection act could change your life](#)
- [GDPR explained: How the new data protection act could change your life - Bing video](#)

- Watch the Channel 4 News video on the GDPR and note down the key elements contained within it.
- In your groups discuss the contents and relate it to your responsibility as a H and SC worker within a specific service users' group.
- Feedback your findings.

Activity per Group

- **Red group** – Palliative Cancer Care in the Community
- **Blue group** – Disability Residential Care
- **Yellow group** – Within the Hospital Setting
- **Orange group** – Dementia Care in a Private Nursing Home
- **Green group** – LA Residential Care Home
- **Purple group** – Mental Health Supportive Living Accommodation

Session 4

Group Work Presentations

InfoSkills Gym

Build up your academic skill base

- Access Academic & Infoskill via Moodle
- Continue the Module on Moodle

15 minutes individual activity

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Academic and InfoSkills

Mae'r modiwl hwn hefyd ar gael yn Gymraeg [Cymraeg](#)

Our Skills programme is designed to create opportunities for students to develop their transferable academic and information skills, facilitating both their academic success and employability. The curriculum covers a wide range of topics – from finding library resources to fake news to managing your online presence.

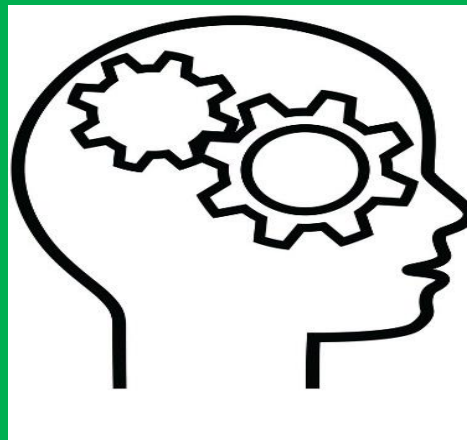
Our team of Academic Liaison Librarians have developed a series of online Units that allow you to develop your skills anywhere, anytime, to suit you. Click the tiles below to get started:

Overall progress % 0

- Finding and Using Information
Progress: 0 / 12
- Referencing
Progress: 0 / 7
- Researchers
Progress: 0 / 3
- Generative AI
Progress: 0 / 2

Session 5

Recap and Final Reflection Point





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Module LCHS4003

Introduction to Health and Social Care

ASSESSMENT BRIEF SLIDES

Component 2

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Questions?





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- [Social care recording | SCIE](#) (Access 2nd October 2022).