

NHS WEST ESSEX CLINICAL COMMISSIONING GROUP

Audio/Digital Recording on CCG Premises and in CCG Meetings Policy

WE CCG Policy Reference:

WECCG78

Brief Description (max 50 words)	This policy is to assist staff and visitors in the correct process if recordings of meeting with on CCG property or about CCG business take place Any recording should be retained and stored in line with the IG02 policy
Target Audience	All WECCG Staff

Version Number	1.0
Accountable Officer	Director of Nursing and Quality
Responsible Officer	Clinical Quality Specialist
Date Approved	21.09.2017
Approved By	Executive Health and Care Commissioning Committee
Date Summary presented to Board	25 th January 2018
Review Date	September 2020
Stakeholders engaged in development/review	Information Governance Team Nursing and Quality Team Quality Committee
Equality Impact Assessment	

SUSTAINABILITY STATEMENT: We declare that NHS West Essex Clinical Commissioning Group will demonstrate commitment to promoting environmental and social sustainability through our actions as a corporate body and as a commissioner. We will reduce our carbon footprint by 10% from a 2007 baseline by 2015, 34% by 2020 and by 80% by 2050. We will lead by example, setting the standard for all of our providers and shareholders and will work across the community and health and care sectors to ensure a collaborative reaction to sustainable development.

Amendment History

Version	Date	Reviewer Name(s)	Comments

1. INTRODUCTION

West Essex Clinical Commissioning Group (the CCG) is committed to being open and transparent in the way it conducts its decision making. Recording (1) what is said is permitted and expected at many meetings, some of which are either open to the public, or with members of the public.

Generally minutes of meetings are taken in long or shorthand, and then typed up for ratification as a 'true and accurate record (2)' of what was said. Where digital or audio recordings are made (3), to aid the minutes or notes of the meetings, how the typed up version will be presented (word for word, or a precis) , will depend on; the meeting, the audience and agreed expectations including those set out in any formal Terms of Reference.

The CCG understands that some people who attend meetings may not wish to be recorded ; however, where this method is employed in the proper running of its business, the CCG will apply with following rationale:

2. Scope

This policy applies to all employees of West Essex CCG including locum and honorary contracts and to those meetings which are held in order to carry out the work and responsibilities of the CCG.

3. Public Meetings (on or off CCG Premises)

The CCG will either inform those attending in advance or a meeting, verbally at a meeting or in writing to advise whether it is to be a recorded meeting and whether this will be in part or for the whole meeting.

The Chair of the meeting will have absolute discretion to stop or suspend recording if in their opinion continuing to do so would prejudice proceedings at the meeting.

4. Private meetings between members of the public, CCG staff and partners

The CCG will only make audio or digital recording of meetings involving the attendance of individual member/s of the public in limited circumstances, and when all parties agree to the recording. The transcript of the recording will be made available to the member/s of the public who attended. Written consent should be obtained or verbal consent should be heard on the recordings made. Only CCG approved equipment should be used to make recordings.

If there is a plan to record a meeting this information must be contained within any invitation letter to the member of the public who has been invited.

Members of the public (4) or staff are not normally permitted to make any ad-hoc recording on any media in connection with the CCG's business (5) when on site on any of the CCG's premises or in a member of the public's home.

5. NOTES FOR GUIDANCE

Records should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or infringement of the CCG's values or in a way that ridicules or shows a lack of respect for this in the recording.

Recording and sharing of recorded information

Where meetings are held with members of the public, the recoding should be made digitally then a copy burned on to a read only disk – the disk should be sent to the member of public and a copy of the recording retained by the CCG.

The CCG would expect any recording in breach of this policy to be investigated (7) by the relevant Information Governance lead.

Recording and reporting on the CCG's business is subject to its Constitution and the Law, and it is the responsibility of those doing the recording and reporting to ensure compliance. This will include:

The Human Rights Act 1998
The Data Protection Act 1998
and the laws of libel and defamation

Retention of recordings will be in line with the following policy: Information Lifecycle Management Policy, Procedure and Strategy
West Essex CCG Policy Reference: IG4

Much of our work involves us in one way or another, whether on or off any of the CCGs premises, in having access to confidential and/or sensitive information. Often this can be personal information about staff or patients.

We trust our staff to respect these confidences, and to look after these recordings until they are no longer required (8). It is very important if the recording is made as part of formal complaint resolution the disk should be stored in the complaint pack.

We have produced this Policy in order to reinforce not only to our staff, but also to others with whom we do our work, how seriously we treat this matter.

6. PROTECTING PERSONAL DATA

This Policy also bounds CCG staff to comply with Statutory Requirements which are;

- i) Data Protection Act 1998
- ii) Copyright, Designs and Patents Act 1988
- iii) Computer Misuse Act 1990
- iv) Health Records Act 1990
- v) Freedom of Information Act 2000
- vi) Human Rights Act 1998

and with relevant CCG Policies where 'personal data' are recorded.

7. TRAINING

Information Governance training is now MANDATORY for ALL Trust staff (9)

Staff, including Volunteers, must complete their Information Governance (IG) training at least annually, and this will be recorded on their ESR Training Record (10)

8. EQUALITY IMPACT ASSESSMENT

To follow

9. MONITORING

Aspect of the policy to be audited	Auditing Method	Individual/Team responsible	Frequency of monitoring	Receiving Group/Sub-committee	Actions taken by the Group/Sub-committee
Proof of consent must be available for meetings that are recorded	Review of recordings	Lead of relevant team	Annual	Information governance	
Review of public meetings	Review of meetings to ensure information on recording is present and that chairs are aware of their responsibility	Secretary to any public meetings	quarterly	Information governance	

FOOTNOTES

- (1) Recording may be on audio or digital media depending on circumstance and location
- (2) The record is usually a precis or an abridged version of what individuals or the group/committee actually say
- (3) The digital or audio recording will be kept safe and not deleted or overwritten until after it is either transcribed and the ratified by a relevant committee or meeting attendees. In some circumstances, attendees may request a copy of the audio or digital recording and this should be facilitated within the Law; here the Freedom of Information Act 2000 or the Data Protection Act 1998 might apply depending on the nature of the content.
- (4) Local & National Press, the Police, and the Media may be exempt on certain circumstances
- (5) Audio transcripts of personal data or patient information may be requested through the Patient Advice & Liaison Office (PALS) where it is agreed that it is in the patients interest
- (6) These digital or audio recordings will be kept safe and not deleted or overwritten until they have been transcribed and then ratified by the clinician who made the recording
- (7) Adverse Incident or Serious Incident (STEIS Report) procedures to be followed as per CCG SI policy
- (8) Data Protection Act 1998 - Information Lifecycle Management Policy, Procedure and Strategy
West Essex CCG Policy Reference: IG4
- (9) Information Governance Policy
Some staff, like Volunteers and Locums etc, may not have an ESR training record however, that does not mean that they are excluded from the same levels of training expected or 'employed staff' who have the same or similar access to the CCG Confidential and Sensitive Information Assets