

CHILDREN'S SERVICES AND ADULT SOCIAL CARE

PROCEDURE FOR TAKING PERSONAL DATA AND SENSITIVE PERSONAL DATA OFF LCC PREMISES

The purpose of this procedure is to set out the steps to be followed by practitioners working in social care related services when taking personal data and / or sensitive personal data off site, for example, to conduct home visits, attend meetings, panels or court, or to work from home.

1. Circumstances in which personal data can be taken off site

It is recognised that practitioners may need to take personal data in paper format out of the office to attend meetings, court, or to conduct home visits, for example, in order to carry out their job role. This is likely to be sensitive personal data since the majority of data handled within social care, and associated services, relates to the service user's mental or physical health, sexual life, ethnicity, or alleged commission or commission of criminal offences. For ease of reference, throughout this procedure the term 'personal data' includes 'sensitive personal data'.

In order to comply with the Data Protection Act and to ensure the security of the information, and the safety and welfare of the service user, the following points must be complied with:

- Consideration must be given as to whether there is a more appropriate and secure way of transporting or accessing the information, for example, officers should consider whether the data could be transported on an encrypted memory stick or accessed from a LCC encrypted lap top.
- If it is essential that personal data in paper format is taken off LCC premises then only the absolute minimum amount of personal data is to be taken out of the office. Relevant papers should be removed from the file where this is possible rather than the entire file being taken.
- The amount of information to be taken is a professional judgement for the practitioner but he/she must be able to justify why it was necessary to take such papers / records out of the office.
- Where a substantial amount of personal data is to be taken off site, then the practitioner must have approval from his/her line manager.
- If an entire file is to be removed then the Directorate's file signing out process must be followed.

2. Means and mode of transport

- Paper records must be transported in a bag which fully closes (locks / zips / clips shut), and which is made of a non-transparent material. Records / papers for different families / clients must be placed in separate folders.

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- The Directorate has a pool of bags which lock by either key or combination lock and which must be used when large volumes of personal data is to be transported or when personal data needs to be transported on a long journey, for example, a court hearing or some other meeting which is to be held a long distance from LCC premises. It is at the service area's discretion as to whether further bags which lock by either key or a combination lock are made available to those practitioners within that service.
- When transporting paper records on public transport, for example, by bus or train then the records must be kept with the practitioner and not placed on luggage racks.
- When transporting paper records by car then these should be stored out of sight in a locked car boot which has a parcel shelf, or equivalent, and only those papers needed should be taken into the meeting or service user's home. If the practitioner's car boot does not have a parcel shelf, or equivalent, then all papers should be taken into the meeting / service user's home but those not relevant to the meeting must remain in the bag. This bullet point also applies to laptop devices.
- Personal data should not be reviewed or discussed by practitioners in places where it could be seen, or conversations overheard, by a member of public, for example, on public transport or in cafes. In urgent cases, where the service user is at imminent risk, then any reviews or discussions must be carried out with extreme caution and care should be taken to not disclose anything which could enable the service user, or the service user's family, to be identified.

3. Working from home

The points set out under section 1 of this procedure apply here. In addition:

- If personal data is to be transported to the practitioner's home by car then all such data must be taken into the practitioner's home on arrival and no records should ever be stored in the car boot overnight. This also applies to LCC laptops and any other LCC portable devices.
- Care must be taken when working from home to ensure that personal data is not visible to other members of the household and that work related conversations are held out of earshot of other household members.
- Personal data must be stored in the practitioner's home in a safe place, which is out of sight, and separate from the practitioner's laptop.

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- Personal data must be returned to LCC premises the next time the practitioner is due in the office. Any files must then be signed back in, in accordance with the Directorate's signing in process.

4. Information security incidents

- If a practitioner becomes aware of any information security related incident (which includes the loss or theft of paper records or LCC encrypted laptops), or potential information security related incident, then the practitioner must immediately inform his or her line manager who will in turn inform the Directorate's Information Compliance Officer.

5. Policy Statement

This procedure is underpinned by Leeds City Council's Information Security Policy and failure to adhere to this procedure may result in a failure to meet the standards outlined in the Information Security Policy.

Failure to meet the standards outlined in the Information Security Policy may be regarded as serious and any breach may render an employee liable to action under the Council's Disciplinary Procedure, which may include dismissal. The Disciplinary Procedure is part of the Local Conditions of Employment. Any disciplinary investigation resulting from a breach of this policy will be undertaken in accordance with the Council's Disciplinary Procedure.