

Penrose Inquiry - Document Storage and Retention Policies

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Lyell Jan (NHS National Services Scotland)

Sent: 14 October 2009 17:49
To: Todd Yvonne (NHS National Services Scotland)
Cc: Billing Neil (NHS National Services Scotland)
Attachments: NSS Retention Policy Info ~1.doc (213 KB) ; Document Storage and Reten~1.pdf (136 KB) ; Document Storage and Rete~1.pdf (342 KB) ; Document Storage and Reten~2.pdf (201 KB) ; Document Storage and Reten~3.pdf (242 KB) ; Document Storage and Reten~4.pdf (283 KB)

Neil

Further to your letter of 12th October 2009, I attach a schedule showing the policy position on document storage and retention in CSA/NSS since 1974. From this you will see that we have had an NSS specific policy with supporting retention schedules, based on NHSScotland guidance, in place since January 2003. Prior to that, we relied on Scottish Executive policies. I have also attached Versions 1-5 of the CSA/NSS policy.

The CSA/NSS original policy and subsequent revisions have been developed and revised in consultation with all our Divisions. This is to ensure that the retention schedules reflect not only government policy/guidance, but also divisionally specific operational needs and any emerging legislative/regulatory requirements. An example of the latter would be those resulting from the European Directive 2005/61/EC.

Policies have traditionally been disseminated through CSA/NSS via Directors and Divisional line management structures and, since the late 1990s, made available to the wider organisation through our corporate intranets; first Infozone and, since 2006, geNSS. For example when Version 5 of the NSS Document Storage and Retention Policy was approved in March 2009 it was disseminated directly to Divisional Directors and Divisional Records Management Leads and Champions. It was brought to the wider attention of staff through our electronic Staff Update and has been published on the Information Governance pages of the corporate intranet, geNSS. It also forms a section of the Corporate Records Management Manual issued to our Records Management leads.

I am content that my name goes forward to the Penrose Inquiry as the person in NSS who could talk to this subject; however, my involvement in this area is relatively recent and dates from when the Corporate Records Management function became part of my remit in 2007.

I hope this is of assistance but please come back to me if you need more information or further clarification.

Kind regards

Jan

Jan Lyell
 Head of Corporate Affairs

SNBTS DOCUMENT REQUEST No:

2012/00147

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NSS Document Storage, Retention and Disposal Policy

Before the NSS Document Storage, Retention and Disposal Policy was implemented, NSS complied with Scottish Governance guidance to Health Boards and NHS Trusts on the minimum periods for which certain categories of health records were retained.

- Mar 1958** Scottish Health Memorandum 60 of 1958 (SHM 58/60) and its accompanying schedule
- NSS subject to provisions of the Public Records (Scotland) Act, 1937 – hospital records may be destroyed only in accordance with section 12 of the 1937 Act, authorising the destruction of various types of records after specified periods.
- Dec 1993** National Health Service in Scotland Management Executive Letter 152 of 1993 (NHS MEL(1993)152)
- Informed changes to the minimum period of which certain categories of health records were retained as previously specified in SHM 58/60 and its accompany schedule
- Jan 2003** NSS Chief Executive and the CSA Board endorsed the CSA Document Storage and Retention Policy and recorded as Version One.
- Policy structured to reflect both the corporate and common types of records that were held by NSS, including those specific to the workings of the Divisions.
- Guidance was taken from the Scottish Health Service circulars SHM 58/60 and NHS MEL(1993)152, and the Public Records Office.
- Retention periods given were only 'minimum recommendations', however, decisions to keep records beyond stated periods had to be justified.
- Jun 2005** Version Two - NSS policy reviewed and additional schedule for Health Protection Scotland was incorporated.
- May 2006** Version Three – amended to reflect changes outlined in NHS Health Department Letter 28 of 2006 (NHS HDL(2006)28) for the Management, Retention and Disposal of Administrative Records.
- There were minor changes to the policy in August 2006, and during the policy review phase in 2007 before final sign off November 2007. Includes
- Aug 2006 – amendments to divisional schedules – Divisions requested amendments

- Aug 2006 – amendment to text – reviewed by NSS Information Governance Co-ordinator and Corporate Records Management Project Manager
 - Jun 2007 – divisional schedule added for Health Facilities Scotland. Amendments to Central Legal Office and National Services Division divisional schedules
 - Jul 2007 – amendments to Information Services Division schedule – reviewed by ISD Assistant Director
 - Sept 2007 – amendments to Human Resources divisional schedule
 - Oct 2007 – amendments to SNBTS divisional schedule to reflect European Directive 2005/61/EC
 - Oct 2007 – amendments to Human Resources schedule to reflect Equal Pay requirements
- Nov 2007** Version 4 – Policy was declared as final version, incorporating above changes.
- Minor amendments to Version 4 include:
- Jan 2008 – amendment to layout to include “Authorised To Dispose” column. Amendment to Scottish Health Service Centre divisional schedule and corrections to text.
 - Feb 2008 – amendments to Information Services Division schedule
- Jul 2008** Policy reviewed and updated to reflect retention period changes due to the release of Records Management: NHS Code of Practice (Scotland) Chief Executive Letter 28 of 2008 (CEL28(2008)).
- Oct 2008** Policy then underwent a corporate and divisional review and consultation. The policy was declared as final Version 5 and submitted to the NSS Policy Review Group for formal consultation.
- Mar 2009** Version 5 was endorsed by the NSS Partnership Forum and signed off by the Joint Chairs.

The policy is due for review in January 2011, or earlier if required by changes in legislation or the operational requirements of NSS.